

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

8 April 2019

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, **Wednesday, 17th April, 2019 at 6.30pm** for the transaction of the following business.

A Griffin
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Council meeting held on Thursday 21st February 2019 (Pages 1 - 26)**
Minutes attached
- 7 Petition - Against New Parking Charges (Pages 27 - 28)**
Prayer of the Petition attached
- 8 Petition - High Street 2 hours free parking (Pages 29 - 30)**
Prayer of the Petition attached
- 9 Petition - Footpath across central reservation in Prittlewell Chase (Pages 31 - 32)**
Prayer of the Petition attached
- 10 Minutes of the meeting of Licensing Sub-Committee A held on Friday, 1 March 2019 of (Pages 33 - 36)**
Minutes attached.
- 11 Minutes of the meeting of Development Control Committee held on Wednesday, 6 March 2019 (Pages 37 - 46)**

- 12 Minutes of the meeting of Cabinet Committee held on Thursday, 7 March 2019 (Pages 47 - 50)**
Minutes attached.
- 13 Minutes of the meeting of Cabinet held on Tuesday, 12 March 2019 (Pages 51 - 60)**
Minutes attached
- 14 Minutes of the meeting of the Health and Wellbeing Board held on Wednesday, 20 March 2019 (Pages 61 - 64)**
Minutes attached.
- 15 Minutes of the meeting of Audit Committee held on Wednesday, 27 March 2019 (Pages 65 - 68)**
Minutes attached.
- 16 Minutes of the meeting of Licensing Sub-Committee B held on Friday, 29 March 2019 (Pages 69 - 70)**
Minutes attached
- 17 Minutes of the meeting of Development Control Committee held on Wednesday 3rd April 2019**
Minutes to follow
- 18 Minutes of the meeting of Appeals Committee B held on Friday 5th April 2019**
Minutes to follow
- 19 Minutes of the meeting of Place Scrutiny Committee held on Monday 8th April 2019**
Minutes to follow
- 20 Minutes of the meeting of People Scrutiny Committee held on Tuesday 9th April 2019**
Minutes to follow
- 21 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Wednesday 10th April 2019**
Minutes to follow
- 22 Retiring Councillors**

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 21st February, 2019

Place: Council Chamber - Civic Suite

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Present: Councillor D Jarvis (Chair)
Councillors A Holland (Deputy Chair), B Arscott, S Aylen, B Ayling, 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 Mulrone, D Nelson, C Nevin, G Phillips, K Robinson, L Salter, M Stafford, M Terry, N Ward, C Walker, P Wexham, C Willis and R Woodley

*Substitute in accordance with Council Procedure Rule 31.

In Attendance:

Start/End Time: 6.30 pm - 1.30 am

717 Apologies for Absence

718 Declarations of Interest

- **Councillor Arscott**

People Scrutiny Committee – 29th January 2019

Minute 661 - Schools Progress report – non-pecuniary – Governor at Our Lady of Lourdes Catholic Primary School (Assisi Trust);

- **Councillor Ayling**

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – knows people involved with scheme;

- **Councillor Borton**

People Scrutiny Committee – 29th January 2019

Minute 653 - Draft General Fund Revenue Budget and Minute 658 - Revenue & Capital Monitoring – non-pecuniary – work for DWP, dealing with Universal Credit claimants;

- **Councillor Boyd**

People Scrutiny Committee – 29th January 2019

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;

Disqualifying non-pecuniary interest in Minute 660 (Schools Progress Report); attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Buck**

Place Scrutiny Committee – 28th January 2019

Minute 640 (Draft Capital Investment Programme 2019/20 to 2023/24) Items 6.3, 8.5 (Schools) and Appendix 1 page 3 – Non-pecuniary interest: Governor at Eastwood Academy;

Minute 641 (Draft General Fund Revenue Budget 2019/20) – Items 2.5, 5, 6 and 8.16 (Schools) - Non-pecuniary interest - Governor at Eastwood Academy and Appendix 9 – B3 – Non-pecuniary interest - Member of Belfairs Golf Club;

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 673 - Draft General Fund Revenue Budget – non-pecuniary interest – Governor at The Eastwood Academy.

- **Councillor Buckley**

Cabinet Committee – 7th January 2019

Minute 578 – Objections to traffic regulation orders – Non-pecuniary interest – has been lobbied as to all schemes for St Laurence Ward and attended the Working Party but was not called to speak;

Development Control Committee – 9th January 2019

Minute 586 (18/01963/FULM – Development Land at Priory Crescent) – Non-pecuniary interest: Has met with the management/staff of the store in recent weeks.

Cabinet – 17th January 2019

Minute 612 – Future Phases of Affordable Housing Development Programme – non-pecuniary interest – lobbied and discussed issues relating to Lundy Close;

Policy & Resources Scrutiny Committee – 30th January 2019

Minute 674 - Future Phases of Affordable Housing Development Programme – non-pecuniary interest – lobbied and discussed issues relating to Lundy Close;

Council – 21st February 2019

Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

- **Councillor Burton**

People Scrutiny Committee – 29th January 2019

Minute 660 - Schools Progress report – non-pecuniary – Director of English and Maths at USP (formally SEEVIC) College and Southend schools are feeder schools;

- **Councillor Burzotta**

Cabinet – 17th January 2019

Minute 605 – Proposed development of the Seaway Car Park – Non-pecuniary interest – family owns a restaurant in the town centre;

Policy & Resources Scrutiny Committee – 30th January 2019

Minute 668 - Proposed development of the Seaway Car Park – Non-pecuniary interest – family owns a restaurant in the town centre;

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 2) – Non-pecuniary interest – family businesses across the borough;

- **Councillor Courtenay**

Place Scrutiny Committee – 28th January 2019

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 and Resources Scrutiny Committee – 30th January 2019

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

Special Place Scrutiny Committee – 13th February 2019

Disqualifying non-pecuniary interest in Minute 714 (Better Queensway Regeneration Project) and Minute 716 (Confidential App 2 to the Better Queensway Regeneration Project) – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Cox**

Cabinet – 17th January 2019

Minute 605 (The proposed development of the Seaway Car Park) – Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

People Scrutiny Committee – 29th January 2019

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 and Resources Scrutiny Committee – 30th January 2019

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

Minute 668 - Proposed development of the Seaway Car Park - Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

Council – 21st February 2019

Agenda Item 4 (Questions from the Public concerning the proposed development of Seaway Car Park) - Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

- **Councillor Davidson**

Audit Committee – 16th January 2019

Minute 594 (Treasury Management Policy 2019/20) – Non-pecuniary interest – Non-Executive Director of South Essex Homes;

Special Place Scrutiny Committee – 13th February 2019

Minute 714 (Better Queensway Regeneration Project) and Minute 716 (Confidential App 2 to the Better Queensway Regeneration Project) – non-pecuniary interest – Non-Executive Director of South Essex Homes Board.

- **Councillor Dear**

Cabinet Committee – 7th January 2019

Minute 579 – Petition requesting the closure of Oakwood Avenue and Shirley Road – non-pecuniary interest – lives in the general vicinity of Oakwood Avenue;

Development Control Committee – 9th January 2019

Minute 587 (18/01749/FUL – 112 Fairway, Leigh-on-Sea) Non-pecuniary interest: Lives on The Fairway.

- **Councillor Evans**

Appeals Committee A – 12th February 2019

Minute 709 (Education Transport Appeal – Pupil BI) – non-pecuniary interest – lives in close proximity to the appellant (Withdrew).

- **Councillor Flewitt**

Cabinet Committee – 7th January 2019

Minute 578 (Objections to Traffic Regulation Orders – Alton Gardens) – Pecuniary interest: Gives a financial contribution to St Stephens Church (withdrew);

Development Control Committee – 9th January 2019

Minute 586 – Development Land at Priory Crescent – Non-pecuniary interest – has been lobbied by residents and attended planning agents meeting (took no part in the decision);

Cabinet – 17th January 2019

Minute 612 (Future phases of Affordable Housing Development Programme) – non-pecuniary interest – lives in the vicinity of Lundy Close and knows individual residents and has been lobbied by some residents on the matter;

Minute 605 – proposed development of the Seaway Car Park – non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event he has had no involvement with Deloitte in respect of this matter or generally.

Policy and Resources Scrutiny Committee – 30th January 2019

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

Minute 668 – proposed development of the Seaway Car Park – non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event has had no involvement with Deloitte in respect of this matter or generally.

Minute 671 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting - non-pecuniary interest - friends and family are tenants of South Essex Homes matter (was not present for agenda item however);

Minute 674 - Future phases of Affordable Housing Development Programme – non-pecuniary interest – lives in the vicinity of Lundy Close and knows individual residents and has been lobbied by some residents on the matter (was not present for agenda item however);

Licensing Sub Committee B – 11th February 2019

Minute 696 – Mojo, 194 Leigh Road (application for review of premises licence) – non-pecuniary interest – chaired a meeting last year as the relevant Cabinet Member (took no part in the decision);

Cabinet – 12th February 2019

Minute 699 – Better Queensway Regeneration Project - non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event he has had no involvement with Deloitte in respect of this matter or generally.

Minute 700 – HRA Budget 2019/20 and Rent Setting – non-pecuniary interest – friends and relatives are tenants of South Essex Homes;

Special Place Scrutiny Committee – 13th February 2019

Minutes 714 and 716 (Better Queensway Regeneration Project) – Non-pecuniary interest – he has been informed that his employer acts for

Deloitte. However, he is not a lawyer at his firm and in any event has had no involvement with Deloitte in respect of this matter or generally.

Council – 21st February 2019

Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

Agenda Item 7 – Council Budget 2019/20 – Non-pecuniary interest – friends and family are tenants of South Essex Homes;

- **Councillor Folkard**

Development Control Committee – 6th February 2019

Minute 691 – Dawlea, Cliff Road, LOS – Disqualifying Non-Pecuniary interest – one of the residents is known to him (withdrew)

- **Councillor Garne**

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor J Garston**

Development Control Committee – 9th January 2019

Minute 589 (18/02094/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Non-pecuniary interest: Is a client to the firm.

