

# Public Document Pack

## Southend-on-Sea Borough Council

Civic Centre  
Southend-on-Sea

9 July 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, **Thursday, 18th July, 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 Minutes of the Council held on Thursday 17th April 2019 (Pages 1 - 12)**  
Minutes attached
- 4 Minutes of the Annual Council held Thursday 9th May 2019 (Pages 13 - 14)**  
Minutes attached
- 5 Minutes of the meeting of Appointments Council held Thursday 16th May 2019 (Pages 15 - 18)**  
Minutes attached.
- 6 Minutes of the meeting of Extraordinary Council held Monday 3rd June 2019 (Pages 19 - 22)**  
Minutes attached.
- 7 Minutes of the Extraordinary Meeting of the Council held on Thursday 13th June 2019 (Pages 23 - 26)**  
Minutes attached
- 8 Communications**
- 9 Questions from Members of the Public**
- 10 Questions from Councillors**

- 11 **Petition: Residents Parking Permits for Mariner House (Pages 27 - 28)**  
Prayer of Petition attached
- 12 **Petition: Improve Street Lighting and Increase CCTV for Pleasant Road (Pages 29 - 30)**  
Prayer of the petition attached
- 13 **Minutes of the meeting of Licensing Sub-Committee A held Thursday, 30 May 2019 (Pages 31 - 32)**  
Minutes attached
- 14 **Minutes of the meeting of Development Control Committee held Wednesday, 5 June 2019 (Pages 33 - 72)**  
Minutes attached
- 15 **Minutes of the meeting of Cabinet Committee held Thursday, 6 June 2019 (Pages 73 - 78)**  
Minutes attached
- 16 **Minutes of the meeting of Health and Wellbeing Board held Wednesday, 12 June 2019 (Pages 79 - 82)**  
Minutes attached.
- 17 **Minutes of the meeting of Cabinet held Tuesday, 25 June 2019 (Pages 83 - 98)**  
Minutes attached.
- 18 **Minutes of the meeting of Licensing Committee held Wednesday, 26 June 2019 (Pages 99 - 102)**  
Minutes attached
- 19 **Minutes of the meeting of Licensing Sub-Committee C held Wednesday, 26 June 2019 (Pages 103 - 104)**  
Minutes attached.
- 20 **Minutes of the meeting of Licensing Sub-Committee B held Wednesday, 26 June 2019 (Pages 105 - 106)**  
Minutes attached.
- 21 **Minutes of the meeting of Cabinet Committee (PVX) held Thursday 27th June 2019 (Pages 107 - 108)**  
Minutes attached.
- 22 **Minutes of the meeting of Licensing Sub-Committee A held Friday, 28 June 2019 (Pages 109 - 112)**  
Minutes attached.
- 23 **Minutes of the meeting of Licensing Sub-Committee A held Monday, 1 July 2019 (Pages 113 - 114)**  
Minutes attached.
- 24 **Minutes of the meeting of Development Control Committee held**

- Wednesday, 3 July 2019 (Pages 115 - 124)**  
Minutes attached.
- 25 Minutes of the meeting of Licensing Sub-Committee A held Thursday, 4 July 2019 (Pages 125 - 128)**  
Minutes attached.
- 26 Minutes of the meeting of Special Cabinet held Monday, 8 July 2019 (Pages 129 - 132)**  
Minutes attached.
- 27 Minutes of the meeting of Place Scrutiny Committee held Monday 8th July 2019**  
Minutes to follow
- 28 Minutes of the meeting of People Scrutiny Committee held Tuesday 9th July 2019**  
Minutes to follow
- 29 Minutes of the meeting of Appeals Committee A held Wednesday 10th July 2019**  
Minutes to follow.
- 30 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 11th July 2019**  
Minutes to follow
- 31 Review of Members' Allowances (Pages 133 - 166)**  
Report of the Strategic Director (Legal & Democratic Services) attached
- 32 Notice of Motion - Climate Change (Pages 167 - 168)**  
Notice of Motion attached.
- 33 Notice of Motion - Better Queensway (Pages 169 - 170)**  
Notice of Motion attached
- 34 Notice of Motion - Seaway Car Park Development (Pages 171 - 172)**  
Notice of Motion attached.
- 35 Opposition Business - Parking on the Seafront and High Street Areas**
- 36 Appointments to Committees, Working Parties, etc**

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# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of The Council

**Date: Wednesday, 17th April, 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, J Courtenay, T Cox, M Davidson, A Dear, M Dent, F Evans, M Flewitt, N Folkard, D Garne, D Garston, J Garston, George, I Gilbert, S Habermel, R Hadley, T Harp, A Jones, J Lamb, D McGlone, J McMahon, A Moring, C Mulroney, D Nelson, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Stafford, M Terry, P Van Looy, P Wexham and R Woodley

Start/End Time: 6.30 - 9.50 pm

#### **868 Apologies for Absence**

Apologies for absence were received from Councillors Chalk, McDonald, Walker, Ward and Willis.

#### **869 Declarations of Interest**

- **Councillor Arscott**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 755 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 849 (Safeguarding Report); Minute 850 (Annual Education Report); Minute 852 (Schools Progress report) – non-pecuniary – Governor at Our Lady of Lourdes Catholic Primary School (Assisi Trust);

- **Councillor Borton**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 757 (18/01122/FUL – Mariner House, 157 High Street) – Non-pecuniary interest: Resident of Mariner House is known to her.

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 851 (Revenue & Capital Monitoring) – non-pecuniary – works for DWP, dealing with Universal Credit claimants;  
Minute 853 (Scrutiny Committee updates – section 3 of report – EPUT) – daughter is a nurse at Basildon mental health unit;

**Council – 17<sup>th</sup> April 2019**

Item 9: Petition – Footpath across central reservation in Prittlewell Chase – non-pecuniary interest – lives in one of the roads mentioned but has not signed the petition;

- **Councillor Boyd**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

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

Minute 852 (Schools Progress Report) - disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Bright**

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 841 (In-depth Scrutiny Project - Re-imagining the Town Centre in the context of the vision for Southend 2050 - Draft Final Report) – Non-pecuniary interest: Lives in High Street, Southend;

**Council – 17<sup>th</sup> April 2019**

Item 8 – Petition: High Street 2 hours free parking – non-pecuniary interest – has a business in the High Street;

- **Councillor Buckley**

**Cabinet Committee – 7<sup>th</sup> March 2019**

Minute 764 (Objections to traffic regulation orders – Wells Avenue) – non-pecuniary interest – lobbied for parking controls in the road;

- **Councillor Burton**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minutes 849 (Safeguarding Report); Minute 850 (Annual Education Report); Minute 852 (Schools Progress report) – non-pecuniary – Director of English and Maths at USP (formally SEEVIC) College and Southend schools are feeder schools;

- **Councillor Burzotta**

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 841 (In-depth Scrutiny Project - Re-imagining the Town Centre in the context of the vision for Southend 2050 - Draft Final Report) – Non-pecuniary interest: Family business interest in the Borough;

**Policy & Resources Scrutiny Committee – 10<sup>th</sup> April 2019**

Minute 865 (In-depth Scrutiny Project) – non-pecuniary interest – family business within the borough;

- **Councillor Courtenay**

**Policy & Resources Scrutiny Committee – 10<sup>th</sup> April 2019**

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

- **Councillor Cox**

**Cabinet Committee – 7<sup>th</sup> March 2019**

Minute 764 (Objections to Traffic Regulation Orders – Wells Avenue) – Non-pecuniary interest: Works for Redbridge Council which was mentioned during the debate;

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

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

- **Councillor Dent**

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 840 (Southend Energy Partnership) – Pecuniary interest: Customer of Southend Energy Company (withdrew);

- **Councillor Evans**

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 817 (19/00032/FULH – 18 Vardon Drive). Non-pecuniary interest: Lives close by.

- **Councillor Flewitt**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 755 (18/02211/FUL – Park Road Methodist Church) – non-pecuniary interest – knows the objector but played no part in the decision;

Minute 760 (18/00185/UNAU\_B – 53 Westcliff Park Drive) – non-pecuniary interest – had some complaints about the issue but played no part in the decision;

**Cabinet Committee – 7<sup>th</sup> March 2019**

Minute 764 (Objections to Traffic Regulation Orders – Wells Avenue) – non-pecuniary interest – lobbied and discussed with residents for a relevant parking scheme;

**Cabinet – 12<sup>th</sup> March 2019**

Minute 772 (South Essex Homes Housing Management Partnership Agreement) – Non-pecuniary interest – friends and family are tenants of South Essex Homes;

**Development Control – 3<sup>rd</sup> April 2019**

Minute 813 (19/00401/BC3 – land at Corner of Pitmans Close and Tylers Avenue) – non-pecuniary interest – consulted as Cabinet Member for Public Protection as to abuse and correction for this site but took no part in Development Control decision.

- **Councillor J Garston**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 755 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

- **Councillor D Garston**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 755 (18/02211/FUL – Park Road Methodist Church) – Non-pecuniary interest: Surveyor mentioned in report is known to him.

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 823 (19/00297/FULH – 11 Leigh Park Road, Leigh-on-Sea). Non-pecuniary interest: Applicant is known to him.

- **Councillor George**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 853 (Scrutiny Committee Updates) – non-pecuniary – relative works for EPUT;

- **Councillor Habermel**

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 821 (1800839/FUL – Land rear of 106 to 112 Highstreet, Shoeburyness) – Disqualifying non-pecuniary interest: His Brother's property backs on to the development (withdrew)

- **Councillor Harp**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 853 (Scrutiny Committee updates (Appendix 2) - non-pecuniary – patient at St Luke's Health Centre, Chair of St Luke's PPG and member of PPG Forum;



- **Councillor Holland**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 853 (Scrutiny Committee updates) – non-pecuniary – President Southend Stroke Club;

- **Councillor Jones**

**Council – 17<sup>th</sup> April 2019**

Item 4 - Public Question 1 regarding parking permits – non-pecuniary interest – affected by the scheme;

Item 5 – Councillor Question 7 regarding parking permits – non-pecuniary interest – affected by the scheme;

- **Councillor McMahon**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 849 (Safeguarding Report) – non-pecuniary – support parents in court cases of children who may feature in report;

Minute 852 (Schools Progress report) – non-pecuniary – Charitable association with Southend YMCA including school – former governor on Board YMCA.

Minute 853 (Scrutiny Committee Updates) – non-pecuniary interest – works/supports people with mental health;

- **Councillor Moring**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

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

**Policy & Resources Scrutiny Committee – 10<sup>th</sup> April 2019**

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

Minutes 863 and 866 (Transport Procurement) – non pecuniary interest – reference to the transport service in 2008 – son was using the transport service at the time;

- **Councillor Mulroney**

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 812 (18/01820/FULM – Car Wash 120 Broadway, Leigh-on-Sea), Minute 815 (TPO 3/2018 – Tree Preservation Order, 27 Leigh Park Road), Minute 816 (19/00019/FULH – 41 Western Road, Leigh-on-Sea), Minute 817 (19/00032/FULH – 18 Vardon Drive), Minute 820 (19/00089/FUL – 1333 London Road, Leigh-on-Sea), Minute 824 (19/00284/FUL – 135 Marine Parade, Leigh-on-Sea) and Minute 823 (19/00297/FULH – 11 Leigh Park Road, Leigh-on-Sea) - Non-pecuniary interest - Member of Leigh Town Council in a non-planning capacity.

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 840 (Southend Energy Partnership) – pecuniary interest – customer of Southend Energy (withdrew);

- **Councillor Nelson**

**Council – 17<sup>th</sup> April 2019**

Item 4 – Public Questions 3 and 4 relating to powers for recycling facilities to be included in planning developments – non-pecuniary – reference to Parliament – employer is an MP;

**Policy & Resources Scrutiny Committee – 10<sup>th</sup> April 2019**

Minutes 862 and 866 (Transport Procurement) – non-pecuniary interest – wife works at the hospital which was referred to during the debate;

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 820 (1333 London Road) – non-pecuniary interest – relative lives in the vicinity of the application;

- **Councillor Nevin**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 851 (Revenue & Capital Monitoring) – non-pecuniary – Southchurch School highlighted in report – niece is teacher at the school;  
Minute 853 (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;

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 820 (1333 London Road) – non-pecuniary interest – knows the objector (withdrew);

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 840 (Southend Energy Partnership) – non-pecuniary interest – customer of OVO;

- **Councillor D Norman**

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 816 (19/00019/FULH – 41 Western Road, Leigh-on-Sea). Non-pecuniary Interest: The property overlooks his property on Vernon Road.  
Minute 823 (19/00297/FULH – 11 Leigh Park Road). Non-pecuniary interest: The developer is a family friend.

- **Councillor Robinson**

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minute 853 (Scrutiny Committee updates) – disclosable interest – employee of EPUT mentioned in the report and workplace and mentioned in Appendix 2 – withdrew;

- **Councillor Salter**

**Health & Wellbeing Board – 20<sup>th</sup> March 2019**

Minute 788 (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;

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

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

Minute 853 (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);

- **Councillor Terry**

**Place Scrutiny Committee – 8<sup>th</sup> April 2019**

Minute 840 (Southend Energy Partnership) – Non-pecuniary interest: Son works for an energy broker;

**People Scrutiny Committee – 9<sup>th</sup> April 2019**

Minutes 848 and 855 (Transport Procurement) – non-pecuniary interest – knows a person who works for incumbent contractor;

- **Councillor Van Looy**

**Cabinet Committee – 7<sup>th</sup> March 2019**

Minute 764 (Objections to Traffic Regulation Orders – Wick Chase) – Non-pecuniary interest: Lives near the road;

Minute 765 (Requests for Waiting Restrictions – Sutton Road and Gunners Road) – Non-pecuniary interest: Daughter lives in Sutton Road and resident in Gunners Road is known to him.

- **Councillor Ward**

**Development Control Committee – 6<sup>th</sup> March 2019**

Minute 759 (18/00185/UNUA\_B – 53 Westcliff Park Drive) – Non-pecuniary interest: The Company he works for has scaffolded the building.

**Development Control Committee – 3<sup>rd</sup> April 2019**

Minute 820 (19/00089/FUL – 1333 London Road, Leigh-on-Sea). Non-pecuniary interest: Air BnB mentioned, he owns a guesthouse.

**870      Communications**

Councillor George

The Council welcomed Councillor Stephen George, newly elected Member for the Milton Ward.

**871      Questions from Members of the Public**

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

**872      Questions from Members of the Council**

The relevant Cabinet Members responded to written questions received from Councillors Ayles, Wexham, Burton, Borton, Dent and Bright.

**873      Minutes of the Council meeting held on Thursday 21st February 2019**

Resolved:-

That the Minutes of the Meeting held on Thursday 21<sup>st</sup> February 2019, be confirmed as a correct record and signed.

**874      Petition - Against New Parking Charges**

Councillor Ayling presented a petition on behalf of local residents against the introduction of the new parking charges of £2.90 for a minimum of two hours.

Resolved:

That in accordance with Standing Order 15.7 the petition be referred to the Cabinet.

**875      Petition - High Street 2 hours free parking**

Councillor Ayling presented a petition on behalf of local residents requesting the implementation of two hours free parking in the High Street.

Resolved:

That in accordance with Standing Order 15.7 the petition be referred to the Cabinet.

**876      Petition - Footpath across central reservation in Prittlewell Chase**

Councillor Davidson presented a petition on behalf of local residents requesting the installation of a footpath across the grassed central reservation in Prittlewell Chase.

Resolved:

That in accordance with Standing Order 15.7 the petition be referred to the Cabinet Committee.

**877      Minutes of the meeting of Licensing Sub-Committee A held on Friday, 1 March 2019**

Resolved:

That the minutes of this meeting be noted.

**878      Minutes of the meeting of Development Control Committee held on Wednesday, 6 March 2019**

Resolved:

That the minutes of this meeting be noted.

**879      Minutes of the meeting of Cabinet Committee held on Thursday, 7 March 2019**

Resolved:

That the minutes of this meeting be noted.

**880      Minutes of the meeting of Cabinet held on Tuesday, 12 March 2019**

Resolved:

That the minutes of this meeting be noted and the Recommendations contained in Minute 770(6) and Minute 771(5), be approved.

**881      Minutes of the meeting of the Health and Wellbeing Board held on Wednesday, 20 March 2019**

Resolved:

That the minutes of this meeting be noted.

**882 Minutes of the meeting of Audit Committee held on Wednesday, 27 March 2019**

Resolved:

That the minutes of this meeting be noted.

**883 Minutes of the meeting of Licensing Sub-Committee B held on Friday, 29 March 2019**

Resolved:

That the minutes of this meeting be noted.

**884 Minutes of the meeting of Development Control Committee held on Wednesday 3rd April 2019**

Resolved:

That the minutes of this meeting be noted.

**885 Minutes of the meeting of Appeals Committee B held on Friday 5th April 2019**

Resolved:

That the minutes of this meeting be noted.

**886 Minutes of the meeting of Place Scrutiny Committee held on Monday 8th April 2019**

Resolved:

That the minutes of this meeting be noted.

**887 Minutes of the meeting of People Scrutiny Committee held on Tuesday 9th April 2019**

Resolved:

That the minutes of this meeting be noted and the recommendation in Minute 848(6), be approved.

**888 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Wednesday 10th April 2019**

During consideration of Minutes 862 and 866 (Transport Procurement) 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 Aylen, Ayling, Borton, Burton, Byford, Dent, George, Gilbert, Harp, Jones, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Wexham and Woodley (19)

Against reference back:

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

Abstentions: Cllr Jarvis (1)

Absent: Cllrs Chalk, McDonald, Walker, Ward and Willis (5)

The motion for reference back was not carried.

During consideration of Minute 863(5) (Commissioning Framework) 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 Aylen, Ayling, Borton, Burton, Byford, Dent, George, Gilbert, Harp, Jones, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Wexham and Woodley (19)

Against reference back:

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

Abstentions: Cllr Jarvis (1)

Absent: Cllrs Chalk, McDonald, Walker, Ward and Willis (5)

The motion for reference back was not carried.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 862 and 866 (Transport Procurement) and Minute 863(5), be approved.

**889 Retiring Councillors**

The Worshipful the Mayor extended his thanks and appreciation on behalf of the Council to Councillors Holland and Norman MBE who were not standing for re-election on 2<sup>nd</sup> May 2019 and to those Councillors who were standing but may not be returned.

**890 Exclusion of the Public**

Resolved:

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

**891 Transport Procurement - Confidential Matters**

During consideration of Minutes 862 and 866 (Transport Procurement) of the Policy & Resources Scrutiny Committee held on 10<sup>th</sup> April 2019 concerning the commercial aspects 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:** \_\_\_\_\_



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

**Meeting of The Council**

**Date: Thursday, 9th May, 2019**  
**Place: Council Chamber - Civic Suite**

**4**

**Present:** Councillor J Lamb (Chair)  
Councillors M Flewitt (Vice-Chair), D Jarvis, S Ayles, B Ayling, J Beck, M Borton, H Boyd, A Bright, K Buck, L Burton, D Burzotta, A Chalk, P Collins, D Cowan, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, A Jones, M Kelly, H McDonald, D McGlone, K Mitchell, A Moring, C Mulroney, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Stafford, M Terry, A Thompson, P Van Looy, S Wakefield, C Walker, N Ward, P Wexham, C Willis and R Woodley

**Start/End Time:** 3.30 - 5.10 pm

**1 Apologies for Absence**

There were no apologies for absence.

**2 Introduction of New Councillors**

The Worshipful the Mayor welcomed to the meeting newly elected and returned Councillors who were elected at the Local Elections on 2nd May 2019.

**3 Election of Mayor for Municipal Year 2019/20**

On the nomination of Councillor David Garston, seconded by Councillor Faye Evans, and with the unanimous support of the Council:-

Resolved:

That Councillor John Lamb be appointed to the Office of Mayor of the Borough of Southend-on-Sea for the Municipal Year 2019/20.

**4 Appointment of Mayor's Chaplain**

The Worshipful the Mayor announced that he will be supported by Reverend Father David Wylie RN during his year of office.

**5 The Worshipful the Mayor's Charity**

The Worshipful the Mayor announced that the Mayoral Charity for his year of office would be The Southend-on-Sea Royal National Lifeboat Institution.

**6 Appreciation of Outgoing Mayor**

Councillor Tony Cox proposed and Councillor Alex Bright seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

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

**7 Election of Deputy Mayor for Municipal Year 2019/20**

On the nomination of Councillor Chris Walker, seconded by Councillor David McGlone, and with the unanimous support of the Council:

Resolved:

That Councillor Mark Flewitt be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2019/20.

**8 Election of Leader**

The Worshipful the Mayor informed the Council that a new Leader of the Council needed to be elected, as provided for in the Constitution.

A named vote was taken for the appointment of Leader of the Council.

For Councillor Cox:

Cllrs Aylen, Boyd, Bright, Buck, Burzotta, Cox, Davidson, Dear, F Evans, Flewitt, Folkard, Garne, Garston, Habermel, Jarvis, McGlone, Moring, Nelson, Salter, Walker and Lamb (21)

For Councillor Gilbert

Cllrs Beck, Borton, Burton, Collins, Cowan, Dent, George, Gilbert, Hooper, Jones, Kelly, McDonald, Mitchell, Mulrone, Nevin, Robinson, Thompson, Wexham and Willis (19)

Abstentions:

Cllrs Ayling, Chalk, K Evans, Harp, Shead, Stafford, Terry, Van Looy, Wakefield, Ward and Woodley (11)

Resolved:

That Councillor Cox be appointed Leader of the Council.

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

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

**Meeting of The Council**

**Date: Thursday, 16th May, 2019**  
**Place: Council Chamber - Civic Suite**

**5**

**Present:** Councillor J Lamb (Chair)  
Councillors D Jarvis, S Ayles, B Ayles, M Borton, H Boyd, A Bright, K Buck, L Burton, D Burzotta, A Chalk, T Cox, M Davidson, A Dear, M Dent, F Evans, M Flewitt, N Folkard, D Garne, D Garston, George, I Gilbert, S Habermel, T Harp, A Jones, H McDonald, D McGlone, A Moring, C Mulroney, D Nelson, C Nevin, K Robinson, L Salter, M Stafford, P Van Looy, N Ward, C Walker, P Wexham, C Willis, R Woodley, J Beck, P Collins, D Cowan, K Evans, B Hooper, M Kelly, K Mitchell, I Shead, A Thompson and S Wakefield

**Start/End Time:** 6.30 - 7.20 pm

**9 Apologies for Absence**

Apologies were received from Councillor Terry.

**10 Declarations of Interest**

There were no declarations of interest at this meeting.

**11 Appointments to Cabinet, Cabinet Committee and Changes to the Constitution**

The Council considered a report of the Strategic Director (Legal and Democratic Services) on the above matter.

Resolved:

1. That it be noted that, following the Local Elections on 2<sup>nd</sup> May 2019, the make-up of the Council is as follows:

- Conservative Group – 20
- Labour Group – 14
- Independent Group – 11
- Liberal Democrat Group – 5
- Unaligned Independent (Councillor Ayles) – 1

2. That the changes to the numbers, titles and responsibilities of Cabinet Members which have been made by the Leader of the Council as set out in Appendix 1 to the submitted report, be noted and that these changes be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution.

3. That the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in List A, be noted.

4. That the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in List B, be noted.

5. That amendments made to the Terms of Reference of the Shareholder Board as set out in Appendix 2 so that councillors can have oversight of all Corporate Vehicles be agreed - and that section 4.6 of Schedule 2 of Part 3 of the Constitution be amended accordingly.

6. That the Council's constitution, including the Scheme of Delegation in Part 3, Schedule 6, be endorsed.

**12 Appointment of Councillors and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee**

Resolved:

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

(These appointments are for the Municipal Year 2019/20 unless there is a change of administration).

**13 Appointment of Chairs and Vice-Chairs to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee**

Resolved:

That the Members set out in List C be appointed as Chairmen and Vice-Chairmen of Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee for the Municipal Year 2019/20.

(These appointments are for the Municipal Year 2019/20 unless there is a change of administration).

**14 Appointment of Councillors and Substitutes to Working Parties, Panels, Forums, etc**

Resolved:

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

(These appointments are for the Municipal Year 2019/20 unless there is a change of administration).

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

Resolved:

That the Members set out in List D be appointed as Chairmen and Vice-Chairmen of Working Parties, Panels, Forums, etc.

(These appointments are for the Municipal Year 2019/20 unless there is a change of administration).

**16 Appointments to Outside Bodies**

The Worshipful the Mayor advised the Council that there had been more nominations than there were positions on 26 of the outside bodies. A vote on each position was taken in accordance with Council Procedure Rule 13.

Resolved:

That the Members indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2019/20 with the exception of the bodies listed below, to which the following Councillors be appointed:

- (1) Age Concern - Councillor Kelly
- (2) Anglian Eastern Regional Flood Coastal Committee - Councillor Wexham
- (3) Citizens Advice Bureau - Councillor Burton
- (4) Disabled Information Advice Line Southend - Councillor Mitchell
- (5) Essex Heritage Trust - Councillor Mulroney
- (6) Essex Outward Bound Association - Councillor Nevin
- (7) EPUT - Councillor Burton
- (8) Essex Pension Fund Strategy Board - Councillor Dent
- (9) Essex Waste Partnership Inter-Authority Member Working Group - Councillor Wexham
- (10) Jazz Archive - Councillor Ayling
- (11) Key Cities - Councillor Woodley
- (12) LGA General Assembly - Councillor Woodley, Councillor Mulroney, Councillor Gilbert
- (13) LGA Urban Commission - Councillor Jones

- (14) London Southend Airport Consultative Committee - Councillor K Evans, Councillor Cowan, Councillor Thompson, Councillor Terry
- (15) National Association of Councillors - Councillor Woodley
- (16) PATROL - Councillor McDonald
- (17) SOS Domestic Abuse Project - Councillor Cowan and Councillor Hooper
- (18) South Essex Homes Board - Councillor Woodley, Councillor Borton and Councillor Mulroney
- (19) South Essex Relate Executive Committee - Councillor Jones
- (20) Southend Boys and Girls Choir Trust - Councillor Thompson
- (21) Arts Council - Councillor Harp, Councillor Burton and Councillor Thompson
- (22) Southend-on-Sea Forum Management Ltd - Councillor George and Councillor Mulroney
- (23) Pier Museum Trust - Councillor Mulroney
- (24) Southend Residents Forum - Councillor Woodely and Councillor Borton
- (25) Southend University Hospital NHS Foundation Trust - Councillor Harp
- (26) Thames Gateway Housing Group -Councillor Jones

**17 Calendar of Meetings 2019/20**

Resolved:

That the revised calendar of meetings for the Municipal Year 2019/20, with two amendments to the draft version previously considered by Council, namely the moving of the June Cabinet meeting to Tuesday 25<sup>th</sup> June 2019 and an additional Council meeting on Thursday 27<sup>th</sup> February 2020, approved.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of The Council**

**Date: Monday, 3rd June, 2019**  
**Place: Council Chamber - Civic Suite**

**6**

**Present:** Councillor J Lamb (Chair)  
Councillors M Flewitt (Vice-Chair), S Ayles, B Ayles, J Beck,  
M Borton, H Boyd, A Bright, K Buck, L Burton, A Chalk, P Collins,  
D Cowan, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans,  
N Folkard, D Garne, D Garston, George, I Gilbert, S Habermel,  
T Harp, B Hooper, D Jarvis, A Jones, M Kelly, H McDonald,  
D McGlone, K Mitchell, A Moring, C Mulrone, D Nelson, C Nevin,  
K Robinson, L Salter, M Stafford, M Terry, A Thompson, S Wakefield,  
C Walker, N Ward, P Wexham, C Willis and R Woodley

**Start/End Time:** 18.30/19.45

**18 Apologies for Absence**

Apologies for absence were received from Councillors Burzotta, Shead and Van Looy.

**19 Declarations of Interest**

There were no declarations of interest at this meeting.

**20 Removal of the Leader of the Council**

This meeting had been called by the Worshipful the Mayor following a requisition by 5 Councillors, pursuant to Section 3 of Schedule 12 to the Local Government Act 1972, for three matters, including the removal of the Leader of the Council.

The motion to remove the Leader of the Council was proposed by Councillor Terry and seconded by Councillor Harp.

In accordance with Council Procedure Rules a named vote was taken, as follows:

For the removal of the Leader of the Council:

Cllrs Ayles, Beck, Borton, Burton, Chalk, Collins, Cowan, Dent, George, Gilbert, Harp, Hooper, Jones, Kelly, McDonald, Mitchell, Mulrone, Nevin, Robinson, Stafford, Terry, Thompson, Wakefield, Ward, Wexham, Willis and Woodley (27)

Against the removal of the Leader of the Council:

Cllrs Ayles, Boyd, Bright, Buck, Cox, Davidson, Dear, F. Evans, K. Evans, Flewitt, Folkard, Garne, D Garston, Habermel, Jarvis, McGlone, Moring, Nelson, Salter and Walker (20)

Abstentions:  
Cllr Lamb (1)

Absent:  
Cllrs Burzotta, Shead and Van Looy.

The motion to remove the Leader of the Council was carried.

## **21 Appointment of new Leader of the Council**

The Worshipful the Mayor informed the Council that a new Leader of the Council needed to be elected, as provided for in the Constitution.

A named vote was taken for the appointment of a new Leader of the Council, as follows:

For Councillor Gilbert:

Cllrs Ayling, Beck, Borton, Burton, Chalk, Collins, Cowan, Dent, George, Gilbert, Harp, Hooper, Jones, Kelly, McDonald, Mitchell, Mulrone, Nevin, Robinson, Stafford, Terry, Thompson, Wakefield, Ward, Wexham, Willis and Woodley (27)

For Councillor Aylen:

Cllrs Aylen, Buck, Cox, Dear, F Evans, Flewitt, Folkard, Garne, D Garston, Jarvis, McGlone, Moring, Nelson, Salter and Walker (15)

Abstentions:

Cllrs Boyd, Bright, Davidson, K Evans, Habermel, and Lamb (Mayor) (6)

Absent::

Cllrs Burzotta, Shead and Van Looy (3)

Resolved:

That Councillor Gilbert be appointed Leader of the Council.

## **22 Reallocation of appointments dealt with at the Council meeting on 16th May 2019**

The Council considered a report of the Strategic Director (Legal and Democratic Services) on the above matter.

Resolved:

1. That it be noted that, following the Local Elections on 2<sup>nd</sup> May 2019 and a notice received from Councillor Keith Evans confirming he is now a non-aligned independent councillor, the political make-up of the Council is as follows:

- Conservative Group – 20
- Labour Group – 14
- Independent Group – 10
- Liberal Democrat Group – 5
- Non-aligned Independents (Cllrs Aylen and K. Evans) – 2



2. That the changes to the numbers, titles and responsibilities of Cabinet Members made by the new Leader of the Council, be noted and that these changes be reflected in an amendment Schedule 1(a) of Part 3 to the Constitution.

3. That the changes to the Cabinet and Cabinet Committee made by the new Leader of the Council, be noted.

4. That the changes to the appointments agreed by the Council on 16<sup>th</sup> May 2019 as set out in Lists C and D, as circulated at the meeting, be approved.

5. That the Members indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2019/20 with the exception of the bodies listed below, to which the following Councillors be appointed:

- (a) British Destinations – Councillor Robinson;
- (b) Essex Heritage Trust – Councillor Mulronev;
- (c) Homeless Action Resource Project – Councillor McDonald;
- (d) Jazz Archive – Councillor Ayling;
- (e) London Southend Airport Consultative Committee – Councillors, Thompson, Cowan, Terry and Davidson.

6. That the following minor Constitutional amendments be approved:

(a) That the size of the Traffic Regulations Working Party be increased from 8 to 12 (comprising the 3 Cabinet Members who sit on the Cabinet Committee and 9 Councillors who are not Cabinet Members): 5:3:3:1

(b) That the membership of the Senior Managers' Pay Panel be adjusted so that it includes 'The Leaders of the 2 largest Opposition Groups (or the Leader and one other member of the Opposition Group).

(c) That the number of Councillors on the Children's Service Improvement Plan Scrutiny Panel be increased from 5 to 6: 2:2:1:1.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of The Council**

**Date: Thursday, 13th June, 2019**  
**Place: Council Chamber - Civic Suite**

**7**

**Present:** Councillor J Lamb (Chair)  
Councillors M Flewitt (Vice-Chair), S Ayles, J Beck, H Boyd, L Burton, A Bright, K Buck, D Burzotta, A Chalk, P Collins, D Cowan, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garston, George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, M Kelly, H McDonald, D McGlone, K Mitchell, A Moring, C Mulrone, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Stafford, M Terry, P Van Looy, S Wakefield, C Walker, N Ward, P Wexham, C Willis and R Woodley

**Start/End Time:** 6.30 - 7.40 pm

**23 Apologies for Absence**

Apologies for absence were received from Councillors Ayles, Burton, Garne and Thompson.

**24 Declarations of Interest**

The following declarations of interest were made at the meeting:

(a) Councillor Flewitt – Minute 25 (Notice of Motion: Traveller Incursions in the Borough) – non-pecuniary interest – has written and talked about occupation of public land from time to time;;

(b) Councillor Wakefield – Minute 25 (Notice of Motion: Traveller Incursions in the Borough) – non-pecuniary interest - reference to public security gates;

**25 Notice of Motion - Traveller incursions in the Borough**

The Worshipful the Mayor had agreed to call this Council meeting following a requisition by 5 Councillors, pursuant to Section 3 of Schedule 12 of the Local Government Act 1972, to consider a Notice of Motion on traveller incursions in the Borough, which was before Councillors for consideration.

The Council also considered a report from the Strategic Director (Legal and Democratic Services) providing advice on whether a Borough-wide injunction against unauthorised traveller encampments could be obtained.

In accordance with Standing Order 12(a) a named vote was taken on proposal 4 of the Notice of Motion, (officers seek through the courts a borough-wide injunction to deter illegal encampments and ensure their swift removal) as follows:

For Proposal 4:

Cllrs Aylen, Boyd, Bright, Buck, Burzotta, Cox, Davidson, Dear, F. Evans, K. Evans, Flewitt, Folkard, D Garston, Habermel, Jarvis, McGlone, Moring, Nelson, Salter, Van Looy, Wakefield, Walker and Ward (23).

Against Proposal 4:

Cllrs Beck, Burton, Chalk, Collins, Cowan, Dent, George, Gilbert, Harp, Hooper, Jones, Kelly, McDonald, Mitchell, Mulroney, Nevin, Robinson, Shead, Stafford, Terry, Wexham, Willis and Woodley (23)

Abstentions:

Cllr Lamb (The Worshipful the Mayor) (1)

The Worshipful the Mayor used his casting vote against proposal 4 of the notice of motion.

Therefore, Proposal 4 was not carried.

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion including the proposals set out in 1-3 of the Motion, be referred to the Cabinet:

**“Traveller Incursions in the Borough**

*This Council shares public concern about travellers illegally occupying public open spaces and other areas in the Borough. Whenever travellers are evicted by the Council from one site they move on to occupy another available site in the vicinity.*

*This has been going on for many months at the expense of public funds. The process of undertaking travellers’ needs assessments, court orders and injunctions is not only costly and time consuming but also causes a good deal of inconvenience and anxiety to the local residents. Subsequent cleaning up and securing of the sites after the travellers’ eviction is achieved at further expense to the taxpayer.*

*By their very nature, our public open spaces need to remain open and accessible to residents. Whilst the Council uses a number of methods to seek to prevent illegal encampments on our public open spaces, this is difficult to achieve without stopping residents from accessing them.*

*The Council therefore seeks to achieve a balance between actively discouraging illegal encampments and maintaining access for residents from those who are determined to set up illegal encampments without affecting residents’ rights of access to their public open spaces.*

*A strong partnership approach to illegal encampments on our public open spaces between the Council and the Police is required. Police action can speed up the eviction process and we are dependent on the police service’s ability to continue to support us in this way.*

**The Council therefore resolves that it should:**

- 1. Take a proactive approach and take any additional measures that are required to secure our public open spaces in the borough by working closely with the business community, councillors and local residents on cost effective, practical and innovative solutions that help prevent illegal encampments whilst maintaining access for residents where possible.*
- 2. Continue to adopt a strong stance in order to permanently prevent travellers from illegally occupying public spaces in the future.*
- 3. Take measures to improve communication with local residents when unauthorised encampments do occur, to ensure clear and regular communications that our councillors distribute to residents where such issues have arisen in their wards.”*

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

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## **E-petition: Residents Parking Permits for Mariner House**

**We the undersigned petition the council to Give the residents of Mariner House 157-163 High Street residents permits for a street nearby. (Scratton road). We have been residents for two years and denied residents permits because of bureaucracy. Scratton road was recently made a permit holder zone because of commuter parking. The road is now virtually empty and there is plenty of space.**

We, the residents of Mariner House (only 20 of us) are forced to park miles away from our home. Over the last two year, we have been forced to park further and further away. Now in Westcliff in a side street. To use my car when required, I have to walk 20 mins (I have osteoarthritis) get the train or a taxi to get my car. Out of hours I have to get a taxi.

We have NO parking at the block itself. When we first moved here we were told (falsely by Leaders) that we could apply for residents permits.

We all pay council tax and bring revenue to the area directly and indirectly with family friends and visitors. We have been told by the parking enforcement dept that 'The High St' was not part of the original scheme. It seems utter madness that residents are not being allowed permits or concessions made. It also means that the council are missing out on revenue? We have been advised we can apply for alternative permits, but these run in to 100's of £'s a year?

Please can the council address this long running issue and use a bit of common sense to resolve a very simple issue.

This ePetition ran from 14/03/2019 to 25/04/2019 and has now finished.

21 people signed this ePetition.

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# Cllr. Paul Collins

Eastwood Park Ward



12

219 Green Lane, Leigh-on-Sea, SS9 5QN  
Tel: 01702 215021 Email: collinstpm@yahoo.com



Petition for presentation to Council on July 18<sup>th</sup> 2019

“Improve Street Lighting and increase CCTV coverage for the Pleasant Road area of Southend-on-Sea.”

Dear Tim,

I present herewith a petition supporting the above request of the Council by 128 petitioners of the Pleasant Road, Hartington Road, Hartington Place & Ash Walk neighbourhood area of Southend-on-Sea. I understand that the objective of the Petition is appropriate for referral to the Council and I look forward to presenting the same on July 18<sup>th</sup>.

Kind regards

  
Paul



# Cllr. Paul Collins

Eastwood Park Ward



219 Green Lane, Leigh-on-Sea, SS9 5QN  
Tel: 01702 215021 Email: collinstpm@yahoo.com



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Kind regards

  
Paul

**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Thursday, 30th May, 2019**

**Place: Committee Room 1 - Civic Suite**

**13**

Present: Councillor D McGlone (Chair)  
Councillors N Folkard and \*M Borton

\*Substitute in accordance with Council Procedure Rule 31.

In Attendance: A Brown, M Newton and A Penn

Start/End Time: 9.30 am - 1.00 pm

**26 Apologies for Absence**

Apologies for absence were received from Councillor Buck (Substitute: Councillor Borton).

**27 Declarations of Interest**

No declarations of interest were made at the meeting.

**28 Cosmos Cafe, 550 Rayleigh Road, Eastwood, Essex - Application for the Grant of Premises Licence**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application for the grant of a premises licence in respect of Cosmos Café, 550 Rayleigh Road, Eastwood, Leigh-on-Sea, Essex SS9 5HX.

The application was presented by the Applicant's representative, Mr Mehmet Aydeniz.

At the hearing the Applicant's representative amended the application relating to the hours the premises would be open to the public to 12.00 noon to 23:00 daily.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between Essex Police and the Applicant, as set out in Appendix 3 to the report of the Deputy Chief Executive (Place), should the application be granted.

7 representations had however, been received from local residents. Two of those residents attended and gave evidence at the hearing. The residents' concerns mainly related to disturbance from noise and public nuisance, as the premises were located on the edge of a residential area.

The sub-committee felt that the conditions proposed, together with additional conditions, 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 as amended be granted subject to:

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

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

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

(iv) The following additional conditions:

*1. The supply of alcohol will be by waiter/waitress.*

*2. The Applicant 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.*

*3. The Applicant shall ensure that a written record is kept on the premises of all persons authorised by the Designated Premises Supervisor 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.*

*4. No rubbish or bottles will be disposed of outside the building between 21.00 and 07:00 the following day.*

*5. There shall be no deliveries or refuse collections between 21:00 and 07:00 the following day.*

*6. There shall be no use of any external area by patrons (other than access or egress) between 22:00 and 12:00 noon the following day save that the decked area may be used as a smoking area for a maximum of 6 people.*

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

**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Development Control Committee**

**Date: Wednesday, 5th June, 2019**

**Place: Committee Room 1 - Civic Suite**

**14**

Present: Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), D Garston, A Dear, F Evans, S Habermel,  
H McDonald, P Van Looy, C Walker, B Ayling, J Beck, D Jarvis, D Cowan,  
A Jones, A Thompson and P Wexham

\*Substitute in accordance with Council Procedure Rule 31.

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

Start/End Time: 2.00 - 5.45 pm

**29 Apologies for Absence**

Apologies were received from Councillor Chalk.

**30 Declarations of Interest**

The following declarations were made at the meeting:

(a) Councillor Garston - Agenda item 18 (18/02007/FUL - Cockethurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(b) Councillor Jones – Agenda item 7 (19/00420/BC4M - Chalkwell Hall Infants School) – Pecuniary interest: Portfolio holder for Children and Learning.

(c) Councillor McDonald – Agenda item 9 (19/00600/FUL - Land rear of Highlands Court) - Disqualifying non-pecuniary interest: Partners mum lives in Highlands Court and has use of the mentioned garages.

(d) Councillor Thompson – Agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(e) Councillor Van Looy – Agenda item 11 (19/00528/FUL - 169 Manchester Drive) - Non-pecuniary interest: Brother lives on Manchester drive and agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Disqualifying non-pecuniary interest: The applicant is a close friend.

(f) Councillor Wexham – Agenda item 13 (19/00502/FULH - 64 Mount Avenue) – Non-pecuniary interest: The resident of 65 Mount Avenue is known to him and Agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(g) Councillor Ward – Agenda item 22 (19/00675/FUL - The Trinity, 3 Trinity Avenue) – Non-pecuniary interest: He is an owner of a guesthouse.