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor D Garston**

Development Control Committee – 12th December 2018

Minute 560 (18/01352/FUL Henry Burgers) – Non-Pecuniary Interest: Mother of the applicant is a neighbour to him and a joint member of the resident's board.

Development Control Committee – 9th January 2019

Minute 588 (18/02048/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Non-pecuniary interest: Is a client of the firm.

Minute 590 (18/01527/AMDT – 11 Leigh Park Road, Leigh-on-Sea) – Non Pecuniary interest: Architect is known to him.

Development Control Committee – 6th February 2019

Minute 689 – Car Park at 27 Victoria Avenue, Southend-on-Sea – Non-pecuniary interest – Agent of objector is known to him;

- **Councillor Habermel**

People Scrutiny Committee – 29th January 2019

Minute 661 - Scrutiny Committee updates - non-pecuniary – sister is a nurse at Southend Hospital; nephew is a physiotherapist based at Southend; brother is a paramedic with London Ambulance Service;

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Hadley**

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Harp**

People Scrutiny Committee – 29th January 2019

Minute 661 - Scrutiny Committee updates - non-pecuniary – Chair of St Lukes PPG and member of PPG Forum;

- **Councillor Holland**

People Scrutiny Committee – 29th January 2019

Minute 652 - Draft Capital Investment Programme; Minute 653 - Draft General Fund Revenue Budget; Minute 658 - Revenue & Capital Monitoring and Minute 659 - MPR – her son works for the Council and would withdraw if any relevant projects were discussed.

Policy & Resources Scrutiny Committee – 30th January 2019

Minute 674 – Future phases of affordable housing development – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

Cabinet – 12th February 2019

Minutes 699 and 705 (Queensway Regeneration Project) – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

Special Place Scrutiny Committee – 13th February 2019

Minutes 714 and 716 (Queensway Regeneration Project) – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

Council – 21st February 2019

Agenda Item 24 (Pay Policy Statement) – non-pecuniary interest – son works for the Council;

- **Councillor Jones**

Development Control Committee – 12th December 2018

Minute 561(18/01812/FUL 258 Westborough Road) – Non-Pecuniary Interest: Relative lives nearby.

Cabinet – 17th January 2019

Minute 613 (Special Educational Needs and Disabilities Inspection) – non-pecuniary interest – member of Little Heroes Charity referred to in the report;

Place Scrutiny Committee – 28th January 2019

Minute 640 (Draft Capital Investment Programme 2019/20 to 2023/24) – Non-pecuniary interest: Son works for C2C and Southend Central Station was mentioned in the debate;

People Scrutiny Committee – 29th January 2019

Minute 654 - SEND Inspection – non-pecuniary – member of organisation referred to in report.

- **Councillor Lamb**

Place Scrutiny Committee – 28th January 2019

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

People Scrutiny Committee – 29th January 2019

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 McDonald**

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 678 - Employment Appeals – non-pecuniary interest - member of Unison, but not local branch consulted;

- **Councillor McGlone**

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 674 - Future phases of Affordable Housing Development Programme – non-pecuniary interest - lives in the vicinity of Lundy Close and knows individual residents;

Special Place Scrutiny Committee – 13th February 2019

Minutes 714 and 716 – Non-pecuniary interest – Non-Executive Director of South Essex Homes;

Council – 21st February 2019

Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

- **Councillor McMahon**

Cabinet – 12th February 2019

Minute 699 – Better Queensway Regeneration Project – Non-pecuniary interest – formerly employed by Swan;

Special Place Scrutiny Committee – 13th February 2019

Minute 714 - Better Queensway Regeneration Project – Non-pecuniary interest – formerly employed by Swan;

- **Councillor Moring**

Cabinet Committee – 7th January 2019

Minute 579 (Petition Requesting Closure of Oakwood Avenue and Shirley Road) – Non-pecuniary interest: Mother owns a property in Briarwood Drive;

Place Scrutiny Committee – 28th January 2019

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 Mulroney**

Development Control Committee – 12th December 2018

Minute 550 – 141 Broadway Leigh – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

Minute 560 (18/01352/FUL Henry Burgers) – Non-Pecuniary Interest: Member of Leigh Town Council (non-participant in planning).

Development Control Committee – 8th January 2019

Minute 588 – 1279 London Road – non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

Cabinet – 17th January 2019

Minute 605 (The proposed development of the Seaway Car Park) – non-pecuniary interest – member of Development Control Committee;

Minute 611 (Draft General Fund Revenue Budget) – non-pecuniary interest – member of Leigh Town Council;

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – Member of Development Control Committee;

Minute 670 - Council Tax Base and Minute 673 – Draft General Fund Revenue Budget 2019/20 - non-pecuniary interest – member of Leigh Town Council;

Development Control – 6th February 2019

Minute 692 – 34 Percy Road, Leigh – non-pecuniary interest – Member of Leigh Town Council (non-participant in planning);

Cabinet – 12th February 2019

Minute 703 – General Fund Revenue Budget 2019/20 – non-pecuniary interest – Member of Leigh Town Council;

- **Councillor Nelson**

Place Scrutiny Committee – 28th January 2019

Minute 638 (Southend 2050 - Strategic Delivery Plans) – Non-pecuniary interest: Employer is a Member of Parliament.

People Scrutiny Committee – 29th January 2019

Minute 661 - Scrutiny Committee updates - non-pecuniary – wife is a nurse at Southend Hospital;

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 669 -Brexit – disclosable non-pecuniary interest – employer is an MP (withdrew);

- **Councillor Nevin**

People Scrutiny Committee – 29th January 2019

Minute 661 - Scrutiny Committee updates – mid and south Essex STP - non-pecuniary – Previous association at Southend & MEHT Hospitals; sons work at MEHT; sister works Basildon Hospital; work at NHS Trust outside this area;

- **Councillor Phillips**

People Scrutiny Committee – 29th January 2019

Minute 653 - Draft General Fund Revenue Budget and Minute 657 - Corporate Risk Register – non-pecuniary – son works in Brexit team in Westminster civic service;

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 669 - Brexit - non-pecuniary interest – son works in Brexit team in Westminster civil service;

- **Councillor Salter**

Health & Wellbeing Board – 23rd January 2019

Minute 631 (NHS Long Term Plan) – non-pecuniary interest – husband is a Consultant Surgeon at Southend Hospital; daughter is a doctor at Basildon Hospital and son-in-law is a GP in the Borough;

Place Scrutiny Committee – 28th January 2019

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

People Scrutiny Committee – 29th January 2019

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 661 (Scrutiny Committee – updates) – non-pecuniary - husband is consultant Surgeon at Southend Hospital; son-in-law is GP in the Borough; daughter is a doctor at Basildon Hospital (was not present for agenda item however);

Council – 21st February 2019

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Terry**

Policy and Resources Scrutiny Committee – 30th January 2019

Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – knows people involved with scheme; Fossetts Farm also mentioned – is SUFC season ticket holder;

- **Councillor Van Looy**

Cabinet Committee – 7th January 2019

Minute 578 (Objections to Traffic Regulation Orders – Holland Road) – Non-pecuniary interest: One of the residents is known to him;

- **Councillor Walker**

Development Control Committee – 9th January 2019

Minute 589 (18/02094/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Disqualifying non-pecuniary interest: Applicant is a relative.

People Scrutiny Committee – 29th January 2019

Minute 655 (St Mary’s School) – non-pecuniary – Southend Boys & Girls Training Choirs rehearse at St Mary’s School;

- **Councillor Willis**

Cabinet Committee – 7th January 2019

Minute 580 (Requests for Traffic Regulation Orders – Hadleigh Road) – Non-pecuniary interest: Wife works at a school in the Road.

- **Councillor Woodley**

Audit Committee – 16th January 2019

Minute 594 (Treasury Management Policy 2019/20) – Non-pecuniary interest – Non-Executive Director of South Essex Homes.

719 Communications

Councillor Ware-Lane

The Council stood for a one minute silence as a mark of respect to Councillor Julian Ware-Lane who had recently passed away.

720 Questions from the Public

The relevant Cabinet Members responded to written questions received from the public.

721 Questions from Councillors

The relevant Cabinet Members responded to written and supplementary questions from Councillors Aylen, Burton, McDonald, Dent and J Garston.

722 Minutes of the Meeting held on Thursday 13th December 2018

Resolved:-

That the Minutes of the Meeting held on Thursday 13th December 2018 be confirmed as a correct record and signed.

723 Council Budget 2019/20

The Council considered a report of the Corporate Management Team which presented the Cabinet's revenue budget and Council Tax for 2019/20 financial year, together with Minutes 609, 610 and 611 of Cabinet held 17th January 2019 and Minutes 700 to 703 of Cabinet held on 12th February 2019, and Scrutiny Minutes 640, 641, 652, 653, 671, 672 and 673.

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

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

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

Amendment 1: Selective Licensing

For the amendment:

Cllrs Ayling, Borton, Burton, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (18)

Against the amendment:

Cllrs Arscott, Aylen, Boyd, Bright, Buck, Buckley, Burzotta, Byford, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, D Garston, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (25)

Abstentions:

Cllrs Garne, J Garston, Habermel, Hadley and Jarvis (5)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 1 was not carried.

Amendment 2: Swimming/street lighting, tables/chairs Licensing Fees

For the amendment:

Cllrs Aylen, Ayling, Borton, Burton, Byford, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulrone, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (20)

Against the amendment:

Cllrs Arscott, Boyd, Bright, Buck, Buckley, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (26)

Abstentions:

Cllrs Burzotta and Jarvis (2)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 2 was not carried.

Amendment 3: Commercial Property Investment

For the amendment:

Cllrs Arscott, Aylen, Ayling, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulrone, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (47)

Against the amendment:

None

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 3 was carried.