**31 Minutes of the Meeting held on Wednesday, 6th March 2019**

Resolved:-

That the Minutes of the Meeting held on Wednesday 6<sup>th</sup> March be confirmed as a correct record and signed.

**32 Minutes of the Meeting held on Wednesday 3rd April 2019**

Resolved:-

That the Minutes of the Meeting held on Wednesday 3<sup>rd</sup> April be confirmed as a correct record and signed.

**33 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.

**34 19/00086/FULM - 277 Prince Avenue, Westcliff-on-Sea (St Laurence Ward)**

**Proposal: Demolish existing buildings and erect three storey block comprising of 12 self-contained flats and 8 two storey dwellinghouses, layout landscaping, amenity space and parking.**

**Applicant: Dove Jeffrey Homes Planning Service**

**Agent: Phase 2 Planning**

Ms Verliac spoke as an objector to the application and the agent to the application responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development is wholly located within a designated employment area and the proposal fails to demonstrate that there is no long term or reasonable prospect of the site being used for B class uses and that the proposed use could not reasonably be located elsewhere in the area it serves. On this basis it is concluded that the use of the site as proposed would materially undermine the status of a designated employment area and the long term availability of employment generating development in the Borough. There are found to be no material planning considerations, or other public benefits including by reason of the modest number of additional dwellings proposed, to outweigh the harm caused by this conflict with development plan policy. This proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP1, KP2 and CP1 of the Core Strategy (2007) and policies DM3 and DM11 of the Development Management Document (2015).

02 The application does not include a formal undertaking to secure a suitable contribution towards affordable housing provisions to meet demand for such housing in the area. A formal undertaking to secure a contribution to the delivery of education facilities is also absent. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, KP3, CP4, CP6 and CP8 of the Core Strategy (2007) and Policy DM7 of the Development Management Document (2015).

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

01 Please note that this application would be liable for 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.

**35 19/00420/BC4M - Chalkwell Hall Infants School, London Road, Leigh on Sea (Chalkwell Ward)**

**Proposal: Demolish portacabins, erect part single/ part two storey building for classrooms.**

**Applicant: Framebuild Ltd**

**Agent: Framebuild Ltd**

Councillor Jones withdrew from the meeting.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans Chalkwell Plan1 Rev E, Chalkwell Plan2 Rev E, Chalkwell Plan5 Rev E, Chalkwell Plan5A Rev E, Chalkwell Plan10 Rev E, Chalkwell Plan11 Rev E, Chalkwell Plan12, SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

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

03 The materials for the external surfaces of the development hereby approved shall be EBS Sanded Red Stock Brick slips with mortar joints, white through colour render, single membrane bonded roof (grey) with aluminium coping to two storey section, grey (RAL 7004) double glazed aluminium windows and doors and a matching brick boundary wall unless alternative materials are previously submitted to and agreed in writing with the Local Planning Authority. The detailing of the proposal shall be carried out only as specified on drawings reference SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor flank windows in the north east and south west elevation of the two storey element of the development hereby approved shall be permanently 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 permanently fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the development hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

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

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

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



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

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no rooftop plant or telecommunications equipment or other similar erections shall be fixed to the exterior of the building without the receipt of express planning permission from the local planning authority.

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

07 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

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

08 Before the development hereby approved is commenced, tree protection measures for the mature tree adjacent to the north west corner of the application site, shall be protected with temporary protective fencing in full accordance with BS 5837:2012 Trees in relation to design, demolition and construction-Recommendations. The protective fencing shall be maintained throughout the construction of the development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

09 Prior to occupation of the development hereby approved, an energy strategy for the development, which fulfils the objectives of Core Strategy Policy KP2, including a timeframe for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed in full accordance with the approved scheme and timeframe.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may**

**have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

Informatives

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

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

**36 19/00565/FULM - Rear of 95, Prince Avenue. Southend on Sea (St Laurence Ward)**

**Proposal: Demolish existing workshop buildings and storage garages to rear and erect two, three storey blocks comprising of 11 self-contained flats including bin/cycle storage, layout amenity space and parking (Amended Proposal).**

**Applicant: Mr James Dove**

**Agent: Mr James Collinson of Design Spec Ltd.**

Mr Haynes spoke as an objector to the application. Mr Dove, the applicant, responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01. The applicant has failed to demonstrate through a suitable appraisal that it is no longer effective or viable to accommodate the continued use of the site for employment purposes in the short, medium and long term, and that the alternative use would give greater potential benefits to the community and environment than a continued employment use. This is unacceptable and contrary to the National Planning Policy Framework, Policy CP1 of the Core Strategy (2007) and Policies DM3 and DM11 of the Development Management Document (2015).

02. The proposed development by virtue of its layout scale and design relative to the site boundaries and neighbouring built form would be cramped and contrived, incongruous and materially harmful to the appearance, visual amenities and quality of the surrounding townscape. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03. The proposed buildings by virtue of their layout scale and design relative to the site boundaries and neighbouring dwellings would be unduly dominant and overbearing to neighbouring occupiers, and would lead to a material loss of outlook. The layout design and proximity of the development would also lead to a material loss of privacy. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04. The proposed development would provide an inadequate level of daylight and poor outlook to occupiers of the ground floor flats at Block B and would provide an inadequate quantity and quality of usable outdoor amenity space together with a substandard setting for the proposed dwellings. In addition, refuse storage would be inadequate and there would be insufficient off-street car parking to meet the needs of occupiers. On this basis the development would provide inadequate living conditions for future occupiers. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05. The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area and the submission fails to demonstrate that such a contribution is not viable. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Policies Document (2015).

06. The proposed development would fail to meet acceptable standards for new dwellings as it fails to demonstrate that it would be appropriately accessible and adaptable for all members of the community in accordance with the requirements of the Building Regulations M4(2) and M4(3) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM8 of the Development Management Document (2015).

#### Informatives:

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

02. 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.

**37 19/00600/FUL - Land rear of Highlands Court, London Road, Leigh on Sea (West Leigh Ward)**

**Proposal: Demolish existing garages and utility building and erect building comprising of 6 self-contained flats, lay out parking, cycle storage, refuse store and amenity space.**

**Applicant: Hollowell Ltd**

**Agent: Plainview Planning Ltd**

Councillor McDonald withdrew from the meeting.

Ms Ingoldby spoke as an objector to the application. Ms Perkins, the agent, responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01. The proposed development would, by virtue of the size and siting of the building coupled with the functional and poorly articulated design of the rear elevation, harm the outlook of and appear visually intrusive for the occupiers of the immediate rear, 17-27 Gordon Road. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02. As a result of the constrained manoeuvring space, and the necessary proximity of vehicle movements to the main outlook of the ground floor flats, and the reduction in soft landscaping, the development is considered to not offer a suitable standard of outlook and would cause harmful levels of noise and disturbance to occupiers of the proposed single aspect ground floor flats to the detriment of their amenity. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03. Notwithstanding the failure to provide an elevation, the proposed refuse store would materially harm the outlook of occupiers of the existing accommodation at ground floor of Highlands Court by virtue of its size and proximity together with the associated loss of soft landscaped space. The store would be sited a carry distance of some 60m from the northernmost flats at Highlands Court and this would encourage ad-hoc presentation of waste elsewhere within the site. The proposal is therefore found harmful to living conditions of existing and future occupiers at the site. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007),

Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04. The proposed development would fail to meet acceptable standards for new dwellings as it fails to demonstrate that it would be appropriately accessible and adaptable for all members of the community in accordance with the requirements of the Building Regulations M4(2) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM8 of the Development Management Document (2015).

05. The proposed development by virtue of its layout, scale and design relative to the site boundaries and neighbouring built form would be cramped, contrived and incongruous, and materially harmful to the appearance, visual amenities and quality of the surrounding townscape. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

Informatives:

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

02. 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.

**38 19/00467/FUL - 1373 London Road, Leigh-on-Sea, Leigh on Sea (Belfairs Ward)**

**Proposal: Erect roof extension forming second floor to form self-contained flat, install lift shaft and external staircase to side elevation, layout additional parking spaces and cycle store (Amended Proposal).**

**Applicant: LSM**

**Agent: Stone Me**

Mr Hawkins spoke as an objector to the application.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

The development proposed by reason of its size, siting and overall design would result in a poorly designed, incongruous and obtrusive development that would result in material harm to the character and appearance of the host building, the street scene and the wider surrounding area. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

#### Informatives

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

02. 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.

#### **39 19/00528/FUL - 169 Manchester Drive, Leigh-on Sea (Blenheim Park Ward)**

**Proposal: Demolish existing bungalow, erect two detached dwellinghouses with associated parking and form vehicular access on to Manchester Drive (Amended Proposal).**

**Applicant: Mr George Panayi**

**Agent: IWPS Planning and Building Control**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans Location Plan, GP-001-19/A, GP-002-19/A, GP-003-19/A, GP-004-19/B, GP-005-19/A, GP-006/19B, GP-007-19/A, GP-008-19/A

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

03 The materials for the development hereby approved shall be Weinberger Terca Kassandra dark red multi stock brick, K-Rend through colour render (limestone

white), Marley ACME plain clay tiles (antique) roof tiles, slate grey (RAL 7004) double glazed upvc windows, slate grey timber decoration and a composite door unless details of alternative materials are subsequently approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area, in accordance with policies This is as set out in Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor windows in the east and west elevation of the eastern house and the first floor windows in the east elevation of the west house hereby approved shall only be permanently 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 permanently fixed shut up to a height of 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

05 No development above ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority.

The details submitted shall include, but not limited to:-

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

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

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

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

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

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

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, C, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

08 The four car parking spaces and the associated vehicular access for the spaces to and from the public highway, shown on approved plan GP-007-19/A shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained for the parking of vehicles of the occupiers and visitors to the dwellings and the



accessing of the car parking spaces in connection with the dwelling hereby approved.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

09 The roof of the single storey rear projections hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained from the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009)

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

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

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

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

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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

13 Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

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

14 Notwithstanding the information submitted with the application, no development shall be undertaken unless and until details of tree protection measures for street trees to the side of the site in Blenheim Crescent 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 tree protection measures throughout the construction phase of the development.

Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies Kp2 and Cp4 of the Core Strategy (2007).

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

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

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and Dm3 of the Development Management Document (2015).

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

#### Informatives

01 Please note that the development the subject of this application is liable for a charge under the 01 Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including

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

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

03 The applicant is advised that they will be required to cover the cost of re locating the street lamp and reinstating the redundant crossover as part of this proposal. This should be done as part of the crossover application which should be made to the Councils Highways Team.

**40 19/00369/FUL - 1053 London Road, Leigh-on-Sea (Blenheim Park Ward)**

**Proposal: Erect roof extension to existing mixed use building to form additional self-contained flat.**

**Applicant: TernRock Ltd**

**Agent: Studio: 08 architecture + planning**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2000.LP-01, 2000.P.29, 2000.EX.11, 2000.EX.12, 2000.P.12, 2000.P.23, 2000.EX.13, 2000.P.24, 2000.EX.14, 2000.P.25, 2000.EX.15, 2000.P.26, 2000.EX.16, 2000.P.27, 2000.EX.17, 2000.P.28.

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

3. The external materials used for the development hereby permitted shall match those of the lower floors, with the exception of the wall cladding of the second storey details of which shall be agreed in writing by the local planning

authority prior to its installation. The development shall be carried out only in accordance with the approved details.

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

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

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

5. Prior to the occupation of the development hereby approved details of energy efficiency and other sustainability measures, including the provision of at least 10% of the development hereby approved energy needs being provided from renewable sources, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried only in accordance with the agreed details.

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

6. With the exception of the second storey front balcony hereby permitted as shown on drawing no's 2000.P.29, 2000.9.23, 2000.P.25, 2000.P.26, 2000.P.27, the roof of the first floor shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has first been obtained from the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

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

7. 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).

8. Prior to first occupation of the development hereby granted, secure, covered refuse and recycling storage areas and cycle parking to serve the development shall be provided in accordance with approved plan no.2000.EX.11 and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate cycle parking and 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).

#### Informatives

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

**41 19/00502/FULH - 64 Mount Avenue, Westcliff-on-Sea (Chalkwell Ward)**

**Proposer: Erect first floor extension to convert existing bungalow into dwellinghouse and alter elevations.**

**Applicant:**

**Mr**

**Rowland**

**Agent: Mr Nick Kenney**

Mr Scott spoke as an objector to the application.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

01 The proposed development by reason of its size, scale and siting and exacerbated by changes in ground level would be overbearing and result in an unacceptable sense of enclosure and loss of outlook to the dwellings to the south in Crossways to the detriment of the amenities of occupiers of those dwellings. 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 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

**42 19/00376/FULH - 44B Glendale Gardens, Leigh-on-Sea (Leigh Ward)**

**Proposal: Erect first floor front and side extension, erect dormer to front and alter elevations (Amended Proposal).**

**Applicant: Mr M Neale**

**Agent: BDA**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 18.144/SK02 Rev B, 18.144/SK03 Rev B, 18.144/SK04 Rev B, 18.144/SK05 Rev A

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

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

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

4. Notwithstanding the details shown on the plans submitted for consideration with this application and otherwise hereby approved, the rooflights to the rear roof slope

(south facing) of the development must have an internal sill height above first floor finished floor level of no less than 1.7m.

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

5. Notwithstanding the details shown on the plans submitted for consideration with this application, the windows to the front elevation (north facing) of the dormer hereby approved must have a sill height above first floor finished floor level of not less than 1.5m.

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

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

#### Informatives

You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

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.

#### **43 19/00373/AMDT - 129 Leigh Hall Road, Leigh-on-Sea (Leigh Ward)**

**Proposal: Application to vary condition 02 (Approved Plans) replace plan number 15-184-2-110B with plan number 15-184C-2-110A (Minor Material amendment to planning permission 18/00763/AMDT dated 18.07.2018 which amended planning permission 16/01601/FUL dated 10.11.2016 - Demolish existing bungalow and erect a pair of semi-detached dwellinghouses and lay out hardstanding (Amended Proposal) (Retrospective).**

**Applicant: Mr Ben Surgett**

**Agent: N/A**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01. The development shall be carried out in accordance with the approved plans: 0-100/B, 2-113/A, 2-110/A

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E and F to those Orders without express planning permission having first been obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

03. Permeable paving shall be used for the hardstanding area unless otherwise agreed by the local planning authority. The proposed parking spaces to the front curtilages of the proposed dwellings shall be provided and made available for use in accordance with the plans no. 2-110/B prior to occupation of the dwellings hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwellings and their visitors and for no other purposes.

Reason: To ensure satisfactory parking is provided and retained to meet needs of occupants that the development is completed and used as agreed, and to ensure that it meets Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM15 and the Design and Townscape Guide (2009).

04. The first floor bathroom windows in the north and south elevations of the dwellings hereby approved shall only be glazed permanently 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 permanently 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and the Design and Townscape Guide (2009).

05. The flat roofs of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has first been obtained from by the local planning authority. The roofs can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core



Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and the Design and Townscape Guide (2009).

06. 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).

07. The dwellings hereby approved shall not be occupied until details of soft and hard landscape works have been submitted to and approved by the local planning authority. The approved landscaping scheme shall be implemented within the first planting season following first occupation of the dwellings hereby approved.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the amenity of future occupants in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1 and the Design and Townscape Guide (2009).

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

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Southend Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and Design and Townscape Guide (2009).

09. The materials used and the finished appearance shall be as approved under application reference 17/01356/AD or in accordance with other details separately submitted to and approved in writing by the Local Planning Authority before the dwellings hereby permitted are occupied.

Reason: The safeguard the visual amenities of the area in accordance with Core Strategy (2007) policies KP2, CP4, Development Management Document (2015) Policy DM1 and Design and Townscape Guide (2009).

#### Informatives

1. Community Infrastructure Levy (CIL): This application, made pursuant to Section 73 of the Town and Country Planning Act 1990, is CIL liable. As there is an increase in floorspace since the original permission, and therefore a change in the amount of CIL payable, CIL Regulation 9(7) applies. The chargeable development is the most recently commenced chargeable development; hence a new CIL Liability Notice that supersedes CIL Liability Notice ref. 16/01601/FUL/0001 will be issued as soon as practicable following this decision notice.

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.

3. The applicant is advised that the development has commenced without discharging a number of pre commencement conditions of the previously approved applications reference 16/01601/FUL and 18/00763/AMDT. Where relevant, these conditions have been carried over and updated into this consent. At present the works may be the subject of enforcement action by the Local Planning Authority.

**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.**

**44 17/00219/UNAU\_B - 101 Broadway, Leigh-on-Sea (Leigh Ward)**

**Breach of Control: Without planning permission the installation of new shop front and illuminated signage.**

**Case Officer: Steve Jones**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED for the following reasons:

The shopfront by reason of its poor design and use of inappropriate materials is not sympathetic to the locally listed building in which it is located or neighbouring buildings. The shopfront materially harms the character and appearance of the locally listed building and the Leigh Cliff Conservation Area contrary to Policies KP2 and CP4 of the Core Strategy (2007); Policies DM1, DM5, and DM13 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

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

Informatives

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

Please note that advertisements i.e. fascia signage for the commercial unit may require separate advertisement consent.

Details can be found at <http://www.planningportal.co.uk/info/200130/common-projects/4/adverts-and-signs>

**45 19/00384/AMDT - Garages, Rochford Road, Westcliff on Sea (St Laurence Ward)**

**Proposal: Application to vary conditions 02, 04, 05, 07, 11 (approved plans) replace plan numbers 3679-7-110PL4, 3679-7-110PL1, 101P10, and 110P7 with 3679-7-106PL5, 3679-7-110PL2, 101C1 and 110C1 (Minor Material Amendment of Planning Permission 18/01209/AMDT dated 02.08.2017).**

**Applicant: Southend on Sea Borough Council**

**Agent: AK DESIGN PARTNERSHIP LLP**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 2nd August 2020.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 101C1, 102P1, F01P3, S01P2, 106P6, 110C1, 111P2, 210P4, 220P3, 230P5, 240/1-9P2, 310P2, 330P2, 3679-7.107PL2, 3679-7.106PL5, 3679-7.107PL3, 3679-7.108PL1, 3679-7.109PL1, 3679-7.108PL2, 3679-7.105PL1, 3679-7.110 PL2

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

03 The external surfaces of the development hereby permitted shall be constructed entirely of the materials details of which are shown on the approved plans reference 3679-7.107PL3 and 3679-7.106PL5 before the dwellings are first occupied.

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The development hereby approved shall be carried in accordance with drawings 3679-7.105PL1 Existing Site Plan and 3679-7.106PL5 in relation to the highways works in relation to the new access road to the development. The works shall be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved.

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

05 The development shall not be occupied until 20 car parking spaces have been provided and made available for use at the site in accordance with drawing 3679-7.106 PL5 Proposed Site Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter solely for the parking of occupiers of and visitors to the development.

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

06 Prior to occupation of the proposed development the first floor and second windows in the flank elevations of the flats and houses hereby approved shall be permanently 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 permanently fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4, and Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

07 The soft and hard landscape works for the development hereby approved shall be carried out in accordance with drawing 3679-7.110 PL2 and external material and boundary treatment samples and Rochford Road Planning Statement for pre commencement conditions dated June 2017.

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

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

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

09 Prior to occupation of the development hereby approved a scheme for generating 10% of the predicted energy requirement of the development from

decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4, policy DM2 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

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

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

11 No development other than the approved highway works, and demolition and site clearance works, shall take place until the following have been supplied and agreed in writing by the local planning authority: (1) evidence demonstrating that surface water runoff attenuation within the tanked permeable paving to be provided on site has been utilised to achieve an overall discharge from the site as close as possible to greenfield runoff rate; (2) updated drainage layout plans with details of the attenuation storage volume to be provided by the tanked permeable paving. The sustainable drainage scheme shall thereafter be carried out in accordance with the agreed details and plan references 101C1, 102P1, F01P3, S01P2, 106P6, 110C1, 111P2, 210P4, 220P3, 230P5, 240/1-9P2, 310P2 and 330P2 and associated Maintenance and Action Schedule for Surface Water Drainage Rev A by PRP dated August 2018 or as otherwise agreed through submissions made and agreed under items (1) and (2) of this condition before the development is occupied.

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

12 Prior to occupation of the development hereby approved water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures

of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be installed in the development hereby approved and be retained in perpetuity thereafter

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

13 The development shall provide 3 dwellings that comply with building regulations M4(3) standard and 3 dwellings that comply with building regulations M4(2) standard as shown on drawings reference 3679-7.106PL5 and 3679-7.107PL3 before it is first occupied.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document policy DM2 and advice in the Design and Townscape Guide (2009).

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

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

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

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, and Development Management Document (2015) policy DM1.

16 The development shall not be occupied until the refuse stores as shown on drawing 3679-7-109 PL1 have been installed and made available for use by future occupiers of the development. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details and shall be maintained for the lifetime of the development.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in

accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

#### Informatives

1. Community Infrastructure Levy (CIL): This application has been made pursuant to Section 73 of the Town and Country Planning Act 1990 and as such CIL Regulation 9(6) applies. You are advised that as the amount of CIL payable would not change from the previous permission ref. 17/00680/BC3M, the chargeable development is the development for which permission was granted by the previous permission as if that development was commenced. Therefore, CIL Liability Notice ref. 17/00680/BC3M/0001 still applies to the permission hereby granted and is enclosed for your reference.