Amendment 4: Extra Care Home

For the amendment:

Cllrs Ayling, Borton, Burton, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (18)

Against the amendment:

Cllrs Arscott, Aylen, Boyd, Bright, Buck, Buckley, Burzotta, Byford, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (29)

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 4 was not carried.

Amendment 5: Tylers Avenue Car Park

For the amendment:

Cllrs Arscott, Aylen, Ayling, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (47)

Against the amendment

None

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 5 was carried.

Amendment 6: Community Safety Team, Parking Permits and Solar Panels

For the amendment:

Cllrs Arscott, Aylen, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (45)

Against the amendment:
Cllr Ayling (1)

Abstentions:
Cllrs Holland and Jarvis (2)

Absent:
Cllrs Norman and Van Looy (2)

Amendment 6 was carried.

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

For the budget:

Cllrs Arscott, Aylen, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (46)

Against the budget:
Cllr Ayling (1)

Abstentions:
Cllr Jarvis (1)

Absent:
Norman and Van Looy (2)

The Council Budget 2019/20 proposals were carried, as set out as follows (with amendments 3, 5 and 6 above):

Resolved:

With regard to the Housing Revenue Account Budget 2019/20 and rent setting:

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be approved.
2. That an average rent increase of 4.86% on shared ownership properties, be approved.
3. That the proposed rent changes in 1 and 2 above be effective from 1 April 2019.
4. That the increase in garage rents by 2.5% to £11.70 per week for tenants (£14.04, being £11.70 plus VAT for non-tenants), with all variants on a standard garage receiving a proportionate increase, be approved.

5. That the South Essex Homes core management fee of £5,738,000 for 2019/20, be approved, with additional one-off funding also being made available of:

- £10,000 for the data cleansing, training and embedding of new data protection practices in compliance with General Data Protection Regulations (GDPR); and
- £140,000 to undertake a project to achieve better integration between the various ICT systems that the company uses, with the aim to achieve efficiencies going forward.

6. That the South Essex Homes proposals for average changes of 4% in service charges and 17% in heating charges, be approved.

7. That the following appropriations, be approved:

- £60,000 to the Repairs Contract Pensions earmarked reserve;
- £1,397,000 to the Major Repairs earmarked reserve; and
- £272,000 HRA to the Capital Investment earmarked reserve.

8. That, subject to 1 to 7 above, the HRA budget as set out in Appendix 1 to the submitted report to Cabinet on 12th February 2019, be approved.

9. That the value of the Council's capital allowance for 2019/20 be declared as £49.601M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2019/20 to 2023/24:

10. That the current approved programme for 2019/20 to 2021/22 of £153.1m as set out in Appendix 1 to the Cabinet report on 12th February 2019, be noted.

11. That the Capital Investment Strategy for 2019/20 to 2023/24, as set out in Appendix 2 to the Cabinet report, be approved.

12. That the following be approved:

(i) New schemes and additions to the Capital Investment Programme for the period 2019/20 to 2023/24 totalling £14.5m for the General Fund and £20.8m for the Housing Revenue Account (Appendix 6 to the Cabinet report);

(ii) Schemes subject to external funding approval for the period 2019/20 to 2020/21 totalling £3.0m (Appendix 6 to the Cabinet report);

(iii) Schemes subject to viable business cases for the period 2019/20 to 2021/22 totalling £48.6m (Appendices 6 and 7 to the Cabinet report).

13. That the changes to the approved programme (Appendix 7 to the Cabinet report), be approved.

14. That it be noted that the approved Programme will result in a proposed Capital Investment Programme of £194.9m for 2019/20 to 2023/24, as set out

in Appendix 7 to the Cabinet report, of which £74.3m is supported by external funding and that the total programme increases to £246.5m if all business cases and external funding schemes are approved.

15. That, subject to the final Business Case sign off for the new care facility at Priory from the Deputy Chief Executive (People) and Strategic Director (Finance and Resources), in consultation with the Cabinet Member for Adults and Housing, the budget of £11.581m be moved to the main programme.

16. That it be noted that a final review has been undertaken on the 2018/19 projected outturn and that the results have been included in the Cabinet report.

17. That the proposed Capital Investment Programme for 2018/19 to 2023/24, as set out in Appendix 8 to the Cabinet report, be approved.

With regard to Treasury Management and Prudential Indicators 2019/20:

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

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

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

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

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

23. That the operational boundary and authorised limits for borrowing for 2019/20 be set at £290m and £300m respectively as set out in Appendix 1 to the Cabinet report.

With regard to the General Fund Revenue Budget 2019/20:

In respect of 2018/19:

24. That the forecast outturn of £76.209 million, be noted.

25. That the appropriation of the sums from earmarked reserves totalling £14.283 million, as set out in detail in appendix 13 to the Cabinet report, be approved.

26. That the appropriation of the sums from earmarked reserves totalling £7.595 million, as set out in appendix 13 to the Cabinet report, be approved.

In respect of 2019/20 and later years:

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

28. That a General Fund net revenue budget for 2019/20 of £80.755 million, as set out in appendix 3 to the Cabinet report, and any required commencement of consultation, statutory or otherwise, be approved.

29. That a Council Tax increase of 4.49% for the Southend-on-Sea element of the Council Tax for 2019/20, being 2.99% for general use and 1.5% for Adult Social Care, be approved.

30. That it be noted that the 2019/20 revenue budget has been prepared on the basis of using £2.5 million from the Collection Fund for the core budget to allow for a smoothing of the budget gap across the next three financial years.

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

- Essex Police – approved Council Tax 14.16%;
- Essex Fire & Rescue Services – approved Council Tax increase of 2.94%;
- Leigh-on-Sea Town Council – approved precept increase of 1.73%.

32. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2019/20.

33. That the appropriation of the sums from earmarked reserves totalling £9.429 million, as set out in appendix 13 to the Cabinet report, be approved.

34. That the appropriation of the sums from earmarked reserves totalling £7.891 million, as set out in appendix 13 to the Cabinet report, be approved.

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

36. That the on-going budget investment required of £6.610 million (appendix 11 to the report) and the General Fund and Public Health budget reductions required of £4.363 million (appendix 12 to the report) and the subsequent individual service cash limits for 2019/20, as contained in appendices 3 to 10 of the Cabinet report, be approved.

37. That the one-off investment items, as set out in paragraph 5.28 and included within the appropriations set out in appendix 13 to the Cabinet report, be approved.

38. That the direction of travel for 2020/21 and beyond and in particular noting the need for the organisation to move to a longer term and outcome based budgeting approach, be approved.

39. That the revised Medium Term Financial Strategy up to 2023/24, set out in appendix 14 to the Cabinet report, be approved.

With regard to the Council Tax 2019/20:

40. That it be noted that on 17th January 2019 the Cabinet calculated the Council Tax Base 2019/20, as follows:

- (a) for the whole Council area as 53,424.44
- (b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,839.09.

41. That the Council Tax requirement for the Council's own purposes for 2019/20 (excluding town/parish precepts) be determined as £80,755,429.

42. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £357,759,625 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by town/parish councils;

(b) -£276,582,571 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;

(c) £81,177,054 – Being the amount by which the aggregate of 42(a) above exceeds the aggregate at 42(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (including town/parish precepts);

(d) £1,389.44 – Being the amount at 42(c) above, divided by the Council Tax Base shown at 40(a) above, as the basic amount of its Council Tax for the year (including town/parish precepts);

(e) £421,625 – Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act as set out below:

Band A: 31.80; Band B: 37.10; Band C 42.40; Band D: 47.70; Band E: 58.30; Band F:68.90; Band G: 79.50; Band H: 95.40.

(f) £1,382.22 – Being the amount at 42(d) above less the result given by dividing the amount at 42(e) above by the Council Tax Base shown at 40(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Town/Parish precept relates.

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

Essex Police: Band A: 128.64; Band B: 150.08; Band C: 171.52; Band D: 192.96; Band E: 235.84; Band F: 278.72; Band G: 321.60; Band H: 385.92.

Essex Fire Authority: Band A: 48.30; Band B: 56.35; Band C: 64.40; Band D: 72.45; Band E: 88.55; Band F: 104.65; Band G: 120.75; Band H: 144.90.

44. That the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings:

Band A: 1,098.42; Band B: 1,281.49; Band C: 1,464.56; Band D: 1,647.63; Band E: 2,013.77; Band F: 2,379.91; Band G: 2,746.05; Band H: 3,295.26.

45. That the Council's basic amount of Council Tax for 2019/20 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as shown in the calculation below:

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2019/20: 4.50%;

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

2018/19 amount: £1,322.82;

2019/20 amount: £1,382.22

Percentage increase: 4.49%

The figure at 45(b) is less than the figure at 45(a) above and therefore the Council's basic amount of Council Tax for 2019/20 is not excessive and no referendum is required.

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

Unparished area: Band A: 1,098.42; Band B: 1,281.49; Band C: 1,464.56; Band D: 1,647.63; Band E: 2,013.77; Band F: 2,379.91; Band G: 2,746.05; Band H: 3,295.26

Parished area: Band A: 1,130.22; Band B: 1,318.59; Band C: 1,506.96; Band D: 1,695.33; Band E: 2,072.07; Band F: 2,448.81; Band G: 2,825.55; Band H: 3,390.66

724 Minutes of the meeting of Development Control Committee held Wednesday, 12 December 2018

Resolved:

That the minutes of this meeting be noted.

725 Minutes of the meeting of Appeals Committee A held Thursday, 20

December 2018

Resolved:

That the minutes of this meeting be noted.

726 Minutes of the meeting of Appeals Committee A held Monday, 7 January 2019

Resolved:

That the minutes of this meeting be noted.

727 Minutes of the meeting of Cabinet Committee held Monday, 7 January 2019

Resolved:

That the minutes of this meeting be noted.