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.

3. 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.

**46 18/02007/FUL - Cockethurst, Eastwoodbury Lane, Southend on Sea (St Laurence Ward)**

**Proposal: 1. Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space and 2. Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space (Listed Building Consent).**

**Applicant: Mr David Dedman**

**Agent: SKArchitects**

Councillors Van Looy and Wexham withdrew from the meeting.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development is located part within a high risk Flood Risk Zone (Flood Zone 3a) and insufficient information has been submitted in terms of the sequential and exceptions test to demonstrate that there are not more suitable sites for this level of residential development elsewhere in the area and that the development will be safe for future occupiers over its lifetime. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), and Policies KP1 and KP2 of the Core Strategy (2007).

02 The proposal has failed to demonstrate that the conversion of the outbuildings to 6 residential units and associated internal and external works to the site can be achieved without materially harming the special character and significance of the listed buildings and their unique setting. In particular the proposals will have a significant detrimental impact on the character of the outbuildings and Cockethurst Farmhouse itself due to the intensity of proposed use, scale and unsympathetic nature of the development and subdivision of the site. The lack of regard for the relationship between the outbuildings and the farmhouse would have a detrimental impact on the listed buildings and the harm identified is not outweighed by any public benefits. The proposed scheme is therefore 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03 The proposal has failed to demonstrate that the works proposed can be carried out without materially harming or totally transforming the outbuildings and it appears unlikely that the buildings can be converted to modern standards without serious damage to these designated heritage assets for this number of units without an unsympathetic domestic appearance being established. This harm is unacceptable and not outweighed by any public benefits. The proposed scheme is therefore 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04 The proposed conversion of the outbuildings, by reason of the inadequate size of the Coach House, Dairy 1 and Dairy 2, the limited outlook to the Coach House, and poor quality of the amenity space to Coach House, Dairy 1 and Dairy 2 would result in an inadequate quality living environment, to the detriment of the amenities of the future occupiers of the proposed dwellings. This is unacceptable and contrary to National Planning Policy Framework (2019), 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).

And

LISTED BUILDING CONSENT be REFUSED for the following reasons:

01 The proposal has failed to demonstrate that the conversion of the outbuildings to 6 residential units and associated internal and external works to the site can be achieved without materially harming the special character and significance of the listed buildings and their unique setting. In particular the proposals will have a significant detrimental impact on the character of the outbuildings and Cockethurst Farmhouse itself due to the intensity of proposed use, scale and unsympathetic nature of the development and subdivision of the site. The lack of regard for the relationship between the outbuildings and the farmhouse would have a detrimental impact on the listed buildings and the harm identified is not outweighed by any public benefits. The proposed scheme is therefore 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposal has failed to demonstrate that the works proposed can be carried out without materially harming or totally transforming the outbuildings and it appears unlikely that the buildings can be converted to modern standards without serious damage to these designated heritage assets for this number of units without an unsympathetic domestic appearance being established. This harm is unacceptable and not outweighed by any public benefits. The proposed scheme is therefore 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 advice 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.

#### 47 **19/00597/FUL - 194 Leigh Road, Leigh-on-Sea (Leigh Ward)**

**Proposal: Erect hip to gable roof extension to rear to form one self-contained flat, install dormer to front, external staircase to rear and layout parking, cycle store and bin storage to rear (Amended Proposal).**

**Applicant: Mr J Doassans**

**Agent: Stone Me Ltd**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1729/05/B, 1729/06/C, 1729/07/A, 1729/09/A.

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

3. No development shall take place apart from demolition until samples and/or details of the materials to be used in the construction of the external elevations of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

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

4. The residential dwelling hereby approved shall not be occupied unless and until details of on-site refuse and recycling facilities and cycle parking have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities and cycle parking shall thereafter be implemented and made available for use in accordance with the approved details before first occupation of the dwelling and shall be permanently maintained thereafter.

Reason: In order to protect the character and visual amenities of the area and the environment for residents and provide sustainable modes of transport in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Development Management Document (2015) policies DM1, DM3 and DM15.

5. Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and shall not take place at any time on Sundays or Bank Holidays.

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

6. Prior to the commencement of the development, a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road traffic, the activities of uses neighbouring the site and any other relevant sources of noise on the future occupiers of the new dwelling in the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the dwelling.

Reason: To ensure that the amenities of the occupiers of the development are not prejudiced by noise and in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and The Design and Townscape Guide (2009).

7. The flat and roof terrace hereby approved shall only be used as self-contained residential accommodation and private amenity space for the enjoyment of the occupier/s of the flat hereby granted and shall at no times be used in connection with the commercial use of the application site.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007), policy CP4, Development Management Document policy DM1, and the Design and Townscape Guide (2009).

8. The dwelling hereby permitted shall not be occupied unless and until space has been provided within the site for one car to be parked. The parking space shall be made available for use prior to first occupation of the dwelling hereby approved

and shall be permanently retained thereafter solely 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).

9. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, before the dwelling hereby approved is first occupied a Noise Mitigation Plan setting out in full the noise mitigation measures that will be put in place to ensure that the noise level experienced within the approved dwelling, as generated by activities within the lower two floors of the same building (including any amplified music and human voices or other activities) or generated by any plant or other noise generating equipment within the vicinity of the site, will be at least 10dB(A) below the background noise level and clearly demonstrating the methodology used to establish that this standard will be met by the proposed measures shall be submitted to the Local Planning Authority and approved in writing. The noise mitigation measures shown in the approved Noise Mitigation Plan shall be implemented in full before the first occupation of the approved dwelling and shall be maintained as such in perpetuity thereafter. If Noise Modelling Software is used to calculate the likely levels or impact of the noise, then any actual measurement taken such as LA90 must be taken in accordance with British Standard 7445:2003. The assessment shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of The Institute Of Acoustics.

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

#### Informatives

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

3. Air conditioning units shown on drawing no.1729/06C were not included in the description of proposed development so have not been included in the assessment or determination of this application. Separate consent will need to be obtained from the Local Planning Authority for installation of any externally mounted plant or equipment which materially differs the external appearance of the building.

4. The applicant is advised that any failure to properly discharge and/or otherwise comply with the terms of any details subsequently approved under the requirements of condition 9 of this planning permission will be viewed most seriously by the Local Planning Authority and will be likely to result in enforcement action being taken to remedy any identified harm.

**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.**

**48 18/00839/FUL - Land rear of 106 -112 High Street, Shoeburyness (Shoeburyness Ward)**

**Proposal: Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street (Amended Proposal).**

**Applicant: Mr Hundal**

**Agent: N/A**

Resolved:-

That this item be DEFFERED to a future meeting.

**49 19/00663/FUL - 28 Bellhouse Crescent, Leigh-on-Sea (Belfairs Ward)**

**Proposal: Demolish existing dwellinghouse, erect four semi-detached two storey dwellinghouses and one detached two storey dwellinghouse, layout associated parking and landscaping, install refuse and cycle stores and form vehicular accesses onto Lodge Farm Close and Bellhouse Crescent (Amended Proposal).**

**Applicant: Mr Martin Nossel**

**Agent: Stone Me Ltd**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 3 (three) years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: 1743 – 28, 1743 – 27D, 1743 – 23D, 1743 – 22B, 1743 – 21C, 1743 – 11A , 1743 – 08, 1743 – 06

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place other than for demolition works and construction up to ground floor slab level until samples of the materials to be used in the construction of the external elevations of the buildings 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, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

04 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no development falling within those classes shall be undertaken at the site unless express planning permission has been obtained from the Local Planning Authority.

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality and in order to protect the amenities of surrounding occupiers in accordance with the National Planning Policy Framework , Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

05 Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out in accordance with the approved details 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. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;

- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. details of measures to enhance biodiversity within the site;

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

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

06 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 by the Local Planning Authority prior to occupation of the development hereby approved and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

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

07 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 and made available for use 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).

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

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

09 Prior to the first occupation of the development hereby approved, full details of refuse and bicycle storage facilities for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, refuse and bicycle storage facilities shall be

provided at the site in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

10 The development hereby approved shall be carried out in a manner to ensure that it complies with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use.

Reason: To ensure the dwellinghouse hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

11 No site clearance, preparatory work or development shall take place until a scheme for the protection of the trees within the application site; (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority. The approved measures shall be installed before the commencement of works and the development implemented in full accordance with the approved measures.

Reason: A pre-commencement condition is required in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

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

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

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National

Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3

13 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed dwellings that are to be permanently glazed with obscured glass (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

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

#### Informatives

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

02. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take



care when carrying out works on or near the public highways and footpaths in the borough.

03. Replacement trees must be provided as part of a landscaping scheme to replace those lost as a result of the development.

04. You are advised that the development should follow the recommendations as set out in section 5.2 of the Ecological Appraisal Ref MH800 version 1 dated 14/02/18.

**50 19/00675/FUL - The Trinity, 3 Trinity Avenue, Westcliff on Sea (Milton Ward)**

**Proposal: Change of use from an existing guest house (Class C1) to a supported living establishment (Class C2).**

**Applicant: Mr David Houghton**

**Agent: A R Property Designs**

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

A local Southend need for the proposed use has not been clearly identified in the submission and it has not been demonstrated that there is no existing capacity for such facilities within Southend. The proposal would result in an over concentration of similar uses that would be detrimental to the character of a residential area and no benefits which outweigh these harms have been advanced. This application is therefore is unacceptable and contrary to the National Planning Policy Framework, Policies KP1, KP2, CP4 of the Southend-on-Sea Core Strategy (2007) and Policy DM9 of the Southend-on-Sea Development Management Document (2015).

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

Informatives

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.

**51 19/00598/FULH - 67 Branksome Road, Southend-on-Sea (Kursaal Ward)**

**Proposal: Erect single storey rear extension.**

**Applicant: Mrs Debbie Curson**

**Agent: Mr Richard Dean**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. The development shall be undertaken solely in accordance with the approved plans Drwg 1, Drwg 2 and Drwg 3.

Reason: In the interests of visual amenities, pursuant to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

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

Informatives

1. You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

2. 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.

**52 18/00087/UNAU\_B - 81A Silverdale Avenue, Westcliff-on-Sea (Westborough Ward)**

**Breach of Control: Without planning permission the installation of an external staircase to the rear elevation and erection of rear outbuilding.**

**Case Officer: Steve Jones**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED for the following reasons:

1. The proposal, by reason of the external staircase's form, excessive size and scale and the rear dormers weak ratio of glazing to solid elevation constitutes poor design that would be excessively prominent and incongruous in appearance, resulting in material harm to the character and appearance of the host building and the wider rear garden scene. This harm is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

2. The proposed external staircase, as a result of its size, siting and proximity to the north and south boundaries with the neighbouring properties would result in an unacceptable level of both actual and perceived overlooking and resultant loss of privacy to the occupants of Nos. 83, 81 and 79 Silverdale Avenue. This material harm to residential amenity is unacceptable and contrary to the National Planning Policy Framework (2019); Policies KP2 and CP4 of the Core Strategy (2007); Policies DM1 and DM3 of the Development Management Document (2015); and the advice contained within the Design and Townscape guide (2009).

3. The Committee resolved that the enforcement notice would include the unauthorised outbuilding which by virtue of its size, design and position appears as an excessively bulky and overbearing feature in the rear garden scene harmful to neighbour amenity which is unacceptable and conflicts with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

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

## Informatives

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

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

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet Committee

**Date: Thursday, 6th June, 2019**  
**Place: Committee Room 1 - Civic Suite**

# 15

**Present:** Councillor R Woodley (Chair)  
Councillors K Robinson (Vice-Chair) and M Terry

**In Attendance:** Councillors K Buck, D Cowan, T Cox, M Flewitt, B Hooper, D Jarvis, H McDonald, D McGlone, D Nelson, P Van Looy, S Wakefield and P Wexham  
S Harrington, N Hunwicks, B Frost, D Caldwell and T Row

**Start/End Time:** 6.00 pm - 7.40 pm

### 53 Apologies for Absence

There were no apologies for absence.

### 54 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Cowan – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wells Avenue and Rochford Road) – Non-pecuniary interest: Worked with residents on the issues and presented concerns on their behalf;

(b) Councillor Flewitt – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wells Avenue and Rochford Road) – Non-pecuniary interest: Worked with residents on the issues in Wells Avenue and residents in Rochford Road are known to him;

(c) Councillor Hooper – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Hadleigh Road) – Non-pecuniary interest: Lives in the vicinity and knows residents in the area;

(d) Councillor McDonald – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Arnold Avenue, Beresford Road, Burnaby Road, Burdett Road, Beach Road and Kursaal Way) – Non-pecuniary interest: Worked with residents in the area to explain the process;

(e) Councillor McGlone – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wells Avenue and Rochford Road) – Non-pecuniary interest: Residents in the area are known to him;

(f) Councillor Terry – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Arnold Avenue, Beresford Road, Burnaby Road, Burdett Road, Beach Road and Kursaal Way) – Disqualifying non-pecuniary interest: Residents in the area affected are very well known to him (withdrew);

(g) Councillor Van Looy – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Arnold Avenue, Beresford Road, Burnaby Road, Burdett Road, Beach Road and Kursaal Way) – Non-pecuniary interest: Knows residents in Beresford Road; and

(h) Councillor Woodley – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Wells Avenue and Rochford Road) – Non-pecuniary interest: Daughter is a pilot flying out of Southend Airport.

**55 Minutes of the Meeting held on Thursday, 7th March 2019**

Resolved:-

That the Minutes of the Meeting held on Thursday, 7<sup>th</sup> March, 2019 be received, confirmed as a correct record and signed.

**56 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 amendment of the existing parking management scheme to introduce shared resident parking bays from 9.00 a.m. to 9.00 p.m. daily and pay & display/phone parking from 9.00 a.m. to 4.00 p.m. daily in Arnold Avenue, Beresford Road, Burnaby Road, Beach Road, Burdett Road and Kursaal Way, Southend on Sea;

(b) the introduction of a series of speed cushions in Hadleigh Road, Leigh on Sea;

(c) the introduction of junction protection ‘no waiting at any time’ restrictions in Centurion Close, Shoeburyness; and

(d) the introduction of residents parking schemes in Wells Avenue and Rochford Road, Southend on Sea.

The report also sought an appropriate recommendation to the Cabinet Committee on the way forward in respect of these proposals, after having considered all of the representations that had been received in writing and at the meeting. Large scale plans of the proposals were displayed at the meeting.

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 no further action in respect of the proposals to introduce shared resident parking bays from 9.00 a.m. to 9.00 p.m. daily and pay & display/phone parking

from 9.00 a.m. to 4.00 p.m. daily in Arnold Avenue, Beresford Road, Burnaby Road, Beach Road, Burdett Road and Kursaal Way, Southend on Sea and the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 3) Order 2019, subject to their exclusion from the order.

2. That the proposed speed cushions in Hadleigh Road not be progressed as advertised but that a report identifying appropriate/alternative measures in the Hadleigh Road and the roads in the wider surrounding area be submitted for consideration at the meeting of the Traffic Regulations Working Party and Cabinet Committee taking place on 12<sup>th</sup> September 2019.

3. That the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 2) Order 2019 as advertised and to arrange for the amended traffic regulation order to be sealed and the proposals implemented.

4. That resolution 2 of Minute 764 of the Cabinet Committee held on 7<sup>th</sup> March 2019 regarding the hours of operation now be amended from “09.00 hrs to 17.00 hrs daily” to “09.00 hrs to 17.00 hrs Monday to Friday” and 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 accordingly and to arrange for the amended traffic regulation order to be sealed and the proposals implemented.

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 Woodley

## **57 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.

With reference to the request for waiting restrictions in Eastwood Park Car Park, the Cabinet Committee was informed that this same request had previously been considered by the Cabinet Committee at its last meeting. At that meeting it had resolved to amend the hours of the restrictions from those requested to enable other users of the park to be able to use the car park (Minute 765 refers). Authorisation to undertake stator consultation for these proposals had therefore already been granted and any objections to the proposed hours should therefore be made in writing to the statutory notice when published.

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 “no waiting at any time” restrictions on the bend in Snakes Lane, Southend on Sea;
- (ii) the amendment of limited waiting in Shorefield Road, from 1 hour no return in 4 hours to 2 hours no return in 4 hours;
- (iii) the introduction of a shared loading and parking bay in the Victoria Avenue Service Road, outside the property at 47 Victoria Road, Southend on Sea; and
- (iv) the amendment of the existing waiting restrictions in Royston Avenue at its junction with Eastern Avenue Service Road and Eastern Avenue to provide “no waiting at any time” junction protection on the north kerbline of Eastern Avenue Service Road opposite the junction of Royston Avenue, Southend on Sea.

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 Woodley

## **58 Petition requesting the installation of a footpath in Prittlewell Chase**

Pursuant to Minute 876, the Cabinet Committee received a report of the Deputy Chief Executive (Place) that receipt of the petition containing 83 signatures requesting the provision of a footway across the grassed central reservation in Prittlewell Chase, between the junction of Eastbourne Grove on the eastbound side of Prittlewell Chase and the bus stop on the westbound side.



Resolved:-

1. That the petition be noted.
2. That the request be investigated and a report on the outcome of the investigation be submitted to a future meeting of the Traffic Regulations Working Party and Cabinet Committee.

Reason for Decision

None

Other Options

None

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

**Chair:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Health & Wellbeing Board

Date: Wednesday, 12th June, 2019

Place: Darwin Room - Tickfield

# 16

**Present:** Dr J Garcia-Lobera (Vice-Chair in the Chair)  
Councillors M. Davidson, A. Jones, I Gilbert, C. Mulroney and \*M  
Flewitt  
S. Leftley, A. Khaldi, K. Ramkhelawon, S. Waterhouse, J. Broadbent,  
D. Townsend, S. William, J. Gardner,

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillor L. Salter (observer – People Scrutiny Committee Chair)  
R Harris, N Faint and S Baker, S. D Ford, L. Watson,

**Start/End Time:** 5.00 - 6.25 pm

### 59 Apologies for Absence

Apologies for absence were received from Councillor Harp (no substitute), Councillor Walker (substitute: Cllr Flewitt), E. Chidgey; Y. Blucher, T. Huff, Dr, K Chaturvedi, S. Morris, A. Griffin and S. Dolling.

### 60 Declarations of Interest

Dr J. G. Lobera – Minute 65 (Primary Care Networks) – non-pecuniary interest – will be involved in some of the work around Primary Care Networks.

### 61 Questions from the Public

There were no questions from the public.

### 62 Minutes of the Meeting held on Wednesday 20th March 2019

Resolved:-

That the Minutes of the Meeting held on Wednesday 20<sup>th</sup> March 2019, be confirmed as a correct record and signed.

### 63 Southend-on-Sea, Essex and Thurrock Suicide Prevention Strategy- Progress Update

The Board considered a report of the Director of Public Health presenting an update on the Southend-on-Sea, Essex and Thurrock (SET) Suicide Prevention Strategy 2017.

The Board noted that the report would be submitted to the next meetings of the Essex and Thurrock Health and Wellbeing Board's.

The Board asked a number of questions which were responded to by officers. The Board also made the following comments:

- It was a comprehensive strategy;
- Auditing of delivery of Option 2 needs to take place (this will be driven through the Suicide Prevention Partnership Steering Group);
- Toolkits and delivery in schools essential – two toolkits developed around self-harm and suicide prevention across the safeguarding arena – will be released to schools in September supported through healthy schools – toolkits have been designed to be flexible for use in any educational setting;
- Need to consider how embed in foster care training – will be raised at the Children’s and Emotional Wellbeing Board;
- Ensure links in with the Youth Council’s Mental Health 1757 Voices Charter;
- Challenges for the HWB – alcohol is a key driver and will need to look at focused activity in this area (The Harm Reduction Strategy was referred to which will be presented to the next meeting of the Board);
- Need to address the wider determinants of suicide, e.g. access to opportunities to commit suicide;
- It was noted that the JSNA Steering Group update should have been a standing item on the agenda. This will now be included and the revised terms of reference will be circulated for the next meeting of the Board.
- Some work to do around primary care and with GPs on suicide prevention, i.e. spotting the signs;
- Recognise that social media has an impact;

Resolved:

1. That the SET Suicide Prevention Strategy 2019 update, be noted.
2. That the (draft) SET Suicide Prevention Steering Group Board Terms of Reference be endorsed and that the Steering Board be authorised to have decision making responsibility on behalf of the Health and Wellbeing Board, as appropriate.
3. That suicide prevention training and bereavement by suicide support be priority actions for development on a SET footprint.
4. That Option 2, as detailed in Section 5 of the report, be the preferred mechanism for implementing suicide preventing training.

#### **64 Southend Physical Activity Strategy 2016-2021- Progress Update**

The Board considered a report of the Deputy Chief Executive (People) providing a review and update on the progress to date with the implementation of the Southend-on-Sea Physical Activity Strategy 2016-2021 refreshed action plan.

The Board discussed the report and made the following comments:

- Encouraging progress to date – people continue to be engaged in the programmes and successful in removing some of the barriers to access physical activity;
- Need to continue to build on the progress and successes;
- Welcomed the approach to be more community-led;
- The role of Councillors, Board members, etc to champion in their respective communities;
- The opportunities available through various other strategies, etc, e.g. the Local Plan;

Resolved:

That the progress and update on the Southend Physical Activity Strategy 2016-2021, including its successes, challenges and future opportunities, be noted.

## **65 Primary Care Networks**

The Board received a verbal update covering the progress with the development of Primary Care Networks. The following information was presented:

- PCNs should go live from July 2019;
- All GPs are part of the networks;
- PCNs are based around population of 30,000-50,000;
- Southend ahead of other areas in developing / implementing PCNs;
- PCNs will build resilience within primary care enabling work at a wide scale while retaining locality;
- Each network will provided extended hours;
- Networks will provide greater integrated working;
- Will be 10 new clinical directors – consideration being given to how they will be represented on the Board and in other areas of activity;
- Collaborative approach across the 3 Health and Wellbeing Boards (Southend, Essex and Thurrock) through the Population Health Management Programme.

The Board made the following comments:

- Positive approach – aligning with localities key to successful provision of health and care within primary care in communities;
- Need to be flexible – each network will have different needs and requirements;
- Need to consider how the networks will align with Southend 2050 and South Essex 2050 and what the opportunities are to build on these and other relationships;
- Wider than GP practices – need to build resilience across the whole primary care system;
- Key message that the networks will improve the provision of care and wellbeing, as defined in the Primary Care Strategy in their respective areas;
- Healthwatch nationally carried out piece of work around citizens understanding of primary care networks – results / outcomes from the surveys are currently being assessed and would be provided to the next meeting of the Board;

Resolved:

1. That the update and progress on the development of the Primary Care Networks, be noted.
2. That a further progress/update on the primary care networks be presented to the next meeting of the Board.
3. That the outcomes from the survey carried out by Healthwatch relating to citizens understanding of primary care networks, be presented to the next meeting of the Board.

**66 A Better Start Southend Update**

The Board considered a joint report of the Chair and Director of A Better Start Southend providing an update on key developments since the last meeting of the Health & Wellbeing Board.

The Board discussed the report and made the following comments:

- Commended the current position with the programme in good shape;
- Need to start to see the impact and outcomes – what is working and how it can be replicated across the borough;
- Connectivity with all parts of the NHS has significantly improved.

Resolved:

That the report be noted.

**67 Date and time of future meetings**

The meeting scheduled for Wednesday 4<sup>th</sup> September 2019 will be rearranged and will take place towards the end of September / beginning of October 2019.

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

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet

Date: Tuesday, 25th June, 2019

# 17

Place: Committee Room 1 - Civic Suite

Present: Councillor I Gilbert (Chair)  
Councillors R Woodley (Vice-Chair), A Jones, C Mulroney, K Robinson and M Terry

In Attendance: Councillors Boyd, Cowan, Dent, Garne, Jarvis, George, Habermel and Wexham  
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle, F Abbott, S Baker, E Cooney, A Keating, K Ramkhelawon, C Robinson, J Blackburn, T Holland, P Warren and K Robertson

Start/End Time: 2.00 - 3.20 pm

### 68 Apologies for Absence

Apologies for absence were received from Councillor T Harp.

### 69 Declarations of Interest

The following Councillors declared interests as indicated:

(a) Cllr Gilbert – Minute 73 (Town Centre Report) – non-pecuniary interest – place of work is near High Street;

(b) A Griffin – Minute 75 (Southend Town Centre & Seafront Public Spaces Protection Order) – non-pecuniary interest – lives in proposed PSPO area;

(c) Cllr Terry – Minute 75 (Southend Town Centre & Seafront Public Spaces Protection Order) – non-pecuniary interest – lives in proposed PSPO area;

(d) Cllr Robinson – Minute 77 and Minute 79 (Southend Safeguarding Partnership Report, Annual Public Health Report) – non-pecuniary interest – NHS employee in town;

(e) Cllr Mulroney – Minute 90 (Capital Outturn Report) – non-pecuniary interest – member of Leigh Town Council.

### 70 Minutes of the Meeting held on Tuesday, 12th March, 2019

Resolved:

That the Minutes of the Meeting held on Tuesday, 12<sup>th</sup> March 2019, be confirmed as a correct record and signed.

**71 Revised Southend 2050 - Five Year Road Map**

The Cabinet considered a report of the Chief Executive setting out the content of the revised Southend 2050 Five Year Road Map timeline, following the formation of the Joint Administration at Council on 3 June 2019.

Recommended:

That the revised Southend 2050 Road Map time-line as set out in Appendix 1 to the submitted report be agreed, reflecting the policy objectives of the new Joint Administration.

Reasons for Decision:

To not update the document.

Other Options:

Not adopting the recommended approach would mean that the Council's administration policy objectives would not be fully reflected in the Southend 2050 Road Map.

Note: This is a Council Function  
Referred direct to all three Scrutiny Committees  
Cabinet Member: Cllr Gilbert

**72 In the context of the vision for Southend 2050, what is the vision of young people which improves their lives, and what are the pathways to achieve this**

The Cabinet considered a report of the Strategic Director (Legal & Democratic Services) presenting the recommendations of the 2018/19 scrutiny project *'In the context of the vision for Southend 2050, what is the vision of young people which improves their lives and what are the pathways to achieve this ambition'*.

Cabinet members expressed their thanks and appreciation to the project team and the young people involved in the project for their contributions.

Resolved:

1. That the report and conclusions from the in depth scrutiny project set out at Appendix 1 to the submitted report, be endorsed.
2. That it be noted that approval of any recommendations with budget implications will require consideration as part of future years' budget processes prior to implementation.

Reasons for Decision:

As set out in the submitted report.

Other Options:

To note the report but not progress any of the recommendations.



Note: This is an Executive Function  
Referred direct to People Scrutiny Committee  
Cabinet Member: Cllr Jones

### **73 Reimagining the Town Centre in the Context of 2050**

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the recommendations of the 2018/19 scrutiny project '*Reimagining the Town Centre in the context of 2050*'.

Cabinet members expressed their thanks and appreciation to the project team, officers, reference group, business community and external guests for their contributions and support.

Resolved:

1. That the report and conclusions from the in depth scrutiny project set out at Appendix 1 to the submitted report, be endorsed.
2. That a multi-organisation task and finish group be established in line with the principles set out in paragraphs 3.11-3.14 of the report and that the Director of Regeneration and Business Development be authorised, in consultation with the Cabinet Member for Business, Tourism and Culture, to agree membership of the group.

Reasons for Decision:

As set out in the submitted report.

Other Options:

To note the report but not progress any of the recommendations.

Note: This is an Executive Function  
Referred direct to Place and Policy & Resources Scrutiny Committees  
Cabinet Member: Cllr Robinson

### **74 Cabinet Working Parties**

The Cabinet considered a report of the Chief Executive outlining a revised configuration and composition of Cabinet working parties to help drive the Southend 2050 programme.

A revised Appendix 2 to the report was circulated at the meeting.

Recommended:

1. That the configuration of Cabinet working parties be revised as set out in paragraph 3.10 of the submitted report and the revised Appendix 2.
2. That a vice-chair for each Cabinet Working Party is appointed by the Leader.

3. That the terms of reference for the working parties are reviewed in due course, as appropriate.

Reason for Decision:

To revise the configuration and composition of Cabinet working parties to help drive the Southend 2050 programme.

Other Options:

The Council could retain the current configuration of Cabinet working parties, however, they would not provide the same extent of focus on 2050 outcomes or engage non-Cabinet councillors to the same extent in policy development work.

Note: This is a Council Function

Referred Direct to Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

## **75 Southend Town Centre & Seafront Public Spaces Protection Order**

Resolved:

That this matter be deferred to a special meeting of the Cabinet, to be held on Monday 8th July 2019, beginning at 10 am.

## **76 Housing Update**

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on two key elements of the Housing, Homelessness and Rough Sleeping Strategy, namely housing supply and a proposed Acquisitions Programme for Council Housing.

Resolved:

1. That the work to develop a regeneration framework and pipeline of housing and regeneration projects, including the potential to establish a revolving investment fund to deliver the pipeline, with a report coming forward to Cabinet in September 2019, be agreed.
2. That the process for responding to third party approaches is agreed for implementation.
3. To proceed with the Acquisitions Programme for Council Housing as agreed in the Council's Housing, Homelessness & Rough Sleeping Strategy.
4. That a capital budget of £4.3M be created within the Housing Revenue Account (HRA) capital programme for 2019/20 to facilitate the Acquisitions Programme, funded 30% from retained Right to Buy Capital receipts and 70% from HRA Capital Investment Reserve.

Recommended:

5. That the delegated authority to the S151 Officer for property acquisitions and disposals for the sign off of the property acquisitions in Part 3, Schedule 3, Section 4 of the Constitution be amended to increase the value from £250,000 to £500,000.

Reasons for Decision:

The Acquisitions Programme for additional council housing is recommended as there is an established need for affordable housing within the Borough as demonstrated by the local Strategic Housing Market Assessment (SHMA), and by our own Homes Seeker's Register data.

The formation of an Acquisitions Programme for council housing would result in an increase in the levels of affordable housing in the short term. This increase in the Borough's affordable housing stock may assist in reducing reliance on more expensive temporary accommodation.

Other Options:

Do Nothing – This option considered not creating an Acquisitions Programme. This approach however would result in a repayment of Right to Buy funds to HM Treasury, would not increase council housing stock and would also not help the Council to meet its 2050 Vision or contribute to the 2050 road map.

Transfer the funds as grant to a Registered Provider (RP) – This option would see the Right to Buy funds given to RP's as a grant to build affordable housing, with nomination rights given to the Council. This approach would not however be achievable in the given timescales.

Note: The decisions in 1-4 above constitute an Executive Function. The decision in 5 above constitutes a Council Function.

Referred direct to Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

## **77 Southend Safeguarding Partnership**

The Cabinet considered a report of the Deputy Chief Executive (People) which gave an overview of Southend Safeguarding Partners response to the changes in governance required by the "Working Together to Safeguard Children - A guide to inter-agency working to safeguard and promote the welfare of children – July 2018".

Resolved:

That the report be noted and approved.

Reasons for Decision:

As set out in the submitted report.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to People Scrutiny Committee  
Cabinet Members: Cllr Harp and Cllr Jones

## **78 Housing Allocation Policy Review**

The Cabinet considered a report of the Deputy Chief Executive (People) on the Council's Social Housing Allocations Policy review and proposed policy positions.

Resolved:

1. That a consultation upon the proposed policy changes, be approved.
2. That, following consultation, any minor changes to the draft policy be made under delegated authority by the Deputy Chief Executive (People), and the Director for Housing in consultation with the portfolio holder for housing, but that any major proposed changes be returned to Cabinet for decision.

Reason for Decision:

The proposed changes are based on targeted engagement, data insights, legislative requirements and strategic objectives outlined through Southend 2050 and the Housing, homelessness and Rough Sleeper Strategy, and are believed to represent an inclusive and balanced proposal for an updated and amended allocations policy.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to Policy and Resources Committee  
Cabinet Member: Cllr Gilbert

## **79 Annual Public Health Report**

The Cabinet considered a report of the Deputy Chief Executive (People) which presented the 2018-19 Annual Report of the Director of Public Health.

Resolved:

That the content and recommendations of the 2018-19 Annual Report of the Director of Public Health, be noted.

Reason for Decision:

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

Other Options:

None.

Note: This is an Executive Function  
Referred direct to the People Scrutiny Committee  
Cabinet Member: Cllr Harp

**80 Petition Against New Parking Charges - Referred by Council on 17th April 2019**

At the meeting of Council held on the 17<sup>th</sup> April 2019, Councillor Ayling presented a petition opposing new parking charges. The petition was referred to Cabinet in accordance with Standing Order 15.7 (Minute 874 refers).

Resolved:

That no changes are made to the current pricing structure but consideration be given to parking charges as part of the 2020/21 budget process.

Reason for Decision:

To respond to the petition.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to the Place Scrutiny Committee  
Cabinet Member: Cllr Woodley

**81 Petition Relating to the High Street and Two Hours Free Parking - Referred by Council 17th April 2019**

At the meeting of Council held on 17<sup>th</sup> April 2019, Councillor Ayling presented a petition relating to the high street and 2 hours free parking. The petition was referred to Cabinet in accordance with Standing Order 15.7 (Minute 875 refers).

Resolved:

That the 2 hour free parking in the town centre car parks is not implemented.

Reason for Decision:

To respond to the petition.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to the Place Scrutiny Committee  
Cabinet Member: Cllr Woodley

## **82 Review of Statement of Licensing Policy**

The Cabinet considered a report of the Deputy Chief Executive (Place) that set out the legal obligations on the Council, acting as Licensing Authority, and the timetable for the review of the Licensing Policy. The report also set out a draft revised Policy Statement, as the basis for formal consultation.

Recommended:

That the draft revised Policy document enabling consultation to commence, be endorsed.

Reason for Decision:

To enable the Council to comply with its statutory duty to publish a timely Statement of Policy in accordance with the provisions of Section 5 of The Licensing Act 2003.

Other Options:

None.

Note: This is a Council Function  
Referred direct to the Place Scrutiny Committees  
Cabinet Member: Cllr Terry

## **83 Recruitment of Special Constables**

The Cabinet considered a report of the Deputy Chief Executive (Place) on the process to be undertaken to recruit 34 Special Constables to provide additional support and visibility across all Wards in Southend.

Resolved:

1. That the process to be undertaken for the recruitment of Special Constables for Southend, be noted.
2. That officers continue to liaise with Essex Police to develop a suitable model of recruitment of Special Constables for Southend.

Reason for Decision:

To progress the recruitment of Special Constables.

Other Options:

As set out in the submitted report.

Note: This is an Executive Function  
Referred direct to the Policy and Resources Scrutiny Committee  
Cabinet Member: Cllr Terry

**84 The Official Feed and Food Control Service Plan 2019/20**

The Cabinet considered a report of the Deputy Chief Executive (Place) which outlined the Official Feed and Food Control Service Plan 2019-20 required by the Food Standards Agency (FSA).

Recommended:

That the Official Feed and Food Control Service Plan 2019-20, be approved. ||

Reason for Decision:

To comply with the Food Standards Agency Framework Agreement.

Other Options:

None.

Note: This is a Council Function  
Referred direct to Place Scrutiny Committee  
Cabinet Member: Cllr Terry

**85 Notice of Motion - Traveller incursions in the Borough - Recommendations from Council 13th June 2019**

At the meeting of the extraordinary Council held on the 13<sup>th</sup> June 2019 a Notice of Motion was considered on traveller incursions in the Borough. The Council resolved to recommend to Cabinet that proposals 1 – 3 of the Motion be adopted, but that proposal 4 in relation to a Borough wide injunction not be pursued (Minute 25 refers).

The Cabinet member for Public Protection confirmed that a stakeholder meeting, to include Council officers and the Police, would be held on 9<sup>th</sup> July 2019 to determine the best way forward to gather evidence of future illegal traveller encampments on Council land.

Resolved:

1. That the Council will take a proactive approach and take any additional measures that are required to secure our public open spaces in the Borough by working closely with the business community, councillors and local residents on cost effective, practical and innovative solutions that help prevent illegal encampments whilst maintaining access for residents where possible.
2. That the Council will continue to adopt a strong stance in order to permanently prevent travellers from illegally occupying public spaces in the future.
3. That the Council will take measures to improve communication with local residents when unauthorised encampments do occur, to ensure clear and regular communications that Councillors distribute to residents where such issues have arisen in their wards.

4. That the Council will not pursue an injunction at the present time as the evidence to support such proceedings is insufficient. However, going forward evidence will be systematically gathered in respect of illegal traveller encampments on Council land and the harm caused. Such evidence could then be used to support an application for a borough-wide injunction if such proceedings can be justified.

Note: This is an Executive Function  
Referred direct to Policy & Resources Scrutiny Committee  
Cabinet Member: Cllr Terry

## **86 Year End Performance Report 2018/19**

The Cabinet considered a report of the Strategic Director (Transformation) that outlined the end of year position of the Council's corporate performance for 2018/19.

Resolved:

That the 2018/19 end of year position and accompanying analysis, be noted.

Reason for Decision:

To reflect on the corporate performance for 2018/19 and to now drive the delivery of the Southend 2050 ambition, through robust and strategic performance management arrangements which are mentioned in the Southend 2050 Performance Framework Report.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to all three Scrutiny Committees  
Cabinet Member: Councillor Gilbert

## **87 Southend 2050 Corporate Performance Framework for 2019/20 Onwards**

The Cabinet considered a report of the Strategic Director (Transformation) which outlined the new Southend 2050 Corporate Performance Framework for 2019/20 onwards.

Resolved:

That the proposed Corporate Performance Framework for 2019/20 onwards, as set out in appendix 1 to the submitted report, be adopted.

Reason for Decision:

To drive the delivery of the Southend 2050 ambition through robust and strategic performance management arrangements.



Other Options:

None.

Note: This is an Executive Function  
Referred direct to all three Scrutiny Committees  
Cabinet Member: Cllr Gilbert

## **88 Corporate Risk Register**

That Cabinet considered a report of the Strategic Director (Finance and Resources) setting out the 2018/19 Corporate Risk Register year end update together with the proposed approach to refreshing the Corporate Risk Framework.

Resolved:

1. That the 2018/19 Corporate Risk Register and the year end updates, set out in appendix 2 to the submitted report, be noted.
2. That the proposed approach to refreshing the Corporate Risk Management Framework, be endorsed.

Reason for Decision:

To refresh the risk management arrangements.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to all three Scrutiny Committees  
Cabinet Member: Cllr Woodley

## **89 Revenue Outturn Report 2018/19**

The Cabinet considered a report of the Strategic Director (Finance and Resources) on the revenue outturn for 2018/19 and the implications of the outturn for the opening budgetary position for 2019/20 budget and beyond.

Recommended:

1. That the in-year surpluses of £1.836M for the General Fund and £1.510M for the HRA for 2018/19, be noted.
2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraph 4.6 (General Fund) and paragraph 5.4 (HRA), of the submitted report, be approved.
3. That the initial budgetary position for 2019/20 and beyond, indicated by the 2018/19 outturn, be noted.

Reason for Decision:

As part of the year end processes, Councillors need to approve any appropriations to or from earmarked reserves. This report fulfils that purpose.

Other Options:

None.

Note: This is a Council Function

Referred direct to Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

## **90 Capital Outturn Report 2018/19**

The Cabinet considered a report of the Strategic Director (Finance and Resources) concerning the capital investment programme outturn for 2018/19, which sought approval of the relevant budget carry forwards and accelerated delivery requests and in year amendments for the current approved programme.

Recommended:

1. That the expenditure on the capital programme for 2018/19 totalling £50.899m against a revised budget of £52.648m, a delivery of 96.7%, be noted.
2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £3.059m moving into 2019/20, as set out in Appendices 1 and 2 to the submitted report, be approved.
3. That the virements, reprofiles and amendments and new external funding for schemes, as detailed in Appendices 3, 4 and 5 to the report, be noted.
4. That in respect of the A127 Kent Elms Junction Improvements project:
  - (i) That it be noted that the delays to the project have led to an overspend against the scheme budget of £2.446m with £1.075m of this incurred in 2018/19.
  - (ii) That a further budget of £1.371m be added to the capital investment programme to deliver the scheme over the following years, 2019/20 £1.331m and 2020/21 £0.040m, to be financed by borrowing.
5. That in respect of the Priory, Delaware and Viking new build project:
  - (i) That the updated financial business case position, be noted.
  - (ii) That this project be moved from the 'Schemes subject to viable business cases' section into the main capital investment programme.
  - (iii) That the procurement exercise undertaken which has resulted in an additional budget requirement, be noted.
  - (iv) That a further budget of £1.519m is added to the capital investment programme in 2020/21 to be financed by borrowing, to enable the scheme to be delivered.

6. That a budget of £4.3m to be added to the Housing Revenue Account (HRA) capital investment programme in 2019/20 to facilitate the HRA Affordable Housing Acquisitions Programme, funded 30% from retained Right to Buy capital receipts and 70% from the HRA Capital Investment Reserve, be approved.

7. That a budget of £0.250m be added to the capital investment programme, £0.125m in 2019/20 and £0.125m in 2020/21, to undertake a two year programme of street lighting infill, to be financed by borrowing.

8. That the relevant changes to the budget identified since the approved capital investment programme was set at Council on 21 February 2019, as detailed in Appendix 6 to the report, be approved.

9. That it be noted that the above changes will result in an amended Capital Investment Programme of £233.166m for the period 2019/20 to 2023/24, as detailed in Appendix 7 to the report.

10. That the schemes subject to viable business cases for the period 2019/20 to 2021/22 totalling £37m be noted.

11. That the content of the Community Infrastructure Levy (CIL) Annual Financial Report 2018/19 be noted and that the CIL Main Fund receipts from 2018/19 and previous financial years be carried forward until spending plans are reviewed in early 2020/21.

12. That authority be delegated to the Director for Planning and Transport (in consultation with Ward Members and the Executive Councillor for Environment and Planning) to agree how the Ward Neighbourhood Allocations received up until 31st March 2019 (excluding allocation to Leigh Town Council) are to be spent.

Reason for Decisions:

To inform Councillors of the activity in 2018/19.

Other Options:

None.