728 Minutes of the meeting of Development Control Committee held Wednesday, 9 January 2019

Resolved:

That the minutes of this meeting be noted.

729 Minutes of the meeting of Audit Committee held Wednesday, 16 January 2019

Resolved:

That the minutes of this meeting be noted.

730 Minutes of the meeting of Cabinet held Thursday, 17 January 2019

During consideration of Minute 619 (Employment Appeals) the Leader of the Council confirmed that the matter had been withdrawn and the recommendations would not be proceeded with.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 619 (Employment Appeals) not be proceeded with.

731 Minutes of the meeting of Health and Wellbeing Board held Wednesday, 23 January 2019

Resolved:

That the minutes of this meeting be noted.

732 Minutes of the meeting of Place Scrutiny Committee held Monday, 28 January 2019

Resolved:

That the minutes of this meeting be noted.

733 Minutes of the meeting of People Scrutiny Committee held Tuesday 29th January 2019

Resolved:

That the minutes of this meeting be noted.

734 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 30 January 2019

During consideration of Minute 668 (The Proposed Development of the Seaway Car Park) a requisition for a named vote having been made in accordance with Council Procedure Rule 12 to refer the matter back to Cabinet, the voting was as follows:

For reference back:

Cllrs Ayling, Dent, Harp, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham and Willis (12)

Against reference back:

Cllrs Arcscott, Aylen, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jones, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter, Walker and Woodley (34)

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Cox, Norman and Van Looy (3)

The motion for reference back was not carried.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 668 (Proposed Development of the Seaway Car Park) be approved.

735 Minutes of meeting of Development Control Committee held Wednesday, 6 February 2019

Resolved:

That the minutes of this meeting be noted.

736 Minutes of the meeting of Licensing Sub-Committee B held Monday, 11 February 2019

Resolved:

That the minutes of this meeting be noted.

737 Minutes of the meeting of Cabinet held Tuesday 12th February 2019

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 699 (Better Queensway Regeneration Project) be approved, subject to the following additional recommendations to Minute 699(5):

(i) Any profit accruing from being the senior lender to the LLP be swiftly invested in affordable housing to rent (at or below Local Housing Allowance (LHA) rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;

(ii) Any surplus from the Better Queensway scheme returning to the Council be swiftly invested in affordable housing to rent (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;

(iii) That the Council's representatives on the Board of the LLP seek to actively maximise the current affordable housing to rent numbers (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the viability and deliverability of the scheme.

738 Minutes of the meeting of Appeals Committee A held Tuesday 12th February 2019

Resolved:

That the minutes of this meeting be noted.

739 Minutes of the meeting of Special Place Scrutiny Committee held Wednesday 13th February 2019

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 714 (Better Queensway Regeneration Project) be approved, subject to the following additional recommendations to Minute 714(5):

(i) Any profit accruing from being the senior lender to the LLP be swiftly invested in affordable housing to rent (at or below Local Housing Allowance (LHA) rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;

(ii) Any surplus from the Better Queensway scheme returning to the Council be swiftly invested in affordable housing to rent (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;

(iii) That the Council's representatives on the Board of the LLP seek to actively maximise the current affordable housing to rent numbers (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the viability and deliverability of the scheme.

740 Pay Policy Statement

The Council considered a report of the Director of Transformation presenting the Pay Policy Statement 2019/20 in the context of the Council's overall Reward Strategy.

Resolved:

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

741 Draft Calendar of Meetings 2019/20

Resolved:

That the draft Calendar of Meetings for 2019/20 be noted and that the final calendar will be submitted to the Annual Council in May.

742 Opposition Business: Queensway

This matter was withdrawn.

743 Appointments to Committees, Working Parties, etc

Resolved:

That the following Councillors from the Labour Group be appointed to the Committees, Working Parties, etc listed below to replace Julian Ware-Lane:

People Scrutiny Committee – Cllr Robinson
Biodiversity and Environmental Awareness Working Party – Cllr Nevin
Conservation Working Party – Cllr Borton
School Places Working Party – Cllr Nevin
Corporate Parenting Group – Cllr Jones
Corporate Parenting Members Sub Group – Cllr Jones
LSCB/SAB Scrutiny Panel – Cllr Jones
Children’s Services Improvement Board – Cllr Jones
SACRE – Cllr McDonald

744 Exclusion of the Public

Resolved:

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

745 Better Queensway Regeneration Project - Confidential Matters

During consideration of Minute 699 of Cabinet held 12th February 2019 and Minute 714 of the Special Place Scrutiny Committee held 13th February 2019 concerning the Better Queensway Regeneration Project the Council moved into Part 2 so that the confidential matters could be discussed. The Council moved back into Part 1 for the decision.

Chairman: _____

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Council – 17th April 2019

PETITION

**PETITION AGAINST NEW PARKING CHARGES OF £2.90 FOR A
MINIMUM OF 2 HOURS**

This petition has been signed by 1824 residents against the introduction of new parking charges of £2.90 for a minimum of 2 hours.

Submitted by: Councillor Brian Ayling

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Your Signature is 8 Needed!

BE PART OF HELPING SAVE SOUTHEND HIGH
STREET.

Help with the petition to be submitted to the council to
propose the implementation of 'first 2 hours free parking' to
encourage shoppers and visitors to our Town.

Small and big businesses need your help.



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Southend-on-Sea Borough Council

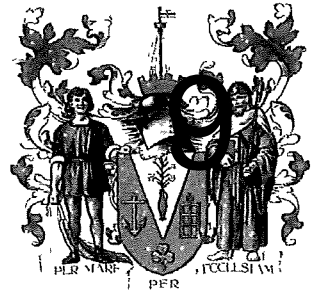
From Councillor: Meg Davidson

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

Telephone: 01702 212351

E-mail: clldavidson@southend.gov.uk

Date: 21st March 2019



Colin Gamble
Group Manager
Democratic Services

Dear Colin

Residents' petition to Council

Please find enclosed a petition totalling 80 signatures from residents of Cardigan Avenue, Carlingford Drive, Carlton Avenue Eastbourne Grove, Holmsdale Close, Northville Drive, Queen Anne's Drive, Rochester Drive and elsewhere.

The residents are requesting that the Council installs a footpath across the grassed central reservation in Prittlewell Chase, Westcliff-on-Sea, SS0 OPP, between the junction with Eastbourne Grove on the eastbound side of Prittlewell Chase and the bus stop on the westbound side, located a few metres to the east of this junction.

The petition organiser is Mr Christopher Ray,

Yours sincerely

A handwritten signature in cursive script that reads 'Meg Davidson'.

Meg Davidson

Councillor for Prittlewell Ward

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Friday, 1st March, 2019

Place: Committee Room 4 - Civic Suite

10

Present: Councillor D McGlone (Chair)
Councillors K Buck and N Folkard

In Attendance: Mr R Harris, Mr A Brown, Mr M Newton and Mr A Penn

Start/End Time: 9.45 am - 3.35 pm

746 Apologies for Absence

There were no apologies for absence at this meeting.

747 Declarations of Interest

There were no declarations of interest at this meeting.

748 69 Broadway, Leigh-on-Sea, Essex, SS9 1PE - Application for the Grant of Premises Licence

The Sub-Committee considered a report of the Deputy Chief Executive (Place) concerning an application by Mr D. Mead and Mr A. Oukili for the grant of a Premises Licence at 69 Broadway, Leigh-on-Sea, Essex, SS9 1PE.

The application was presented by Mr M Bell (Licensing Consultant). Mr Oukili was in attendance at the meeting.

During the presentation the applicants' withdrew the application for 'non-standard' timings/hours relating to the following days: 24th to 26th December; Maundy Thursday; Friday, Saturday and Sunday prior to Bank Holiday Mondays; St Valentine's; St. George's, St Patrick's, St David's and St Andrew's days; Burns Night; 29th February, Halloween and New Year's Eve.

The Sub-Committee noted that two letters of objection to this application had been received from two of the Responsible Authorities, namely, the Council's Environmental Protection Team and the Licensing Authority. However, measures had been agreed between the Council's Environmental Protection Team and the Licensing Authority and the Applicants' which addressed their objections, as set out in Appendix 3 to the report of the Deputy Chief Executive (Place).

Six representations had however been received from local residents. Two of the objector's attended the hearing and gave evidence. Councillor Arscott was also in attendance representing one of the objectors who was unable to attend.

The residents' concerns mainly related to concerns of noise, public nuisance and public safety as the premises were located in a residential area.

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

The sub-committee felt that the conditions proposed would be sufficient to address the objectors' concerns. On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of this application. It was therefore:

Resolved:

That the application for a premises licence in respect of 69 Broadway, Leigh-on-Sea, Essex SS9 1PE be granted, subject to:

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

(ii) The conditions agreed between the Council's Environmental Protection Team and the Licensing Authority and the Applicants' set out in Appendix 3 to the report;

(iii) The conditions set out on the Applicants' proposed conditions submitted at the hearing which replace the conditions set out in the Operating Schedule in Appendix 2 to the report, subject to the deletion of Conditions 18 and 20 and changes to Conditions 15, 21 and 22, as set out below:

1. There shall be a minimum of 28 covers set out for service at all times.

2. The supply of alcohol will be by waiter/waitress.

3. No alcohol will be served without accompanying food consisting of either a substantial table meal or a sample platter of items from the menu.

4. The premises shall not be let out to external promoters so that the Licence Holder retains complete managerial control.

5. Off sales of alcohol shall only consist of sealed bottles of wine.

6. The Licensee shall ensure that a 'Challenge 25' scheme is operated, whereby any person who appears to be under 25 years of age is required to produce means of identification proving they are over 18 years of age. The only authorised means of identification shall be passport, UK photo driving licence, UK military ID or 'PASS' accredited card.