Note: This is a Council Function

Referred direct to all three Scrutiny Committees

Cabinet Member: Cllr Woodley

## **91 Council Debt Position to 31 March 2019**

The Cabinet considered a report of the Strategic Director (Finance and Resources) that outlined the current position of outstanding debt to the Council, as at 31<sup>st</sup> March 2019; and the debts that have been written off, or are recommended for write off, in the current financial year as at 31<sup>st</sup> March 2019;

The report also sought approval to write off irrecoverable debts that are over £25,000 as set out in Appendix B to the submitted report.

Resolved:

1. That the current outstanding debt position as at 31<sup>st</sup> March 2019 and the position of debts written off to 31<sup>st</sup> March 2019 as set out in Appendices A & B to the report, be noted.
2. That the write offs greater than £25,000, be approved.

Reasons for Decision:

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

If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other Options:

None.

Note: This is an Executive Function  
Referred direct to Policy and Resources Scrutiny Committee  
Cabinet Member: Cllr Gilbert

## **92 Treasury Management Report 2018/19**

The Cabinet considered a report of the Strategic Director (Finance and Resources) presenting the Annual Treasury Management Report covering the treasury activity for the period from April 2018 to March 2019.

Recommended:

1. That the Annual Treasury Management Report for 2018/19 and the outturn Prudential Indicators for 2018/19, be approved.
2. That it be noted that the financing of 2018/19 capital expenditure of £50.899m has been funded in accordance with the schedule set out in Table 1 of section 4 in the submitted report.
3. That it be noted that the Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2018/19.
4. That the revised Operational Boundary of £350m and revised Authorised Limit of £360m for 2019/20 as set out in Section 5 of the submitted report, be approved.
5. That the following be noted in respect of the return on investment and borrowing:
  - (i) The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
  - (ii) £1.588m of interest and income distributions were received during 2018/19. The total investment income (including the movement on the unit price of externally

managed funds) was £2.043m, giving a combined return of 2.93%. This is 2.42% over the average 7 day LIBID rate (London Interbank Bid Rate) and 2.26% over the average bank base rate.

- (iii) The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) increased from £227.8m to £267.8m (Housing Revenue Account (HRA): £77.0m, General Fund (GF): £190.8m) by the end of 2018/19.
- (iv) The level of financing for 'invest to save' schemes decreased from £8.74m to £8.73m by the end of 2018/19.

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 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options:

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

Note: This is a Council Function  
Referred direct to Policy and Resources Scrutiny Committee  
Cabinet Member: Cllr Woodley

**93 Council Procedure Rule 46**

Resolved:

That the submitted report be noted.

Note: This is an Executive Function  
Referred direct to all three Scrutiny Committees  
Cabinet Member: as appropriate to the item

**94 Exclusion of the Public**

Resolved:

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

**95 Standing Order 46 - Confidential Sheet**

Resolved:

That the submitted report be noted.

Note: This is an Executive Function  
Referred direct to Policy & Resources Scrutiny Committee  
Cabinet Member: Cllr Gilbert

**Chair:** \_\_\_\_\_

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Licensing Committee

**Date: Wednesday, 26th June, 2019**

**Place: Darwin Room - Tickfield**

# 18

**Present:** Councillor H McDonald (Chair)  
Councillors B Ayling (Vice-Chair), M Dent, N Folkard, D Garston,  
S Habermel, D McGlone, K Mitchell, I Shead, A Thompson and  
N Ward

**In Attendance:** E Georgeou, E Anakwue, A Penn, M Newton, T Byrne and T Row

**Start/End Time:** 11.15 am - 12.00 pm

#### **96 Apologies for Absence**

Apologies for absence were received from Councillors Buck, Cowan and Dear (no substitutes).

#### **97 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor McDonald – Agenda Item Nos 4, 5 and 6 – Non-pecuniary interest: Supports young and vulnerable people; and

(b) Councillor Mitchell – Agenda Item Nos 4, 5 and 6 – Non-pecuniary interest: Works with Essex County Council Education.

#### **98 Minutes of the Meeting held on Tuesday, 10th July, 2018**

Resolved:-

That the Minutes of the Meeting held on Tuesday 10<sup>th</sup> July 2019 be received, confirmed as a correct record and signed.

#### **99 Proposal to Amend Conditions In Relation to the Licensing of Taxi Drivers Including Hackney Carriage, Private Hire and Dual Licence Holders**

The Committee received a report of the Deputy Chief Executive (Place) concerning an amendment to the licensing conditions in relation to taxi drivers (including hackney carriage, private hire and dual licence holders) to include new conditions requiring new applicants and existing licence holders undergo safeguarding training.

The Committee welcomed the proposal but queried whether the training session would cover adult exploitation or whether this would be possible to include this additional requirement. The Council's Group Manager Regulatory Services undertook to check the content of the session and would ensure this subject was

included. She also undertook to circulate details of the training provider to the Committee.

The Committee was also assured that a review reporting mechanism would be incorporated to evaluate the impact of the training.

Resolved:-

That all hackney carriage, private hire and dual licence holders be required undergo public safety awareness training through the adoption of the following conditions:

1. The Licensee shall undergo public safety awareness training as required by the Licensing Authority. Such training will be determined by the Licensing Authority and a minimum of 6 weeks' notice of attendance shall be provided to the Licensee.

2. All new applicants shall be required to undergo public safety awareness training, determined by the Licensing Authority, before a licence is issued.

#### **100 Access for wheelchair users to Taxis and Private Hire Vehicles**

The Committee received a report of the Deputy Chief Executive (Place) that sought approval to commence consultation on the draft Medical Exemption Criteria for Hackney Carriage and Private Hire Drivers as set out in Appendix 1 to the report. The Exemption Criteria details the process for applying for medical exemptions available to taxi and private hire drivers, which respect to passengers with disabilities under the Equalities Act 2010 'the Act'.

Resolved:-

That the consultation process on the draft Medical Exemption Criteria for Hackney Carriage and Private Hire Drivers and Operators to commence with Southend-on-Sea Borough Council's licenced taxi and private hire trade be authorised.

#### **101 Review of Hackney Carriage Fares and Charges**

The Committee considered a report of the Deputy Chief Executive (Place) regarding a request from Southend Licensed Taxi Drivers Association to initiate a consultation with Southend on Sea Borough Council's licenced taxi and private hire drivers on options for an increase in the Hackney Carriage and Private Hire Vehicles fares and charges, as set out in Appendix 1 to the report.

Resolved:-

That the consultation process on four options with respect to fares and charges for Hackney Carriage and Private Hire Vehicles with Southend on Sea Borough Council's licensed hackney carriage and private hire drivers be authorised.

**Chair:** \_\_\_\_\_





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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee C**

**Date: Wednesday, 26th June, 2019**

**Place: Darwin Room - Tickfield**

**19**

**Present:** Councillor H McDonald (Chair)  
Councillors S Habermel (Vice-Chair), M Borton, D McGlone, I Shead,  
A Thompson and N Ward

**In Attendance:** E Anakwue, T Row, E Georgeou, M Newton and A Penn

**Start/End Time:** 12.15 p.m. - 12.45 p.m.

**102 Apologies for Absence**

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

**103 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Borton – Agenda Item No. 4 (Revocation and Installation of Taxi Stand outside Southend Hospital) – Non-pecuniary interest: Regular user of buses; and

(b) Councillor Habermel – Agenda Item No. 4 (Revocation and Installation of Taxi Stand outside Southend Hospital) – Non-pecuniary interest: Friend works at Southend Hospital.

**104 Minutes of the Meeting held on Friday, 12th October, 2018**

Resolved:-

That the Minutes of the Meeting held on Friday, 12<sup>th</sup> October, 2018 be received, confirmed as a correct record and signed.

**105 Revocation and Installation of Taxi Stand outside Southend Hospital**

The Sub Committee received a report of the Deputy Chief Executive (Place) that sought approval to undertake the statutory consultation on the revocation of the two taxi stands outside Southend Hospital on Prittlewell Chase and the installation of a single taxi stand on Prittlewell Chase. The new taxi stand would be of equal capacity as the two stands proposed for revocation. The purpose of this proposal would enable the bus stops outside the Hospital to be moved to the most western Hospital entrance on Prittlewell Chase, allowing users of the bus stops at the Hospital to mount and dismount from the buses safely at busy/peak times.

Resolved:-

That the statutory consultation process be undertaken on the revocation of the two existing taxi stands on Prittlewell Chase and the installation of one taxi stand on Prittlewell Chase which would extend from the end of the zebra crossing zig zags opposite the properties numbered 218 – 220 Prittlewell Chase heading eastwards for a distance of 78m.

**106 Taxi Stand at Lucy Road**

Pursuant to Minute 844 of Cabinet Committee held 9<sup>th</sup> March 2017 on the Sub Committee received a report of the Deputy Chief Executive (Place) that sought approval to undertake the statutory consultation on the introduction of a taxi stand at Lucy Road, the hours of operation being restricted to the time of greatest use between 10pm and 9am daily. The taxi stand shall operate as a shared space with pay and display parking bays between 9am and 6pm.

The Sub Committee noted that the rank was located within the proposed Seaway Car Park development area and may need to be moved or revoked in the future. The Sub Committee concluded, however, on the basis that the timetable for the development of this site had not been finalised, the use of this location should be maximised in the interim.

Resolved:-

That the statutory consultation process be authorised for the introduction of a taxi stand on the northern kerbline of Lucy Road, from a point 19 metres east of its junction with Herbert Grove to a point 38 metres west of its junction with Seaway (southern section), the hours of operation of which to be 10.00 p.m. until 9.00 a.m.

**Chair:** \_\_\_\_\_

**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee B**

**Date: Wednesday, 26th June, 2019**

**Place: Darwin Room - Tickfield**

**20**

**Present:** Councillor H McDonald (Chair)  
Councillors S Habermel and A Thompson

**In Attendance:** A Penn, E Anakwue and T Row

**Start/End Time:** 2.00 p.m. - 2.45 p.m.

**107 Apologies for Absence**

There were no apologies for absence.

**108 Declarations of Interest**

Councillor Thompson declared a non-pecuniary interest in Agenda Item No. 4 (Application for Revocation of Personal Licence) on the grounds that the solicitor acting on behalf of the respondent had acted for him on an employment issue.

**109 Exclusion of the Public**

Resolved:-

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

**110 Application for revocation of Personal Licence**

The Sub Committee considered a report of the Deputy Chief Executive (Place) concerning a request by Essex Police for the revocation of a personal licence. The request had been made on crime prevention grounds.

The Sub Committee noted that the respondent had been a personal licence holder for approximately 7 years. In August 2018, the licence holder pleaded guilty to a number of offences, which had occurred in May 2018, and was subsequently convicted by a Magistrates' Court. For each offence the licence holder received a 2 year community order.

The Sub Committee noted that, in this case, neither the Court nor the licence holder informed the Licensing Authority of the conviction, although the licence holder had subsequently stated in his submission that he did inform the Court.

The Sub Committee considered all the evidence and submissions, and read all the documents. In reaching its decision the sub-committee had regard to the National Guidance and the licensing authority's Statement of Licensing Policy.

It is not the Sub Committee's role to determine the guilt of the licence holder as this is a matter for the Courts. The Sub Committee must, however, fulfil its statutory duty to ensure the promotion of the licensing objectives.

The Sub Committee concluded that, given the gravity and nature of the relevant offences for which he had been convicted, the crime prevention objective as set out in the Licensing Act 2003 would be undermined. It therefore:

Resolved:-

That the personal licence be revoked.

**Chair:** \_\_\_\_\_

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

**Meeting of Cabinet Committee**

**Date: Thursday, 27th June, 2019**  
**Place: Committee Room 1 - Civic Suite**

**21**

**Present:** Councillor R Woodley (Chair)  
Councillors K Robinson (Vice-Chair) and M Terry

**In Attendance:** Councillors K Buck, P Collins, D Cowan, D Garston, D Jarvis,  
H McDonald, A Moring, A Thompson and S Wakefield  
S Harrington, T Row and B Frost

**Start/End Time:** 6.00 pm - 8.00 pm

**111 Apologies for Absence**

There were no apologies for absence.

**112 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor D Garston – Agenda Item No. 4 (Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application Ref: 18/00309a) – Non-pecuniary interest: Knows the parents of the applicant;

(b) Councillor McDonald – Agenda Item No. 4 (Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application Ref: 17/00112) – Non-pecuniary interest: Know the mother of the applicant;

(c) Councillor Terry – Agenda Item No. 4 (Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application Ref: 17/00112) – Non-pecuniary interest: Know the mother of the applicant;

(d) Councillor Terry – Agenda Item No. 4 (Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application Ref: 18/00298) – Non-pecuniary interest: Lives in the vicinity; and

(e) Councillor Woodley – Agenda Item No. 4 (Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application Ref: 17/00112) – Disqualifying non-pecuniary interest: Has been assisting neighbouring residents on a land issue (withdrew) (The chair for this item was taken by the Vice-Chair, Councillor Robinson).

**113 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds

that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **114 Permanent Vehicular Crossing (PVX) Exceptional Circumstances Application(s)**

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

Resolved:

1. That, in view of the extenuating factors in relation to the individual case, and subject to the following conditions, the PVX exceptional circumstance application reference number 18/00309a be granted:

(1) The applicant will be liable for the full cost of felling and removal of the existing street tree; and

(2) The applicant will be liable for the full cost of planting two appropriate replacement street trees in the locality including purchase, planting, watering for 2 year and maintenance for 3 years, to be undertaken by the Council's Arboricultural Team

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

Application reference number 18/00298  
Application reference number 18/00317  
Application reference number 18/00334  
Application reference number 18/00172b  
Application reference number 17/00112  
Application reference number 18/00314

Reasons for Decision

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

Other Options

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

Note: This is an Executive function

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

Cabinet Member: Cllr Woodley

**Chair:** \_\_\_\_\_



**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Friday, 28th June, 2019**

**Place: Committee Room 4a - Civic Suite**

**22**

**Present:** Councillor B Ayling (Chair)  
Councillors D Cowan and D McGlone

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

**Start/End Time:** 11.00 am - 2.45 pm

**115 Apologies for Absence**

There were no apologies for absence.

**116 Declarations of Interest**

No interests were declared at the meeting.

**117 Application for the Grant of a Premises Licence - 69 High Street, Southend-on-Sea, Essex, SS1 1HZ**

The sub-committee considered a report of the Deputy Chief Executive (Place) regarding an application by Ms Priya Mathew for the grant of a Premises Licence at 69 High Street, Southend-on-Sea, Essex, SS1 1HZ.

The application was presented by the Applicant's Solicitor, Mr Murrell. Ms Priya Mathew (Applicant) was also in attendance at the hearing and gave evidence.

The sub-committee noted that letters of objection had been received from the Licensing Authority, in its capacity as a responsible authority, and from Essex Police. Mr D Colewell and Ms K Drain of the Essex Police Licensing Unit attended the hearing and gave evidence. The Licensing Authority had subsequently withdrawn its objection following an amendment to the application by the Applicant which reduce the hours the premises were open to public and the hours when the sale of alcohol would be permitted.

The sub-committee also noted that amendments to the proposed conditions drawn from the operating schedule had been agreed between Essex Police and the Applicant should the application be granted. Two conditions that had been proposed by the Police were however, not agreed by the Applicant. These related to the proposed prohibition on the sale of beers and ciders with an alcohol by volume content above 6.5% and for all beer and ciders in cans (500ml or less) to be sold in a minimum pack of 4.

The Applicant's Solicitor contested that these two conditions were disproportionate, unfair and overly burdensome and that there was no evidence presented by the Police to support the need for these conditions in relation to this

application. He also stated that there were other premises in close proximity that had longer and later licensed hours and did not have these restrictions.

The Police Licensing Unit stated that these premises are located within a Designated Public Place Order (DPPO) prohibiting consumption of alcohol in this area, where there were prolific offences of anti-social behaviour and street drinking. There were two large retailers in close proximity to the Applicant's premises who had voluntarily accepted these conditions in an attempt to reduce such problems.

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 did not consider that the promotion of the licensing objectives would be undermined by the granting of this application. It also accepted the evidence submitted by the Police Licensing Unit that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. The sub-committee therefore:-

Resolved:-

That the application for the grant of a premises licence at at 69 High Street, Southend-on-Sea, Essex, SS1 1HZ be granted, subject to:

1. The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place).
2. The conditions drawn from the Operating Schedule set out in Appendix 2 to the report of the Deputy Chief Executive (Place), subject to the following amendments:

Condition 3 shall now read:

3. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including underage sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training records to be kept on the premises (or otherwise accessible on the premises) for a minimum of 12 months and made available to the police, trading standards or licensing authority staff upon reasonable request.

Condition 4 to now read:

4. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to the police, trading standards or licensing authority staff upon reasonable request. The refusals record shall either

be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

Condition 5 to now read:

5. An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as possible and within any case 4 hours of the occurrence and shall record the following:

- (a) All crimes reported to the venue;
- (b) All ejections of patrons;
- (c) Any complaints received concerning crime and disorder;
- (d) Any incidents of disorder; and
- (e) Any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence.

The incident log shall be either electronic or maintained in a bound document within individually numbered pages and be retained for at least 12 months from the date of the last entry.

Condition 6 to now read:

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

- i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality particularly facial recognition;
- ii. CCTV cameras shall cover all entrances and the areas where alcohol sales take place;
- iii. Equipment must be maintained kept 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. Upon reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided

3. The following additional conditions:

(i) Other than wine or spirits, no alcohol with an alcohol by volume content above 6.5% will be sold or offered for sale.

(ii) All beer and cider in cans (500ml or less) will be sold in a minimum pack of 4.

4. The hours the premises shall be open to the public are 08:00 to 23:00 daily

5. The hours for the sale of alcohol shall be 08:00 to 23:00 daily.

**Chair:** \_\_\_\_\_

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Monday, 1st July, 2019**  
**Place: Committee Room 1 - Civic Suite**

**23**

**Present:** Councillor H McDonald (Chair)  
Councillors A Dear and K Mitchell

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

**Start/End Time:** 10.00 am - 11.35 am

**118 Apologies for Absence**

There were no apologies for absence.

**119 Declarations of Interest**

No interests were declared at the meeting.

**120 Application for the Grant of Personal Licence**

The Sub Committee received a report of the Deputy Chief Executive (Place) regarding an application by Mr Selladurai Anuseelan for the grant of a personal licence. An objection to the application has been made by Essex Police on crime prevention grounds.

Mr Anuseelan attended the hearing and gave evidence. Mr Ashford and Keely Drain of the Police Licensing Unit were also in attendance to present the objection to the application.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing.

The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy.

On the basis of the evidence before it, the Sub Committee accepted the concerns expressed by the Police and there were no exceptional and compelling circumstances which would justify the grant of the application. The Sub Committee therefore:

Resolved:-

That the application for the grant of a personal licence be refused.

**Chair:** \_\_\_\_\_



**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Development Control Committee**

**Date: Wednesday, 3rd July, 2019**  
**Place: Committee Room 4a - Civic Suite**

**24**

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, A Chalk,  
D Cowan, A Dear, F Evans, D Garston, S Habermel, D Jarvis,  
H McDonald, C Mulrone\* and C Walker  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** K Waters, G Gilbert, C Galforg, P Keyes, M Warren and T Row

**Start/End Time:** 2.00 p.m. - 2.50 p.m.

**121 Apologies for Absence**

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

**122 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Ward – Agenda Item No. 5 (19/00795/FUL - 135 Carlingford Drive, Westcliff-On-Sea, Essex, SS0 0SD) – Non-pecuniary interest: Employed by company which has undertaken work at this address; and

(b) Councillor Chalk – Agenda Item No. 6 (18/00839/FUL - Land Rear of 106 to 112 High Street, Shoeburyness) – Non-pecuniary interest: Lives in the general area.

**123 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.

**124 19/00534/FULM - Crowstone Preparatory School, 121-123 Crowstone Road, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Demolish existing buildings, erect part 2.5 storey/part 3.5 storey building comprising of 18 self-contained flats, layout parking including underground parking, hard and soft landscaping and alter existing vehicular access on to Crosby Road (Amended Proposal)**

**Applicant: BESB Contracts Ltd**

**Agent: DAP Architecture**

Resolved:-

That planning permission be REFUSED for the following reasons:

01. The proposal would, by reason of its size, scale, bulk, mass, siting and detailed design, constitute a cramped, contrived and incongruous development that would be materially harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

02. The siting, size and design of the proposed development is such that it would result in undue dominance, an overbearing relationship and a significant sense of enclosure to No.125 Crowstone Road, to the material detriment of the amenities of the occupiers of this property. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

03. The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area and it has not been shown that such a contribution is not viable. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Document (2015).

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

Informative

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

**125 19/00795/FUL - 135 Carlingford Drive, Westcliff-on-Sea (Prittlewell Ward)**  
**Proposal: Erect detached chalet bungalow with associated parking at land r/o 135 Carlingford Drive (Amended Proposal) (Retrospective)**  
**Applicant: Mr Graham Eiles**  
**Agent: DK Building Designs Ltd**

Resolved:-

That planning permission be GRANTED subject to the following conditions:



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

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

02 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:  
3534 -04 Revision A

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

03 Prior to the occupation of the development hereby permitted, the development shall be constructed in accordance with details of materials shown on application form, Hoskins Flemish Antique mixture bricks, (red/blue/beige), natural welsh slate, white upvc windows and doors unless alternative details of external materials have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

04 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 and made available for use 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).