7. The Licensee shall ensure that signage is displayed advising customers that a 'Challenge 25' policy is in force.

8. *The Licensee shall ensure that all staff engaged in the sale of alcohol receive sufficient training. Refresher training shall take place at least six monthly. Written training records shall be kept on the premises and made available to any officer authorised under the Licensing Act 2003. Those holding an appropriate licensing qualification and/or a Personal Licence shall be exempt from this requirement.*

9. *The Licensee shall ensure that a refusal book is maintained at the premises to record any refusals of alcohol. The refusals book shall be made available to the Police/Licensing Authority upon request.*

10. *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 upon request. The log shall record the following:*

- All crimes reported to the venue*
- All ejections of patrons*
- Any complaints received concerning crime and disorder*
- Any incidents of disorder*
- All seizures of drugs or offensive weapons*
- Any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence.*

11. *The Licensee shall ensure that a written record is kept on the premises of all persons authorised by the DPS or a personal licence holder to sell or supply alcohol in their name. Such records shall be made available to the Police/Licensing Authority upon request.*

12. *Power supplies to all sound amplification equipment shall be solely via suitable sound level limiting device(s). The limiting device(s) shall be set by an appropriately qualified acoustician / competent sound engineer having particular experience in audio control work, at such a level as to prevent statutory noise nuisance affecting the occupants of any noise sensitive premises, having regard to minimum background and ambient levels throughout the licensed periods.*

The devices shall thereafter be maintained at the levels set and shall be accessible only to the Licensee or his/her representative for maintenance purposes and to prevent unauthorised access to and tampering with the controls. Original records of all data obtained, certified by the acoustician/sound engineer , together with the settings of the devices determined as being appropriate, shall be retained and available for inspection by any Officer authorised pursuant to the provisions of the Licensing Act 2003.

13. *No doors or windows shall be opened after 21.00 hours except for access and egress and the Licence Holder shall ensure that doors and any adjoining lobbies are optimised to minimise noise nuisance.*

14. *No rubbish or bottles will be disposed of outside the building between 21.00 and 08.00 the following day.*

15. There shall be no deliveries or refuse collections between 21.00 and 08.00 Monday – Friday and 21.00 and 09.00 Bank Holidays and Weekends.

16. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) The system which at all times complies with the below requirements:

- a) CCTV shall be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- b) CCTV cameras shall cover all public areas including all entrances and exits;
- c) Equipment shall be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
- d) At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the Police or Licensing Authority staff upon reasonable request;
- e) The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
- f) An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.

17. Signs shall be displayed at all entrances (and exits) advising customers that CCTV is operating at the premises.

18. DELETED

19. The Licensee shall ensure that signage is displayed advising customers to leave the premises in a respectful manner.

20. DELETED

21. No open drinking vessel of any kind shall be allowed outside after 21:00 hours.

22. There shall be no use of any external area by patrons (other than access or egress) between 21:00 and 10:00 save that the forecourt may be used as a smoking area for a maximum of 6 people.

23. There shall be no audio speakers in any external area.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th March, 2019
Place: Committee Room 4a - Civic Suite

11

Present: Councillor D Garston (Chair)
Councillors B Arscott (Vice-Chair), M Borton, S Buckley, A Chalk,
A Dear, F Evans, D Garne, J Garston, S Habermel, R Hadley,
H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker
and N Ward

In Attendance: T Hartley, T Row, G Gilbert, K Waters, M Warren, P Keyes, C White
and A Greenwood.

Start/End Time: 2.00pm - 2.45 pm

749 Apologies for Absence

No apologies were received for this meeting.

750 Declarations of Interest

The following declarations were made at the meeting:-

Councillor Arscott – Agenda item 7 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

Councillor Borton – Agenda item 9 (18/01122/FUL – Mariner House, 157 High Street) – Non-pecuniary interest: Resident of Mariner House is known to her.

Councillor D Garston – Agenda item 7 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

Councillor J Garston – Agenda item 7 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

Councillor Ward – Agenda item 11 (18/00185/UNUA_B – 53 Westcliff Park Drive) – Non-pecuniary interest: The Company he works for has scaffolded the building.

751 Minutes of the meeting held on Wednesday, 12th December, 2018

Resolved:-

That the Minutes of the meeting held on Wednesday 12th December 2018 be confirmed as a correct record and signed.

752 Minutes of the meeting held on Wednesday, 9th January, 2019

Resolved:-

That the Minutes of the meeting held on Wednesday 9th January 2019 be confirmed as a correct record and signed.

753 Minutes of the Meeting held on Wednesday, 6th February, 2019

Resolved:-

That the Minutes of the Meeting held on 6th February 2019 be confirmed as a correct record and signed.

754 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.

755 18/02211/FUL - Park Road Methodist Church, Park Road, Westcliff-on-Sea (Milton Ward)

Proposal: 1. Partial demolition to church and church hall, erect single storey extension to west side of church, erect gabled extensions to north-east and north-west corners of church hall with internal alterations to convert into six dwellings, associated garages and cycle storage, layout amenity space and one visitor car parking space, form vehicular access onto Avenue Road, install boundary railings, install rooflights and alter elevations.

Proposal 2. Partial demolition to church and church hall, erect single storey extension to west side of church, erect gabled extensions to north-east and north-west corners of church hall with internal alterations to convert into six dwellings, associated garages and cycle storage, layout amenity space and one visitor car parking space, form vehicular access onto Avenue Road, install boundary railings, install rooflights and alter elevations (Listed Building Consent)

Applicant: David Morton

Agent: Ayshford and Sansome

Mr Atkinson, a local resident, spoke as an objector.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposal has failed to demonstrate that the church and church hall can be converted into residential dwellings without harming the special character and significance of the listed building. In particular the extent of roof alterations to the principal roofslope, and the visual impact of the ventilation equipment and louvres and the extent of roof demolition for the church hall are harmful to the character and integrity of the listed building and the viable alternative uses report / marketing information submitted with the application is insufficient and out of date and has failed to demonstrate that other more

sensitive uses would not be practical and viable. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009). This is unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposed church hall extension would give rise to an unacceptable level of overlooking of the neighbouring occupiers of number 5 Park Road and its private amenity area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

03 The proposed church conversion, by reason of the inadequate levels of light and outlook to the northern units, would result in an inadequate quality living environment, to the detriment of the amenities of the future occupiers of the proposed dwelling. This is unacceptable and contrary to National Planning Policy Framework (2018), 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).

04 The proposed parking layout as shown in drawing reference 1716/T/004 is unacceptable because the garages proposed fail to meet the garage standards as set out in the Development Management Document (2015) paragraph 7.12 and the spaces would therefore not be useable for the parking of vehicles. In the absence of this the proposal would be provided with inadequate parking to the detriment of the free flow of traffic and highway safety. The design also fails to make adequate provision for refuse and recycling storage for future occupiers and is likely to harm to the character, significance and setting of the heritage asset. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2, CP3 and CP4 of the Southend Core Strategy (2007) and Policies DM1, DM3, DM5 and DM15 of the Development Management Document (2015).

05 The proposal has failed to assess the impact on bats and has therefore not demonstrated that there would not be an adverse impact on the ecology of the site. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018) and Policies KP2 and CP4 of the Southend Core Strategy (2007).

That LISTED BUILDING CONSENT be REFUSED for the following reasons:

01 The proposal has failed to demonstrate that the church can be converted into 4 dwellings over 3 floors without harming the special character and significance of the listed building.

In particular the impact of the sub division on the integrity of the main worship space, the extent of the loss of the ecclesiastical features within the building, the

extent of roof alterations to the principal roofslope, the visual impact of the ventilation equipment and louvers and the extent of roof demolition for the church hall are harmful to the character and integrity of the listed building. This is unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

Informatives

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

02 It is noted that some of the proposed drawings show the replacement of the fleche/spire. This would be a positive addition to the proposal and welcomed subject to detailing but it is understood that this has now been omitted from the proposal and is therefore an error on the drawing. This needs to be clarified in any amended proposal.

756 18/01985/FUL - 241 Carlton Avenue, Westcliff-on-Sea (Prittlewell Ward)

Proposal: Demolish existing bungalow, erect two semi-detached two storey dwellinghouses with dormers to rear, associated landscaping and extend existing vehicular access on to Carlton Avenue (Amended Proposal).

Applicant: Mr Hughes

Agent: RD Architecture Ltd

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. 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

2. The development shall be carried out in accordance with the following approved plans: 1619/305/P1, 1619/310/P0, 1619/320/P1, 1619/441/P0, 1619/450/P0, 1619/300/P2, 1619/410/P2, 1619/420/P2, 1619/430/P2.

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

3. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and

approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details before it is occupied.

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 (2018), 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).

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

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

5. Water efficient design measures as 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 shall be installed prior to the first occupation of the development hereby approved 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).

6. No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 1619/420/P2 for 4 cars to be parked. The parking spaces shall be made available for use prior to first occupation of the dwellings hereby approved and shall be permanently retained thereafter only for the parking of occupiers of the development hereby approved and their visitors.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out at the application site within Schedule 2, Part 1, Classes A, B, D, E, F or G to those Orders without the receipt of express planning permission.

Reason: To safeguard the living conditions of the future occupiers of the site and in the interest of the residential amenity of the adjoining residents and the character and appearance of the site and the wider area in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

8. Prior to first occupation of the development hereby granted, secure, covered refuse and recycling storage areas to serve the development shall be provided in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate waste storage is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

9. The proposed first and second floor flank windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details in perpetuity thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

10. Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that the dwellings hereby approved comply with the Building Regulation M4(2) 'accessible and adaptable dwellings' standard.

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

11. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be first occupied unless and until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the

development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i. proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. hard surfacing materials and their permeability;
- iv. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- v. details of measures to enhance biodiversity within the site;

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

Reason: In the interests of visual amenity, drainage, flood risk and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

13. Notwithstanding the details shown on the drawings submitted and otherwise hereby approved, details of the garage doors to be installed as part of the development shall be submitted to the local planning authority and approved in writing before the development is brought into use. The development shall not be brought into use until the garage doors have been installed in accordance with the details approved under this condition.

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 (2019), 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).

Informative

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

to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

2. 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.

757 18/01122/FUL - Mariner House, 157 High Street, Southend-on-Sea (Milton Ward)

Proposal: Change of use from shop (Class A1) to restaurant (class A3) and install extraction vent to rear.

Applicant: Pillingstone Ltd

Agent: UPP – Urban Planning Practice

The matter was DEFFERED to enable the agent the opportunity to respond to a proposed speaking objector.

758 18/00097/UNAU_B - 162 Hainault Avenue, Westcliff on Sea (Westborough Ward)

Breach of Control: Without planning permission the installation of two dormer windows to the front elevation.

Case Officer: Steve Jones

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the unauthorised dormer windows to the front elevation.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is considered reasonable for the removal of the existing dormer windows.

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.

**759 18/00185/UNAU_B - 53 Westcliff Park Drive, Westcliff-on-Sea
(Westborough Ward)**

Breaches of Control: Without planning permission, the construction of a roof replacement, hip to gable roof extension, dormer to rear and first floor rear extension above existing single storey extension.

Case Officer: Hayley Thompson

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the rear dormer window and first floor rear extension.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is deemed reasonable.

**760 18/00232/UCOU_B - 582 Rayleigh Road, Eastwood, Leigh-on-Sea
(Eastwood Park Ward)**

Breaches of Control: Without planning permission the Unauthorised Change of Use from A1 retail to Car sales (Sui Generis).

Case Officer: Steve Jones

Resolved:-

That ENFORCMENT ACTION be AUTHORISED to secure the cessation of use of the site as car sales.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 1 calendar month is considered reasonable for the site to stop operating as vehicle sales.

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.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 7th March, 2019

Place: Committee Room 1 - Civic Suite

12

Present: Councillor A Moring (Chair)
Councillors T Cox (Vice-Chair) and *H Boyd

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: C Hindle-Terry, N Hunwicks and T Row

Start/End Time: 6.00 - 7.00 pm

761 Apologies for Absence

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

762 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Cox – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wells Avenue) – Non-pecuniary interest: Works for Redbridge Council which was mentioned during the debate;

(b) Councillor Van Looy – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wick Chase) – Non-pecuniary interest: Lives near the road;

(c) Councillor Van Looy – Agenda Item No. 5 (Requests for Waiting Restrictions – Sutton Road) – Non-pecuniary interest: Daughter lives in the road: and

(d) Councillor Van Looy – Agenda Item No. 5 (Requests for Waiting Restrictions – Gunners Road) – Non-pecuniary interest: Resident in street is known to him.

763 Minutes of the Meeting held on Monday, 7th January 2019

Resolved:-

That the Minutes of the Meeting held on Monday, 7th January, 2019 be received, confirmed as a correct record and signed.

764 Objections to Traffic Regulation Orders

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

(a) the introduction of a Residents' Permit Parking Scheme in Wells Avenue;

(b) the introduction of a Residents' Permit Parking Scheme in the Rochford Road Service Roads; and

(c) the introduction of no waiting at any time restrictions at the junction of Wick Chase and Glynde Way.

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 Regulations Working Party following consideration of all the representations that had been received in writing and at the meeting. Large scale plans of the proposals and photographs of the streets were displayed at the meeting.

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Wells Avenue Residents Permit Parking Scheme) (Zone WA) (Provision of Residents Permit Parking Places) Order 2019, subject to the following amendment and to arrange for the amended traffic regulation order to be sealed and the proposals implemented:

Schedule 4 – Prescribed hours of operation to be reduced from 24 hours daily to 09.00 hrs to 17.00 hrs daily.

2. That the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Rochford Road Service Roads Residents Permit Parking Scheme) (Zone RR) (Provision of Residents Permit Parking Places and Disabled Parking Bays) Order 2019, subject to the following amendment and to arrange for the amended traffic regulation order to be sealed and the proposals implemented:

Schedule 5 – Prescribed hours of operation to be reduced from 24 hours daily to 09.00 hrs to 17.00 hrs daily.

3. That the Deputy Chief Executive (Place) be authorised to confirm Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 16) Order 2018, subject to the following amendment and to arrange for the amended traffic regulation order to be sealed and the proposals implemented:

Reduce no waiting at any time restrictions in Wick Chase on both sides from its junction with Steyning Avenue northwards to 10 metres and on the west side from its junction with Steyning Avenue southwards to 10 metres.

Reason for Decision

As set out in the submitted report

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. Councillors 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

765 Requests for Waiting Restrictions

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that sought approval to authorise the advertisement of the amendments and/or new waiting restrictions at the locations indicated in Appendix 1 to the submitted 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 Regulations 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 received following statutory advertisement, to arrange for the order to be sealed and the proposals implemented:

- (i) the introduction of permit parking controls in the service road owned by South Essex Homes between East Street and Sutton Road;
- (ii) the removal of the alternate month waiting restrictions in Osborne Road, Windsor Road and Albion Road;
- (iii) the amendment of the existing waiting limit in the car park at Eastwood Park to maximum stay 3 hours no return in 4 hours;
- (iv) the introduction of no waiting at any time on the west side of Gunners Road, the precise location and extent of which to be determined by officer in consultation with the Ward Councillors;
- (v) the relocation of the school keep clear markings in Ladram Road; and
- (vi) the revocation and removal of the school keep clear markings in Burr Hill Chase.

Reason for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function
Eligible for call-in to Place Scrutiny Committee
Cabinet Member: Councillor Moring

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 12th March, 2019

13

Place: Committee Room 1 - Civic Suite

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

In Attendance: J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle, P Geraghty, B
Martin, S Baker, G Halksworth, I Ambrose, L Bowen, N Laver, P Grout,
G Shine and C Gamble.

Start/End Time: 2.00 - 4.00 pm

766 Apologies for Absence

There were no apologies for absence at this meeting.

767 Declarations of Interest

The following Councillor declared an interest as indicated:

Councillor Flewitt – Agenda Item 7 (South Essex Homes Housing Management Partnership Agreement) – Non-pecuniary interest – friends and family are tenants of South Essex Homes.

768 Minutes of the Meeting held on 17th January 2019

Resolved:-

That the Minutes of the Meeting held on 17th January 2019, be confirmed as a correct record and signed.

769 Minutes of the Meeting held on 12th February 2019

Resolved:

That the minutes of the meeting held on 12th February 2019 be confirmed and signed as a correct record.

770 Transport Procurement

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on the procurement for the preferred bidder to create a Joint Venture Partnership (JV) to deliver the Council's Passenger Transport Service.

Resolved:

1. That the selection of the preferred bidder as detailed in the Part 2 report be confirmed and that a Joint Venture Partnership (JV) be established with the preferred bidder for a period of 10 years with an option to extend for a further 5 years.
2. That the Council's annual contribution to the JV of £1.8M, be approved.
3. That the proposed additional community benefits as detailed within the Part 2 report, be approved.
4. That the additional financial arrangements as set out in the Part 2 report, be approved.
5. That the Strategic Director (Transformation), in consultation with the Deputy Chief Executive (People) and the Strategic Director (Finance and Resources) be authorised to:
 - a) Negotiate and settle the final details of the contractual obligations and responsibilities of each party which will be formalised and documented within a Partnership Agreement and further legal documents that are ancillary to this;
 - b) Take decisions associated with the creation of the JV (including organisational structure, Council representation and the appointment of directors) to ensure agile and timely decision making keeping the implementation of the JV to timetable and protecting the Council's position;
 - c) Finalise and complete any ancillary agreements or documents necessary to give effect to the constitution, implementation and functioning of the JV company in accordance with the submitted report and its appendices.

Recommended:

6. That the terms of reference of the Council's Shareholder Board be amended to include this JV. ||

Reasons for decision:

The Council has a statutory duty to provide the passenger transport service. The JV approach is the best delivery model to achieve sustainable transport provision for the Council and offers transparency of costs, visibility of profits and the ability for the Council to have joint control in the delivery of the service.

Other options:

Do nothing – This option has been rejected because there is an ongoing, statutory need for this service. To allow existing arrangements to continue without an agreed contract established would place the Council in a non-compliant position, and the continuation of an 'in-house' service would require significant capital investment in the Council's fleet.

Note: This is an Executive Function save that Recommendation in 6 above is a Council Function.

Called-in to: People Scrutiny Committee and Policy and Resources Scrutiny Committee

Cabinet Members: Cllrs Boyd, Cox and Moring

771 Southend-on-Sea Commissioning Framework

The Cabinet considered a report of the Strategic Director (Transformation) which sought approval to devise and implement a commissioning framework that supports the Council's ability to become an Outcome Based Commissioning Organisation.

Resolved:

1. That the definition of commissioning for Southend-on-Sea Borough Council be as follows:

“the process by which we understand the collective approach needed in order to deliver the Southend 2050 outcomes; and what we need to do with others to make them happen. In practice, this is not in-sourcing or out-sourcing but clearly ‘right-sourcing’.”

2. That the overarching principles of the Southend-on-Sea Commissioning Framework, be approved.

3. That, as part of a transitional period to an outcome based investment model, the Thematic Annual Procurement Plan 2019/20, be approved.

4. That the Market Position Statement for publication as set out in paragraph 5.7 and Appendix 4 to the report, be approved.

Recommended:

5. That the Constitution be amended as set out in paragraph 5.6 and Appendix 3 of the submitted report. ||

Reasons for decision:

As set out in the submitted report.

Other options:

The alternative option is to carry on deploying a range of approaches for the commissioning, procurement and contracting activity. This would not best support the delivery of the Southend 2050 ambition and outcomes.

Note: This is an Executive Function save that recommendation in 5 above is a Council Function.

Called-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

772 South Essex Homes Housing Management Partnership Agreement

The Cabinet considered a report of the Deputy Chief Executive (People) proposing the extension of the existing Partnership Agreement between Southend Council and South Essex Homes and the continued development of the successor Agreement, together with timescales for this work.