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

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

06 Prior to the first occupation of the dwelling hereby approved, full details of refuse, recycling and secure, covered bicycle storage facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first

occupation of the dwelling hereby approved, refuse, recycling and bicycle storage facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2, CP3 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

07 Prior to the occupation of the dwelling hereby approved the car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 3534 -04 Revision A. The car parking spaces shall be kept available for the parking of motor vehicles of occupiers of the dwelling hereby approved and their visitors and shall be permanently retained as such thereafter.

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

08 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include, but not limited to:-

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. details of measures to enhance biodiversity within the site;

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

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

09 Notwithstanding the provisions of Classes A, B, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no development within those classes shall be undertaken at the site without express planning permission first having been obtained from the Local Planning Authority.

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality and in order to protect the amenities of surrounding occupiers in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

10 The development hereby approved shall be carried out in a manner to ensure that it complies with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use.

Reason: To ensure the dwellinghouse hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

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

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

12 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the dwelling hereby granted consent shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed dwelling that are to be permanently glazed with obscured glass (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the dwelling hereby approved is occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

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

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

#### Informatives

01 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 and when this is payable. As this chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will shortly be issued. Charges and surcharges may apply if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

03 The applicant is advised that the access does not comply with Essex County Fire and Rescue Service guidance and the installation of an Automatic Water Suppression System (A Sprinkler Systems) should be considered to compensate.

04 The applicant must ensure that improvements to the access to the site forms part of the proposed landscaping scheme to be submitted in accordance with condition no 8 of this permission.

- 126 18/00839/FUL - Land Rear of 106 to 112 High Street, Shoeburyness (Shoeburyness Ward)**  
**Proposal: Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street (Amended Proposal)**  
**Applicant: Mr Hundal**

Mr Iley, a local resident spoke as an objector to the application. Mr Hundal responded.

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 338-01 Rev A, 338-02 Rev C, 338-03 Rev A, 338-04

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, until and unless details of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out 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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above ground floor slab level shall take place until full details of both hard and soft landscape works proposed for the site, have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours, means of enclosure, hard surfacing materials. Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details. The approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works shall be carried out within the first planting season following first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

05 No development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

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

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

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

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

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

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

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

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

08 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 advice within the Design and Townscape Guide (2009).

09 No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 338-01C for 1 car to be parked. The parking space shall be made available for use prior to first occupation of the dwelling hereby approved and shall be permanently retained thereafter only for the parking of occupiers of the development hereby approved and their visitors

and all vehicle movements associated with the development hereby approved shall only enter and exit the site from/ to High Street in a forward gear.

Reason: To ensure that adequate car parking is provided and retained to serve the development and that vehicle movements do not harm highway safety in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

10 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 on the new dwellinghouse within Schedule 2, Part 1, Classes A, B, C, D, E, F or G to those Orders without express planning permission from the Local Planning Authority.

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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

11 Secure, covered refuse and recycling storage areas to serve the development hereby approved shall be provided and made available for use 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).

12 The development hereby approved shall be carried out in a manner to ensure the dwelling complies with building regulation M4(2) 'accessible and adaptable dwellings' prior to first occupation.

Reason: To ensure the residential unit hereby approved provides high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

Informative

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

approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

03 The applicant must ensure that improvements to the access to the site forms part of the proposed landscaping scheme to be submitted in accordance with condition no 4 of this permission.”

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

**127 19/00008/UCOU\_B - 28 Stock Road, Southend-on-Sea (St Luke's Ward)  
Breach of Control: Change of use from coachworks (Class B1) to aggregate handling (Class B2) and erection of temporary modular buildings, raised height of perimeter walling and formation of storage bays**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to require the cessation of the unauthorised use of the site for an aggregate handling facility

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 4 months is considered reasonable for the cessation of the use.

**Chair:** \_\_\_\_\_



**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Thursday, 4th July, 2019**

**Place: Committee Room 4 - Civic Suite**

**25**

**Present:** Councillor B Ayling (Chair)  
Councillors M Borton and D Cowan

**In Attendance:** R Harris, A Brown, M Newton, L Coombs

**Start/End Time:** 9.45 - 10.05 am

**128 Apologies for Absence**

There were no apologies for absence at this meeting.

**129 Declarations of Interest**

There were no declarations of interest at this meeting.

**130 1145 London Road, Leigh-on-Sea, Essex, SS9 3JE - Application for the Grant of a Premises Licence**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application for the grant of a premises licence in respect of 1145 London Road, Leigh-on-Sea, Essex.

Mr M Hines (applicant's representative) and Mr R Tenlick (Designated Premises Supervisor) were in attendance.

The sub-committee noted that letters of objection had been received from the Licensing Authority, in its capacity as a responsible authority, Leigh Town Council and Essex Police. Mr A. Penn (Licensing Authority), Mr D Colewell and Ms K Drain (Essex Police Licensing Unit) and Mrs H Symmons (Leigh Town Council) were in attendance.

At the hearing the Sub-Committee noted that the objections from the responsible authorities and Leigh Town Council had subsequently been withdrawn following agreement with the applicant to the additional conditions proposed by Essex Police and the Licensing Authority.

On the basis of the evidence presented to it and that all parties have agreed additional conditions to be attached to the Licence, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of this application.

The application is therefore granted subject to:

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

(2) The conditions drawn from the Operating Schedule set out in Appendix 2 to the report of the Deputy Chief Executive (Place);

(3) The conditions set out below agreed between the Licensing Authority, Essex Police, Leigh Town Council and the applicant:

1. No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.

A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

2. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  - ii. CCTV cameras shall cover all entrances and exits and the areas where alcohol sales take place;
  - iii. Equipment must 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;

Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

3. Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be clearly legible at all times when the premises conducts licensable activities.
4. The premises shall display prominent signage indicating at any point of sale that it is an offence:

for a person under the age of 18 to buy or attempt to buy alcohol; or buy, or attempt to buy, alcohol for a person under the age of 18.
5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
  - i. Proof of age card bearing the PASS Hologram;
  - ii. Photocard driving licence;
  - iii. Passport; or
  - iv. Ministry of Defence Identity Card.

6. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall either be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

7. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) any faults in a CCTV system mandated as a condition of the licence

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.

8. The premises licence holder shall provide the following information in writing to the licensing authority and police before any sale of alcohol is carried out:

- a) The trading name of any company that will operate under the licence
- b) All telephone numbers that will be used to accept orders
- c) The URL/website address that will be used to accept orders

Any change to this information shall be notified to the licensing authority and police within seven days.

9. All staff engaged in the sale or supply of alcohol on the premises, including delivery drivers, shall have received training in relation to the protection of children from harm including under-age sales and child sexual exploitation and the steps to be taken when such activity is suspected., how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

10. Alcohol shall only be supplied with an order for hot food. The food element of any order shall have a retail value of at least £9

**Off Sales only for home delivery**

11. Off-sales are not permitted to persons on or in the immediate vicinity of the premises: sales of alcohol for consumption off the premises may only be made to persons at another location to whom alcohol will be delivered by the licence holder, his employees or his agents.
12. All deliveries of orders which include alcohol will be made only to the address given at the time of ordering.
13. All refusals of sales shall be logged, recorded whether by the courier company or by in house staff
14. All orders/deliveries which include alcohol will be paid for at the time of ordering via the internet, or via telephone credit card payment. There will be no cash or payment taken at the time of delivery.
15. All orders which include alcohol shall be accepted and delivered implement the challenge 25 age verification policy. Only a Passport, UK photo driving licence or 'PASS' accredited card shall be accepted as suitable ID upon delivery.
16. A 'No ID, No Sale/delivery' policy shall be implemented at all times.
17. In the event that delivery is outsourced: The delivery contract with the courier company will include the requirement to meet the challenge 25 requirements.

(4) The conditions set out below submitted by the applicant:

1. There will be no sales of alcohol on the premises whatsoever.
2. The contract will be with Just Eat and our own web ordering page will not allow orders to be placed after 11.45pm.
3. As the delivery services finishes at 12.00 midnight the last orders for delivery will be at 11.45pm, this would include the sale of alcohol.
4. The relationship with Oyster training will ensure that staff and delivery drivers will have relevant training relating to age verification and safeguarding issues including child sexual exploitation.
5. We will retain training records as required.
6. Customers will be notified on our website and Just Eats website of our age verification policy and that we have a no ID no sale policy.

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

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet

**Date: Monday, 8th July, 2019**  
**Place: Committee Room 1 - Civic Suite**

# 26

**Present:** Councillor I Gilbert (Chair)  
Councillors R Woodley (Vice-Chair), A Jones, C Mulronee and  
K Robinson

**In Attendance:** Councillors L Burton, D Cowan, K Evans, George, D Jarvis and  
H McDonald  
A Griffin, J K Williams, S Leftley, A Lewis, J Ruffle, C Gamble, S Ford  
and A Keating

**Start/End Time:** 10.00 - 10.20 am

### 131 Apologies for Absence

Apologies for absence were received from Councillors Harp and Terry.

### 132 Declarations of Interest

The following Councillors/officers declared interests as indicated:

(a) Cllr Gilbert – PSPO – non-pecuniary interest – place of work within the boundary of the PSPO;

(b) Cllr Jones – PSPO – non-pecuniary interest – lives within the boundary of the PSPO;

(c) Cllr McDonald – PSPO – non-pecuniary interest – place of work within the boundary of PSPO;

(d) Alison Griffin – PSPO – non-pecuniary interest - lives within the boundary of the PSPO;

(e) Simon Leftley – Reconfiguration of Corporate Management – pecuniary interest (withdrew).

### 133 Southend Town Centre & Seafront Public Spaces Protection Order

The Cabinet considered a report of the Strategic Director (Legal & Democratic Services) requesting that consideration be given to whether the Council should proceed with the making of a Public Spaces Protection Order (PSPO) under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, taking into consideration the results of the statutory consultation and further evidence.

The Cabinet received a revised Draft Order together with an amended plan showing the exact location of the proposed restricted area.

On behalf of the Cabinet, the Leader of the Council expressed his thanks and appreciation to the relevant officers for their contributions to the report.

Resolved:

1. That the Council makes a Public Spaces Protection Order (PSPO) over the areas identified in the submitted report and in the form annexed at Appendix 3 (as amended).
2. That the existing Designated Public Place Order (DPPO) from 2002 ceases to be enforced following implementation of the new PSPO.

Other options:

The Council could choose not to introduce a PSPO, however this would lose the opportunity to introduce this measure to tackle ASB which is having a damaging effect on the Town Centre, seafront and other areas identified in the report. Additionally, following the support of the PSPO that has been displayed in the consultation, choosing not to implement the Order could negatively impact the reputation of the Council within the communities worst affected by the ASB.

Reasons for recommendation:

A PSPO covering the Town Centre, seafront, Southchurch Hall Gardens, Hamlet Court Road and York Road is believed to be an appropriate additional tool to tackle persistent and unreasonable anti-social behaviour taking place. A PSPO can help provide realistic and proportionate enforceability to help reduce ASB which discourages and prevents the law-abiding majority from feeling safe in, and subsequently using and enjoying, these public spaces.

Note: This is an Executive Function

Referred direct to: Policy & Resources Scrutiny Committee

Cabinet Member: Councillor Terry

#### **134 Reconfiguration of Corporate Management**

The Cabinet considered a report of the Chief Executive setting out proposals for a reconfigured corporate management structure.

Recommended:

1. That the reconfigured corporate management structure to spearhead the cultural transformation and increase capacity to deliver Southend 2050 outcomes, as set out in sections 3.6 – 3.14 of the submitted report, be approved.
2. That the new reporting lines for third tier officers, as set out in the report, be approved.
3. That consultation be undertaken with the officers affected in line with employment law and the Council's HR policies.

4. That the arrangements for individual officers as detailed in the confidential part 2 Appendix 3 to the report, be approved.

5. That external recruitment be arranged for the vacant Executive Director posts.

6. That as part of the Council's commitment to developing its own talent, the vacant Director posts be advertised on an internal basis initially, and only if posts remain unfilled would the Council go to market.

7. That the Chief Executive, in consultation with the Leader, be authorised to make further adjustments to the corporate management structure, following the consultation process.

Other options:

No changes are made to the current corporate management arrangements. The risk with this option is that the two Deputy Chief Executive roles become increasingly unwieldy and will increase risk exposure both for the Council and individual post holders.

Reasons for recommendations:

To enable the proposals and rationale for the proposals set out in section three of the report to be implemented. The recommendations will ensure, provided the Council is successful in recruitment, that Councillors' priorities are delivered and high risk services managed more effectively.

Note: This is a Council Function

Referred direct to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

### **135 Exclusion of the Public**

Resolved:-

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

### **136 Reconfiguration of Corporate Management**

Recommended:

That the confidential appendix, be endorsed.

Note: This is a Council Function

Referred direct to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

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

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# Southend-on-Sea Borough Council

Report of Strategic Director (Legal and Democratic Services)

To

Council

On

18<sup>th</sup> July 2019

Report prepared by: Colin Gamble  
Head of Democratic Services

Agenda  
Item No.

31

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## Review of Members' Allowances

### Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

For the Council to consider the report and recommendations of the Joint Independent Remuneration Panel ("JIRP") on Members' Allowances for the Council.

The current Members' Allowances Scheme is set out in Part 6 of the Constitution.

#### 2. Recommendations

The Council is requested to consider the following recommendations of the JIRP as set out in its report at **Appendix 1** and summarised in the new Members' Allowances Scheme 2019-2023 at **Appendix 2**:

- 2.1 That the Basic Allowance be set at £9,200 (rounded down from £9,204 so that the allowance payable for both Southend and Thurrock Councils is aligned).
- 2.2 That the Special Responsibility Allowances (SRAs) summarised in paragraph 31 of the JIRP report and the revised SRAs set out in paragraphs 32-40 of the report, be approved.
- 2.3 That the existing practice of not paying an SRA to Chairs of Working Parties, Panels and Task Forces, be reaffirmed.
- 2.4 That the existing practice of not paying an "Acting-Up" allowance to councillors chairing committee meetings in the absence of the Chair or Vice-Chair, be reaffirmed.
- 2.5 That the allowance payable to the Independent Persons (paragraphs 49-52 of the JIRP report), be approved

- 2.6 That, subject to the Members' Allowances Scheme clarifying (in line with advice issued by the Office for Low Emission Vehicles), that electric/hybrid vehicles are to be treated in the same way as petrol and diesel cars for the purposes of the payment of mileage allowances, the existing provisions in the Members' Allowances Scheme with regard to travelling and subsistence allowances, be reaffirmed.
- 2.7 That subject to the Basic "Sitters" allowance being linked to the National Living Wage, the existing provisions in the Members' Allowances Scheme with regard to the Dependants' Carers' allowance, be reaffirmed.
- 2.8 That the following indices be applied to the remuneration and allowances paid to Members of the Council:
- (a) Basic Allowance, Special Responsibility and Co-optees allowances to be indexed to the annual percentage salary increase for local government staff (at spinal point 49) to be implemented from the start of the municipal year, rather than the financial year, for which year it is applicable.
  - (b) Mileage allowances to be updated by reference to the rates which apply to Council officers (HMRC rates).
  - (c) Subsistence allowances to be updated by reference to the schemes which apply to Council officers.
  - (d) Basic "sitters" allowance be linked to the National Living Wage.
- 2.9 That the existing Members' Allowances Scheme be revoked and that the new Members' Allowances Scheme 2019-2023, as set out in **Appendix 2** to this report, be approved and implemented on 1<sup>st</sup> August 2019.

### **3. Background**

- 3.1 The power under which schemes of Members' Allowances are made is contained in Section 18 of the Local Government and Housing Act 1989, section 99 of the Local Government Act 2000 and in the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations).
- 3.2 The Regulations impose a duty on Local Authorities to establish an Independent Panel to provide advice on its Members' Allowances Scheme and the amounts to be paid. In April 2005 the Council agreed to establish a JIRP with Thurrock Council consisting of 5 independent Members. Since that time the Panel has met on five occasions in June 2007, June 2010, June 2011, June 2015 and June 2019.
- 3.3 On 24<sup>th</sup> and 25<sup>th</sup> June 2019, the JIRP met to undertake a review of the Members' Allowances Scheme for both Southend and Thurrock Councils in accordance with the law which requires a new Scheme to be put in place. The Terms of Reference of the review were as follows:

- (a) The amount of Basic Allowance that should be payable to elected Members and the expenses it should include.
- (b) The responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance.
- (c) Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance.
- (d) The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance
- (e) As to whether Dependants' Carers' Allowance should be payable to Members, and as to the amount of such an allowance
- (f) As to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.
- (g) The implementation date for the new Schemes of Members' allowances and as to whether, in the event that the schemes are amended, any such amendments should be backdated to the beginning of the municipal year.

3.4 In reviewing the Members' Allowances Scheme, the JIRP had regard to statutory guidance in relation to allowances, the previous report of the JIRP and the results of a benchmarking exercise. The JIRP also heard evidence from Councillors Gilbert and Ayles. In addition, the JIRP took into account the written representations made by Councillors Ayles, Beck, Gilbert and Walker. The report of the JIRP is attached at **Appendix 1**.

3.5 The revised Members' Allowances Scheme 2019-2023 at **Appendix 2** has been drafted on the assumption that the recommendations of the JIRP are adopted. The Council may accept the recommendations of the JIRP in full or in part or introduce different arrangements. However, the Council must have regard to the recommendations of the JIRP before setting a new or amended Members' Allowances Scheme.

3.6 All Members will have an interest in this matter which needs to be declared. However on 11<sup>th</sup> July 2012 the Standards Committee granted a dispensation to all Members to participate in debate and vote on Members' Allowances and this was endorsed at Council on 19<sup>th</sup> July 2012.

## **5. Other Options**

It is for the Council to determine to what extent it wishes to follow the recommendations made by the JIRP, but it must have regard to the report and its recommendations. Furthermore the Council must implement a new Members' Allowances Scheme by virtue of the relevant statutory requirements since the current Scheme is about to expire.

## **5. Reasons for Recommendations**

To comply with the relevant statutory requirements.

## **6. Corporate Implications**

### **6.1 Contribution to the Southend 2050 Road Map**

Becoming an excellent and high performing organisation

### **6.2 Financial Implications**

The implementation of the recommendations of the JIRP would result in a small annual saving of around £5,000.

### **6.3 Legal Implications**

The Council is required to “have regard to the recommendations” of the JIRP in making or amending a Members’ Allowances Scheme pursuant to Regulation 29 of the Local Authority (Members’ Allowance) (England) Regulations 2003.

### **6.4 People Implications**

None

### **6.5 Property Implications**

None

### **6.6 Consultation**

All Members of the Council were given the opportunity to submit their observations to the JIRP.

### **6.7 Equalities and Diversity Implications**

None

### **6.8 Risk Assessment**

There are no significant risks. However, if Members are not provided with realistic allowances to enable them to carry out their representative and democratic duties this may act as a disincentive to the proper exercise of their duties.

### **6.9 Value for Money**

See comment under the Financial Implications heading.

### **6.10 Community Safety Implications**

None

6.11 Environmental Impact

None

**7. Background Papers**

The papers considered by the JIRP are referred to in the Report at **Appendix 1**

**8. Appendices**

**Appendix 1** The Report of the JIRP

**Appendix 2** The revised Members' Allowances Scheme 2019-2023

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**A Joint Review of  
Members' Allowances for  
Southend-on-Sea Borough Council  
&  
Thurrock Council**

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**A Report by the  
Joint Independent Remuneration Panel**

Mr Colin Sivell (Chairman)	Joint Southend /Thurrock Councils Appointee
Mr R. Ferris	Thurrock Council Appointee
Mr N. Gayner BEM JP	Southend-on-Sea Borough Council Appointee
Mr W. Robb	Southend-on-Sea Borough Council Appointee
Mr Ray Smallcombe	Thurrock Council Appointee

July 2019

## **A JOINT REVIEW OF MEMBERS' ALLOWANCES**

**For**

**Southend-on-Sea Borough Council**

**AND**

**Thurrock Council**

### **A Report by the Joint Independent Remuneration Panel**

**July 2019**

#### **Introduction: The Regulatory Context**

1. This report is a synopsis of the proceedings and recommendations made by the statutory Joint Independent Remuneration Panel appointed by Southend-on-Sea and Thurrock Borough Councils to provide advice to each Council on its current Members' Allowances scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (also known as an IRP or Panel) to review and provide advice to Councils on Members' allowances.<sup>1</sup> This is in the context whereby elected Members are able to determine their own levels of remuneration, and much of the scope and levels of other allowances/reimbursements payable under the 2003 Regulations
3. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their members' allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended members' allowances scheme.
4. In particular, the Panel has been reconvened under the *2003 Regulations [10. (50)]*, which states:

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<sup>1</sup> Paragraph 20 (1) (b) also provides for two or more Councils to have a joint Panel as in this case.



Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.

5. This mechanism is utilised to oblige all Councils to reconvene their Panel, usually at least once every four years, as a means of ensuring a degree of public accountability vis-à-vis their members' allowances schemes. It is under this requirement that the Joint Panel has undertaken this joint review of members' allowances for Southend-on-Sea and Thurrock Borough Councils.