Resolved:

1. That the extension to the current Partnership Agreement between Southend-on-Sea Borough Council and South Essex Homes, and the concurrent development of a new agreement, be approved.

2. That a new Housing Management Partnership Agreement for approval be submitted to Cabinet in September 2019.

Reasons for decision:

South Essex Homes provide vital services on behalf of the Council and its tenants and as such it is of importance that the agreements in place between the organisations are progressive, robust and in line with the ambitions set by the Council on behalf of local people through Southend 2050.

In order that the new Housing Management Partnership Agreement effectively translates the actions and ambitions into a useful contract that supports both organisations' roles further time is required to incorporate recent and emerging developments. To allow for this, use of the available extension to the existing agreement is required.

Other options:

To reach agreement between the Council and South Essex Homes over the current draft of the new agreement. However, this would not fully assimilate the requirements imparted through any Better Queensway partnership developments nor fully align with the Southend 2050 Outcome Delivery Plans as both areas of work remain in development.

Note: This is an Executive Function.

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

Cabinet Member: Cllr Cox

773 Update of Policies relating to Highways Inspections of the Civil Enforcement Policy

The Cabinet considered a report of the Deputy Chief Executive (Place) requesting consideration of the updated Highways and Parking Policies for approval.

Resolved:

1. That the Highway Policy Note No.2 (1999) (Appendix A to the submitted report) be replaced with the updated Highway Safety Inspection Policy and Guidance (Appendix B to the report).

2. That the Parking Policy (2015) (Appendix C to the report) be replaced with the updated Civil Enforcement of Parking Policy and Protocol (Appendix D to the report).

3. That the Director of Planning and Transport, in consultation with the Cabinet Member for Infrastructure, be authorised to replace contravention codes and descriptions when such codes and descriptions are updated by Government or a responsible Government Department.

Reasons for decision:

To update the Highways and Parking Policies in line with best practice, current legislation and statutory requirements thereby ensuring the Council is fully compliant with its statutory duties.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Moring

774 Southend Energy Partnership, Transfer to New Supplier

The Cabinet considered a report of the Deputy Chief Executive (Place) which sought approval to transfer the contract for the operation of Southend Energy from OVO Energy Ltd to Robin Hood Energy.

Resolved:

That the transfer of the contract to operate Southend Energy from OVO Energy Ltd to a new 5 year contract with Robin Hood Energy, subject to agreeing suitable commercial terms, be approved.

Reasons for decision:

A new contract with Robin Hood Energy for Southend Energy will revitalise the scheme and will support its provision for a further 5 years. Continuing Southend Energy provides a focus for encouraging households to switch to achieve the best energy contracts for them. The new contract with Robin Hood Energy does not have the same geographical constraints as the previous contract with OVO providing a wider market and for Southend Energy to take on customers from outside the Borough that respond to marketing within the area.

Other options:

To close Southend Energy. The ongoing impact of the additional switching and the opportunity to further encourage switching would be lost.

To renew or extend the contract with OVO. This was impossible to negotiate due to the changed circumstances and strategy at OVO.

To tender for a new supplier. There are no known alternative suppliers able or willing to take on a new contract for Southend Energy as the scheme is generally too small for the very large energy suppliers.

To convert Southend Energy into a full Energy Company with its own supply licence. This approach is not financially viable at the present time.

Note: This is an Executive Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Flewitt

775 Annual Report on Safeguarding Children and Adults - September 2017 to March 2019

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the annual assurance assessment for the Chief Executive and Councillors in respect of their responsibilities for safeguarding children and adults in Southend.

Resolved:

That the submitted report be noted and the actions detailed in Section 6 of the report, be approved.

Reasons for decision:

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

Other options:

None.

Note: This is an Executive Function

Called-in to: People Scrutiny Committee

Cabinet Members: Cllrs Cox and Boyd

776 Annual Education Report

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the format and context of the Annual Education Report 2018.

Resolved:

That the Annual Education Report, be approved.

Reasons for decision:

The Annual Education Report provides a concise, relevant and accurate summary of the performance of the Council and is an opportunity for Councillors to recognise and celebrate the very strong performance of schools in the borough at all key stages relative to the national benchmarks, and a point to formally congratulate pupils, staff and schools for such strong achievement.

Other options:

None.

Note: This is an Executive Function

Called-in to: People Scrutiny Committee

Cabinet Member: Cllr Boyd

777 Mid-Year Statement of Purpose for Fostering and Adoption

The Cabinet considered a report of the Deputy Chief Executive (People) presenting for review the updated Statements of Purpose for Adoption and Fostering in line with Standard 18.3 of the Adoption National Minimum Standards and Standard 16 of the Fostering National Minimum Standards.

Resolved:

That the updated Statements of Purpose, as set out in Appendix 1 to the submitted report, be approved.

Reasons for decision:

To approve the updated Adoption and Fostering Statements of Purpose.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Boyd

778 Quarter Three Treasury Management Report - 2018/19

The Cabinet considered a report of the Strategic Director (Finance and Resources) setting out the treasury management activity and compliance with the treasury management strategy for both quarter three and the period from April to December 2018.

Resolved:

1. That the Quarter Three Treasury Management Report for 2018/19, be approved.

2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to December 2018.

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

4. That it be noted that £0.628m of interest was received during the nine month period. The total investment income earned including this interest during this nine month period was £1.843m, at an average rate of 3.54%. This is 3.06% over the average 7 day LIBID (London Interbank Bid Rate) and 2.90% over the average bank rate.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1999) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, GF: £150.8m) during the period from April to December 2018.

6. That it be noted that the level of financing for 'invest to save' capital schemes decreased from £8.74m to £8.68m during the period from April to December 2018.

7. That the commercial property investment decision set out in Section 14 of the submitted report, made under delegated authority by the Strategic Director (Finance and Resources), be noted.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2018/19 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

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

Note: This is an Executive Function

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

Cabinet Member: Cllr Lamb

779 Monthly Performance Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

Called-in to: All three Scrutiny Committees

Cabinet Member: as appropriate to the item

780 Revenue and Capital Monitoring - 31 January 2019

The Cabinet considered a report of the Strategic Director (Finance and Resources) presenting the Revenue and Capital Budget Monitoring report for the period ending 31st January 2019.

Resolved:

That, in respect of the 2018/19 Revenue Budget Monitoring as set out in Appendix 1 to the submitted report:

1. That the forecast £1,631,000 net surplus for the General Fund and the forecast £119,000 net surplus for the Housing Revenue Account, as at January 2019, be noted.
2. That the planned management actions of £721,000 to achieve that forecast outturn, be noted.
3. That the planned budget transfers (virements) of £377,000, be approved.
4. That the transfer of £300,000 to the Public Health Reserve as a result of unspent ring fenced grant, be approved.
5. That the transfer of £200,000 from the Interest Equalisation Reserve to mitigate against the impact of a change in Government regulations, be approved.
6. That the transfer of £65,000 from the Supporting People Reserve to mitigate the temporary non-delivery of a budget saving, be approved.
7. That the transfer of £790,000 from the Grants Reserve to release surplus funds within the Reserve, be approved.
8. That, as a result of the forecast net surplus, the following one-off investments totalling £480,000 be approved:
 - £100,000 to support secondary schools;
 - £130,000 additional support for children and vulnerable adults subject to gang exploitation;
 - £100,000 for a deep clean of the High Street;
 - £100,000 for Place branding, marketing and signage costs;
 - £50,000 for additional parking enforcement provision.
9. That the potential transfer of £1,151,000 to the Business Transformation Reserve in respect of the residual forecast General Fund net surplus, be noted.
10. That the potential transfer of £119,000 to the HRA Capital Investment Reserve in respect of the forecast HRA net surplus, be noted.

In respect of the 2018/19 Capital Budget Monitoring as set out in Appendix 2 to the report:

11. That the expenditure to date and the forecast outturn as at January 2019 and its financing, be noted.
12. That the requested changes to the 2018/19 capital investment programme as set out in Section 2 of Appendix 2 of the report, be approved.

Reasons for decision:

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to members, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the management action being implemented to address the identified issues.

Other options:

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to manage the Council's exposure to financial risk. More frequent monitoring is undertaken by officers and considered by individual service Directors and the Council's Corporate Management Team (CMT) including approval of management action.

Note: This is an Executive Function

Called-in to: People Scrutiny Committee

Cabinet Member: Cllr Lamb

781 Council Procedure Rule 46

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

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

Cabinet Member: Cllrs Lamb and Flewitt

782 Exclusion of the Public

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

783 Transport Procurement - Confidential Appendix

Resolved:

That the confidential report, be noted.

Note: This is an Executive Function

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

Cabinet Members: Cllrs Boyd, Cox and Moring

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 20th March, 2019

Place: Darwin Room - Tickfield

14

Present: Councillor L Salter (Chair)
J Garcia-Lobera (Deputy Chair),
Councillors M Davidson and F Evans
J Gardner, Y Blucher, A Khaldi, T D'Orsi, S Leftley, K Jackson,
A Griffin, S Dolling, J Cripps, J Broadbent, K Ramkhelawon and M
Strycharczyk (EPUT)

In Attendance: F Abbott, N Faint, S Baker and J Banks

Start/End Time: 5.00 - 5.40 pm

784 Apologies for Absence

Apologies for absence were received from Councillors Lamb and Woodley (no substitutes).

Apologies were also received from S Morris (sub: Morag Strycharczyk), Dr Chaturvedi and E Chidgey (sub: S Rollason).

785 Declarations of Interest

The following declarations of interest were made:-

- (a) Councillor Salter – agenda item 5 (CCG Annual Report) – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital; daughter is acting Consultant and Doctor at Basildon Hospital; son-in-law is a GP in the Borough and Diabetes Lead on Southend CCG;
- (b) Dr J. Garcia-Lobera – agenda item 5 (CCG Annual Report) – non-pecuniary interest – practicing GP in the Borough.

786 Minutes of the Meeting held on Wednesday 23rd January 2019

Resolved:-

That the Minutes of the Meeting held on Wednesday, 23rd January, 2019 be confirmed as a correct record and signed.

787 Public Questions

There were no public questions.

788 CCG Annual Report

The Board considered a report of the Interim Accountable Officer, Southend and Castle Point & Rochford CCGs which presented the Southend CCG draft Annual Report 2018/19, for review and feedback. The Chair provided clarification on the status of the draft Annual Report, in particular that this is an early draft for comment on its content, narrative and style.

The Interim Accountable Officer also explained that as this was an early skeleton draft, the nature of the data is therefore incomplete and is subject to concurrent review processes in order to comply with the CCG statutory deadlines for audit and publication by the end of May.

The Board made the following comments:-

- Welcomed the opportunity to comment on the draft report
- Document is very readable and contains a lot of detail of the work undertaken in 2018/19 and is a good summary of the work of the CCG
- Useful to add signposting in document.

Resolved:-

To endorse the Southend CCG's Draft Annual Report 2018/19 and noted that an updated draft of the Annual Report will be circulated to the Board in April, prior to its submission to NHS England.

789 A Better Start Southend Progress Update

The Board considered a report of the Director, A Better Start Southend (ABSS) which provided an update from the Chair of ABSS on key developments since the last meeting of the Health & Wellbeing Board.

The Chair of ABSS highlighted in particular the success in engaging families in target wards and how taking learning from the programme across the area more widely. The Chair referred to the 'Who's the Expert' family friendly conference taking place on Thursday 11th April 2019 which will provide opportunities for partners to come together to share the latest development in co-production and service design.

Resolved:-

That the report be noted.

790 Southend Better Care Fund 2019/20

The Board considered a report of the Strategic Director of Finance and Resources setting out the operation of the Better Care Fund Pool during 2018/19. The report outlined the proposals with regard to the carers support jointly commissioned pilot going forward, as set out in paragraph 4 of the report.

Resolved:-

1. To note the financial flows of the 2018/19 Better Care Fund.
2. To agree to the variation to the 2018/19 Better Care Fund, so as to allow the reallocation of the funds associated with the jointly commissioned Carer's support scheme back to the respective parties for reinvestment back into their other better Care Fund Schemes.
3. To note that the carer's support jointly commissioned pilot will be evaluated and reviewed by the Board in 2019/20.

791 JSNA Steering Group - update

The Board received a verbal update from the Interim Director of Public Health on the work of the JSNA Steering Group.

Resolved:-

1. That this matter be a Standing Item on future Board meetings and the revised Terms of Reference of the Steering Group be brought to the next Board meeting for consideration.
2. The Harm Reduction Strategy be brought to the Board for consideration.

792 Physical Activity Strategy - update

The Board received a verbal update from Councillor Davidson on the recent meeting of the Active Southend Group which had been very encouraging and well attended. The Group had discussed, amongst other matters, the Southend-on-Sea Physical Activity Strategy, Southend 2050, the Active 10 campaign, Active Women and She's Ready project.

Resolved:-

That the update be noted.

793 Vote of Thanks to Chair

The Board took the opportunity to thank the Chair for the able way in which she had conducted meetings over the last Municipal Year. The Chair thanked Board members for their involvement and contributions.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 27th March, 2019

Place: Committee Room 1 - Civic Suite

15

Present: Councillor M Davidson (Chair)
Councillors N Folkard (Vice-Chair), B Ayling, A Bright, K Buck,
L Burton, D Nelson and Mr K Pandya.

In Attendance: J Chesterton, A Barnes, R Harris, E Allen, M Dineen and C Wisdom
(Deloitte).

Start/End Time: 6.30 - 8.00 pm

795 Apologies for Absence

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

796 Declarations of Interest

There were no declarations of interest at this meeting.

797 Minutes of the Meeting held on 16th January 2019

Resolved:-

That the Minutes of the Meeting held on Wednesday 16th January 2019 be confirmed as a correct record and signed.

798 BDO: Grant Claims and Returns Certification report for the year ending 31st March 2018

The Committee considered a report of the Strategic Director (Finance and Resources) presenting the External Auditor's Grant Claim and Return Certification Report for 2017/18.

The Committee asked a number of questions which were responded to by officers. In reference to teachers' pensions reconciliations a progress report on the reasons and actions being taken to address the situation would be provided to the next meeting of the Committee by the Strategic Director of Transformation.

Resolved:

That the Grant Claim and Return Certification Report for 2017/18, be accepted.

799 Deloitte: Audit Plan to the Audit Committee, Audit for the year ending 31st March 2019

The Committee considered a report of the Strategic Director (Finance and Resources) presenting the Deloitte External Auditor's Audit planning report for 2018/19.

The Committee asked a number of questions which were responded to by officers and Mr C. Wisdom (Deloitte – Council's External Auditors).

Resolved:

That Deloitte's Audit planning report for 2018/19, be noted.

800 Counter Fraud and Investigation Directorate: Quarterly Performance Report

The Committee considered a report of the Strategic Director (Finance and Resources) setting out progress made by the Counter Fraud & Investigation Directorate (CFID) in delivering the Counter Fraud Strategy and Work Programme for 2018/19.

The Committee asked a number of questions which were responded to by officers. The Committee also asked officers from CFID to provide an update/progress report to the next meeting concerning cybercrime.

Resolved:

That the performance of the Counter Fraud & Investigation Directorate over the last year, be noted.

801 Internal Audit Service, Quarterly Performance Report

The Committee considered a report of the Strategic Director (Finance and Resources) setting out the progress made in delivering the Internal Audit Strategy for 2018/19.

Resolved:

That the progress made in delivering the 2018/19 Internal Audit Strategy, be noted.

802 Internal Audit Charter, Strategy and Audit Plan for 2019/20

The Committee considered a report of the Strategic Director (Finance and Resources) presenting the Internal Audit Charter with the supporting Strategy and Audit Plan for 2019/20.

Resolved:

That the Charter, Strategy and Audit Plan for 2019/20, be approved.

803 Audit Committee Self-Assessment 2018/19 - Verbal Briefing

The Committee received a verbal briefing from the Head of Internal Audit presenting the Audit Committee self-assessment of good practice questionnaire, which is the tool used to assess performance against the good practice principles set out in CIPFA's 2018 Position Statement: Audit Committees in Local Authorities and Police.

The Committee noted that the questionnaire would be sent to the Committee for their comments/input and would also be completed by the Strategic Director (Finance and Resources), the Head of Internal Audit and current and previous audit partners. The officers would provide feedback on the results and next steps to the next meeting of the Committee.

Resolved:

That the Audit Committee Self-Assessment of Good Practice questionnaire be noted.

804 Information Item

The Audit Committee received and noted the following information items:

- Audit Committee Update, Helping Audit to be Effective, Issue 27;
- Local Government Application Note for the UK PSIAS (2019 Edition).

805 Vote of Thanks

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

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Friday, 29th March, 2019

Place: Committee Room 1 - Civic Suite

16

Present: Councillor D McGlone (Chair)
Councillors H McDonald and C Mulroney

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

Start/End Time: 9.45 am - 1.10 pm

806 Apologies for Absence

There were no apologies for absence.

807 Declarations of Interest

No interests were declared at the meeting.

**808 Padrino Restaurant, 7-9 Shorefield Road, Westcliff-on-Sea, SS0 7RN -
Application for Review of Premises Licence**

The sub-committee considered a report of the Deputy Chief Executive (Place) concerning an application by Essex Police for the review of the premises licence at Padrino Restaurant, 7-9 Shorefield Road, Westcliff-on-Sea, SS0 7RN.

The application was presented by Ms Drain of the Police Licensing Unit. Ms Powell of the Police Licensing Unit, together with Ms Clouting and Mr Henry of the Immigration Enforcement Office, were also in attendance. Mr Poli (part-owner of the business and designated premises supervisor), together with Ms Spratt-Dawson (Counsel), Mr Daby (Solicitor), were in attendance at the hearing and also gave evidence on behalf of the respondents.

The application had been made on the grounds of crime and disorder, in particular, the employment of 3 persons who were disqualified from work by reason of their immigration status.

At the outset of the hearing, the applicant submitted that two of the written statements contained within the respondent's bundle should be disregarded on the basis that they were not relevant to this matter. These statements were by Mr Fields (Accountant) and Mr Dowell (neighbouring resident). The sub-committee considered this submission but agreed that the statements should be considered and would determine the weight that should be attached to these statements when considering the breach of the licensing objective of crime and disorder.

The sub-committee noted from the respondent that they did not contest the evidence submitted by the Police. They were regretful that they had failed in their duties as a responsible employer in respect of this matter and their failure to

comply with the promotion of the licensing objective relating to crime and disorder. They had not attempted to deceive any of the authorities and there had been no previous issues of concern raised in respect of these premises.

The sub-committee also noted from the respondents that steps would be introduced to regularise the recruitment and staffing issues and that the designated premises supervisor would be replaced.

The sub-committee felt however, robust measures should have already been in place to ensure the legal status of all employees. The current designated premises supervisor was unaware of the status of the illegal workers at the time of their employment and remained unaware of their status for some time. The major shareholder of the company (which is also named as the licence holder) appointed these workers without following the correct procedures, did not inform his fellow shareholders, nor the accountant who deals with the staff payroll.

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

On the basis of the evidence presented to it, the sub-committee took the view that the licence holder had failed in their duty to comply with the conditions on the premises licence and the licensing legislation. Due to the gravity of the situation and taking into account the promotion of the crime prevention objective, including acting as a deterrent, in accordance with the Licensing Act 2003, the sub-committee believes the imposition of further or amended conditions or a suspension of the licence would be ineffective in the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community. It therefore:

Resolved:

That the premises licence be revoked.

Chairman: _____