### **The Joint Panel**

6. Southend-on-Sea and Thurrock Borough Councils reconvened their joint independent remuneration Panel consisting of the following members:

- Mr Colin Sivell (Chairman)      Southend/Thurrock Borough Council  
Appointee
- Mr R. Ferris                              Thurrock Council Appointee
- Mr N. Gayner BEM JP              Southend-on-Sea Borough Council  
Appointee
- Mr W. Robb                              Southend-on-Sea Borough Council  
Appointee
- Mr R. Smallcombe                  Thurrock Council Appointee

7. The Review was supported and serviced throughout by the following Officers:

- Colin Gamble                              Head of Democratic Services  
Southend-on-Sea Borough Council
- Matthew Boulter                          Democratic Services Manager,  
Thurrock Council

8. The Panel was also supported by Declan Hall (PhD), a former lecturer at the Institute of Local Government, The University of Birmingham and currently an independent consultant specialising in Members' Allowances.

### **Terms of Reference**

9. In accordance with the 2003 Local Authorities (Members' Allowances) (England) Regulations (21. 1) and the 2006 Statutory Guidance on Regulation for Local Authority Allowances (61) the Joint Panel was asked to produce a report to make recommendations on the following:

- (a) The amount of Basic Allowance that should be payable to elected Members and the expenses it should include
  - (b) The responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance
  - (c) Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance
  - (d) The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance
  - (e) As to whether Dependants' Carers' Allowance should be payable to Members, and as to the amount of such an allowance
  - (f) As to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;
  - (g) The implementation date for the new Schemes of Members' allowances and as to whether, in the event that the schemes are amended, any such amendments should be backdated to the beginning of the municipal year.
10. In addition, the Joint Panel was asked to make recommendations on:
- (h) The Civic Allowances and amounts payable
  - (i) The payments made to the statutory post of Independent Persons
  - (j) Any other issues that are brought to the Panel's attention

### **The Joint Panel's Approach and Evidence Reviewed**

11. The Joint Panel met at the Southend-on-Sea Borough Council Civic Centre on the 24<sup>th</sup> and 25<sup>th</sup> June 2019 to hear and consider oral and written evidence from Members. To ensure that no Member was denied a voice in the review process the Joint Panel invited all the Group Leaders from each Council and representatives of non-aligned Members to interviews and all Members of both Councils were also invited to make written submissions. Relevant Officers were also invited to meet with the Joint Panel to provide factual briefings on any constitutional and governance changes since the last review in 2015.
12. The Joint Panel also reviewed further written information pertinent to the review, such as current allowances schemes from both Councils, committee terms of reference, meetings schedules, benchmarking data, statutory guidance, etc.
13. For details of whom the Panel met and full range of information reviewed see:
  - [Appendix 1](#) for a list of the full range of evidence considered by the Joint Panel
  - [Appendix 2](#) for Members and Officers who met with the Joint Panel

- Appendix 3 for Members who made written submissions to the Joint Panel

## **Principles and Observations**

### **Reducing Barriers and Providing Recompense**

14. The Joint Panel continues to be guided by the overarching principle that underpinned its previous joint reviews; namely, that it should seek to minimise barriers to public service to enable a wide a range of people to become a Councillor without incurring undue personal financial cost. Consequently, the allowances should provide a degree of recompense for time spent and responsibility carried by Members.
15. On the other hand, the Panel recognises that an element of Members' input should be voluntary, given freely as a public service so that Members do not stand for and remain on either council primarily for financial reasons.

### **Transparency**

16. The Joint Panel has always tried to ensure that the allowances schemes should be transparent so to understand how and why the allowances are being paid and for the schemes to be simple to operate. This transparency principle has led the Joint Panel to take a consistent approach in how it has arrived at its recommendations so as both elected Members and the public understand the logic of the allowances payable.

### **Alignment of Allowances**

17. In the interest of equity, the Joint Panel remains convinced that the allowances payable for the equivalent role in each council should be the same. No evidence was received to suggest there should not be equity across the board. As such, the Panel notes there are some marginal discrepancies in the levels payable for the same role and different type of allowance, arising out of different implementation dates of the main index. The Panel has decided that there is no case for these marginal differences and in its recommendations has equalised them. The Joint Panel does accept however that there are a couple of borough-specific roles that need addressing in their specific context.

### **Recognising Current Economic Context and the Role of the Panel**

18. While there was some evidence indicating that some of the allowances might merit a meaningful revision such evidence was by no means substantial. Overall, the

evidence received by the Joint Panel confirmed that the current schemes of both Councils were still fit for purpose. Moreover, the weight of the representations received by the Joint Panel indicated that general increases in allowances or numerous additional remunerated posts could not be justified. Likewise, as the means by which the Councils are publically held to account vis-à-vis their allowances the Joint Panel has to be cognisant of the broader economic context.

19. Consequently, the role of the Joint Panel during this review has been to address any anomalies arising due to legislative and structural changes over the last four years. The Panel has sought to correct any incongruities that are apparent rather than undertake a resetting of the whole allowances scheme.

## The Joint Panel's Recommendations - The Basic Allowance

### Recalibrating the Basic Allowance

20. The Panel, in line with the 2003 Statutory Guidance (paragraphs 67-69) revisited the original variables utilised in arriving at the Basic Allowance but updated those variables for the most recent values available.
21. The 3 variables and their respective values are as follows:
  - **Input:** 130 days per year
  - **Public Service Discount:** 33%
  - **Rate of Remuneration:** £94 per day
22. The expected minimum annual input of 130 days was arrived at by taking the most recent figures from the 2018 Councillors Census (LGA) which shows that 59.3 per cent of English Councillors put in up to 20 hours per week (see Table 4 page 14). The 2018 Councillors Consensus also shows that 53.5 per cent of English Councillors hold at least one position of responsibility (Table 2 page 14). As not all Councillors who hold positions of responsibility are paid an SRA it is reasonable to assume based on the 2018 figures that 20 hours per week or 130 days per year is a reasonable estimation for the time required to fulfil the roles associated with the Basic Allowance.
23. The 2006 Statutory Guidance also requires that the Basic Allowance recognises the public service principle. The Public Service Discount (PSD) is the element of a Members' time that is not remunerated and is given freely as public service or *pro bono publico*. The size of the PSD utilised by this Joint Panel and most commonly used by other IRPs is 33 per cent, often conceptualised as the element of a Councillors time that is spent dealing with constituent, ward and community issues. Thus, out of the 130 days per year expected input for Members 43 days have been assumed to be unremunerated, leaving 87 remunerated days.
24. The updated rate of remuneration is based on the 2018 median daily pay (gross)

for all full time employee jobs in Southend and Thurrock Borough Council areas.<sup>2</sup> Such a locally based rate of remuneration is typically utilised by Panels in recommending a Basic Allowance as it links the Basic Allowance to the median earnings of local residents and therefore has a logic that is reasonable and robust.

25. The recalibrated Basic Allowance has been arrived at by applying the following formula as laid out in the 2006 Statutory Guidance:
- 130 days minimum annual expected average input – 43 days per year as the Public Service Discount  
= 87 remunerated days per year
  - 87 days per year x £106 per day  
= **£9,222**
26. Thus, by and large the current Basic Allowance (Southend £9,204 and Thurrock £9,202) is in line with the recalibrated Basic Allowance.

### **Benchmarking the current Basic Allowance**

27. As a further test, the Joint Panel benchmarked the current Southend and Thurrock Basic Allowance (£9,204 and £9,202 respectively) against that paid in the comparator councils utilised for the Southend/Thurrock benchmarking group. The benchmarking, or comparator, group of 15 Councils plus Southend and Thurrock, utilised were those unitary councils that have similar sized populations to Southend and Thurrock. This exercise was carried out as a further checking mechanism to ascertain whether or not the Basic Allowance in Southend and Thurrock was in line with that paid to peers.
28. The average Basic Allowance paid in the benchmarking group is £9,970 which would suggest that the current Basic Allowance has fallen behind peers somewhat. However, this is tempered by a median Basic Allowance of £9,426.
29. Bearing in mind the weighting of the triangulation process of recalibrating the Basic Allowance, benchmarking and Members views the Panel is content that the current Basic Allowance represents a fair remuneration and the only minor adjustment required is to align them for both Councils. The Joint Panel has done this by simply rounding it down to £9,200.
30. **Consequently, the Joint Panel recommends that Basic Allowance payable for both Southend-on-Sea and Thurrock Borough Councils is aligned at £9,200.**

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<sup>2</sup> Based on 2018 median weekly pay (gross) for all full time employees living in Southend of £512.40 and £547.40 in Thurrock, which produces a joint median figure of £29.90, which then equates to £105.98 which the Panel rounded up to £106.00 per day. See Annual Survey of Hourly Earnings (ASHE), Table 7.1a Weekly pay (gross) for all full time employee jobs, UK 2018, Office of National Statistics.

## Recommended Special Responsibility Allowances – Maintaining current ratios

31. The Joint Panel received no evidence that the majority of SRAs merited revision. The following SRAs set out in Table 1 below are those that the Joint Panel has recommended to maintain their current levels but have been aligned through application of the current methodology, namely arrived at as a percentage of the recommended Basic Allowance.

**Table 1 – Recommended Aligned SRAs with no change in methodology**

<b>Recommended SRAs – No Change in percentage ratio</b>		
<b>Basic Allowance</b>	£9,200	
<b>SRAs</b>	<b>BA X %age</b>	<b>Recommended SRA</b>
Leader	350%	£32,200
Deputy Leader	180%	£16,560
Other Cabinet Members	125%	£11,500
Mayor/Chair of Council <sup>3</sup>	150%	£13,800
Deputy Mayor/Chair of Council	35%	£3,220
Leader of Largest Opposition Group	100%	£9,200
Deputy Leader of Largest Opposition Group – where Group has at least 17 Members	25%	£2,300
Leader Other Opposition Groups – where Group has at least four Members	25%	£2,300
Chairs of Scrutiny	75%	£6,900
Chair of Licensing	60%	£5,520
Vice Chair of Licensing	55%	£5,060
Chair of Planning	100%	£9,200
Vice Chair of Planning	25%	£2,300
<b>Southend Only SRAs</b>		
Chair of Audit	25%	£2,300
Chair of Appeals	25%	£2,300
<b>Thurrock Only SRAs</b>		
Chair of Standards & Audit	25%	£2,300

<sup>3</sup> While Southend pays its Mayor and Deputy Mayor a SRA Thurrock pays its Council Chair and Deputy Chair a Civic Allowance. This is purely an administrative choice and for the purposes of this review their allowances have been treated as a SRA.

## Recommended Special Responsibility Allowances – Changing current ratios

### Vice Chairs of Scrutiny Committees – both Councils

32. The Vice Chairs of the Scrutiny Committees are currently paid an SRA set at 15 per cent of the Basic Allowance. The Joint Panel considered whether they merited an SRA on the grounds that there was limited evidence that they met the test of having “significant responsibility” as set out in the 2006 Statutory Guidance (70-73). In contrast, the Vice Chairs of Licensing have a significant role in chairing the Licensing Sub-Committees and the Vice Chair of Planning will have to step in when for instance the Chair has a conflict of interest and is required to have specialist knowledge. The Planning Vice Chair will also attend briefings as routine and take part in site visits. The Vice Chairs of Scrutiny do not have any assigned discrete responsibilities beyond standing in on the odd occasion.
33. Nonetheless, the Joint Panel has decided to retain this SRA, partly as it has not accepted the case for an ‘acting up’ SRA (see below) as in most instances that is a Vice Chair’s function. Instead it has decided to reduce the percentage utilised in arriving at the recommended SRA from 15 per of the Basic Allowance to five per cent.
34. **The recommended SRA for the Vice Chairs of Scrutiny has been reset at five per cent of the recommended Basic Allowance (£9,200), equating to £460.**

### Vice Chairs of Appeals Committees A and B - Southend

35. For similar reasons outlined above, the Joint Panel has also reset the SRA (currently set at 6.25 per cent of the Basic Allowance) for the Vice Chairs of the Southend Council Appeals Committees A and B at five per cent of the recommended Basic Allowance (£9,200), which equates to £460.
36. **The recommended SRA for the Vice Chairs of Southend Council Appeals Committees A and B has been reset at five per of the recommended Basic Allowance (£9,200) which equates to £460.**

### Chair of Standards Committee - Southend

37. Currently, the Chair of the Standards Committee receives an SRA set at 20 per cent of the Basic Allowance. It is noted that while Thurrock has a combined Standards and Audit Committee with the Chair paid an SRA set at 25% of the Basic Allowance Southend has chosen to maintain 2 separate committees, Audit plus Standards, with both Chairs receiving an SRA set at 25 and 20 per cent of the Basic Allowance respectively.

38. It is not the Joint Panel's role to comment on how Southend Council organises its governance arrangements but rather to assess the relative worth of respective roles. In the case of the Standards Committee it is only scheduled to meet annually. The evidence reviewed by the Joint Panel does not support paying an SRA for the Chair of the Southend Standards Committee. It is no longer a statutory committee and since the implementation of the relevant provisions of the Localism Act 2011 its remit and powers have been much reduced. Most of its former remit is now carried out by the Monitoring Officer, typically in consultation with the statutory post of an Independent Person.
39. Consequently, the Joint Panel has decided to reset the SRA for the Chair of the Southend Standards Committee at zero per cent of the recommended Basic Allowance.
40. **The Joint Panel recommends that the SRA for the Chair of the Southend Standards Committee is reset at zero per cent of the recommended Basic Allowance (£9,200), which equates to £0.**

## Recommended additional Special Responsibility Allowances

### Chair of Corporate Parenting Committee - Thurrock

41. The one significant development in governance arrangements has been in Thurrock in that the Corporate Parenting Committee has become more prominent since the previous review. It is a standing committee that has four scheduled meetings per year. It is responsible for bringing together all elements of work by Thurrock Council to ensure that looked after children are receiving an improved service. Its work now reflects the importance that the Council assigns to corporate parenting, e.g., all Thurrock Members are promoted as corporate parents by the Committee and the enhanced importance that corporate parenting has at a national governmental level.<sup>4</sup>
42. Representation was received that the Chair of the Thurrock Corporate Parenting Committee merits an SRA, and the Joint Panel agrees that the Chair does meet the test of significant responsibility. As such, the Joint Panel has decided that the SRA should be set on a par with the SRA paid to the Chair of Standards and Audit, which is 25 per cent of the recommended Basic Allowance.
43. **The Joint Panel recommends that the Chair of the Thurrock Corporate Parenting Committee is paid an SRA set at 25 per cent of the recommended Basic Allowance (£9,200), which equates to £2,300.**

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<sup>4</sup> Southend also has corporate parenting arrangements in place but prime responsibility is assigned to the relevant Cabinet Member.



## **Additional Special Responsibility Allowances considered – not recommended**

### **Chairs of Task Forces, Working Groups and Panels – both Councils**

44. Similarly, representation was received that there was merit in paying an SRA to Chairs of Task Forces, Working Groups and Panels that while time limited are expected to undertake an intensive period of work reflecting Council priorities or particular issues of current concern. While accepting the importance of these type of bodies to the work of both Councils the Joint Panel did not accept that the role of chairing them merited an SRA. By their nature they are more indefinite than a standing committee, with no or limited formal constitutional recognition in that they are not required to have formally scheduled meetings, are not required to publish minutes and often include wider stakeholders who also undertake a lot of the work. It is not unreasonable to expect all Members in a term of office to chair similar types of bodies, which is recognised in the payment of the Basic Allowance. The Joint Panel would also not be able to monitor the relative importance of such a body even if it was to put a cap on the number of SRAs payable at any one time. Finally, as the benchmarking showed, such SRAs are not typically paid in other authorities.
45. **The Joint Panel recommends that an SRA for the Chairs of Task Forces, Working Groups and Panels should not be paid.**

### **An ‘Acting Up’ SRA – chairing in absence of Chair and Vice Chair**

46. Representation was also received arguing for a one-off or acting up SRA for when an ordinary member of a committee had to chair that committee in the absence of the Chair and Vice Chair. The Joint Panel was informed that such occurrences were very rare and to pay such an SRA would then question the rationale behind paying SRAs to the majority of Vice Chairs. Moreover, as with the expectation that all Members could be called upon to chair working groups, task forces, etc. it is not unreasonable to expect that a Member may on occasion have to chair a formal committee in the highly unlikely event that the Chair and Vice Chair are unable to do so. It does not meet the test of significant responsibility.
47. **The Joint Panel recommends that an “acting up” SRA should not be paid.**

### **Confirming the “1-SRA only” Rule**

48. **In line with good practice the Panel recommends that the allowances schemes for both Councils continues to prohibits the receipt of more than 1 SRA regardless of the number of remunerated posts a Member may hold.**

## The Independent Person (IP)

49. All English councils are required to appoint at least one Independent Person (IP) whose role is to act as a source of advice to the Monitoring Officer when a complaint is made against a Member and to provide further advice in any subsequent hearings and appeals. The Independent Person has to have some legal expertise and to be able to exercise objective judgement. They are not a formal co-opted Member of the Council and their remuneration does not fall within the 2003 Regulations but the Joint Panel has been asked to provide a view in the absence of any other external validation.
50. Currently, the IP in Thurrock is paid £500 per year which was simply set as a starting point but was never revisited, while the Southend IP is paid an annual fee of £1,084, set at 12.5% of the Basic Allowance at the time. The discrepancy in the remuneration of the IPs in the respective councils arises out of it being set separately.
51. However, both IPs perform broadly similar roles, the only difference being the number of times they may be called upon by their respective Monitoring Officer. In line with the Joint Panel's principle of aligning allowances it has decided that both IPs should be paid the same and set their remuneration at 12.5% of the recommended Basic Allowance of £9,200.
52. **The Joint Panel recommends that the annual remuneration of the Independent Person for both Southend and Thurrock Councils should be reset at 12.5 per cent of the recommended Basic Allowance (£9,200), which equates to £1,150.**

## Other Allowances – The Co-optees' Allowances

53. Currently both Council pay a Co-optees' Allowance to their Co-optees on their Standards and/or Audit Committees set at 12.5 per cent of the Basic Allowance and to their statutory Co-optees on Scrutiny Committees, set at three per cent of the Basic Allowance. No evidence was received to indicate that these rates required revising. There is however a slight discrepancy in how the Co-optees are listed in each scheme that could cause some confusion on which Co-optees are eligible for a Co-optees' Allowance and the definition of eligible Co-optees should be aligned in the interests of clarity and equity.
54. **The Joint Panel recommends that the following Co-optees Allowances are paid and that each scheme describes the two categories of Co-optees as set out below:**
- **Co-optees on Audit** £1,150 (set at 12.5% X BA - £9,200)
  - **Statutory Co-optees on Scrutiny** £270 (set at 3% X BA - £9,200)

55. The Joint Panel considered whether there was a case to extend the Co-optees' Allowance to other Co-optees that each Council may decide to appoint from time to time. The Joint Panel decided against making such a recommendation. Benchmarking showed that the Co-optees' Allowance is typically restricted to Audit Co-optees, who are appointed for their financial expertise and statutory Co-optees on Scrutiny. To go beyond these two categories of Co-optees can lead to divergence in the scope of Co-optees who are remunerated.

### **The Dependants' Carers' Allowance (DCA)**

56. No representation was received to suggest that the scope and level of reimbursements claimable under the Dependants' Carers' Allowances needed revising except in one respect – the hourly rate that may be claimed for the 'Basic Sitters' allowance. This is the rate that may be claimed for child care by a baby sitter. The current rates are out of date and the trend now is to simply link it to the 'National Living Wage.'
57. **The Joint Panel recommends that the current scope and level of reimbursements payable under the Dependants' Carers' Allowance are unaltered with the exception of the 'Basic Sitters' rate, which should be changed to read payable at the "National Living Wage"..**

### **Subsistence Allowances**

58. No issues were raised regarding the Subsistence Allowances. However, the Joint Panel noted that there are slight differences in the rates of subsistence allowances payable in each Council with Southend paying a marginally higher rate. In accordance with the Joint Panels' principle of aligning allowances it is recommended that both Councils adopt the Southend rates as set out below:

#### **Subsistence Allowances**

<b>(a) Breakfast Allowance</b>	<b>£6.72</b>
<b>(b) Lunch Allowance</b>	<b>£9.28</b>
<b>(c) Tea Allowance</b>	<b>£3.67</b>
<b>(d) Evening Meal Allowance</b>	<b>£11.49</b>
<b>(e) Overnight Subsistence</b>	
• <b>London/LGC Conference – B&amp;B</b>	<b>£124.97</b>
• <b>Any other location – B&amp;B</b>	<b>£109.56</b>

### **Travel Allowances:**

59. No issues were raised with the Joint Panel regarding Travel Allowances. It is noted that in regards to the mileage allowance both Councils now pay HMRC rates.

However, it is becoming increasingly common for Councils to make provision for a mileage rate for electric/hybrid vehicles and the Joint Panel is making a recommendation in this regard. **The Joint Panel recommends that current rates and conditions for claiming travel allowances are maintained at the following rates:**

**Table 2: HMRC Authorised Mileage Approved Payments (AMAPS)**

<b>Mode of Transport</b>	<b>First 10,000 miles in year</b>	<b>Additional miles</b>
<b>Cars and vans</b>	45p	25p
<b>Motor cycles</b>	24p	24p
<b>Bicycles</b>	20p	20p

### **Electric/Hybrid Vehicles**

60. To future proof the allowances schemes the Joint Panel considered appropriate mileage rates for electric/hybrid vehicles. It is noted that the Office for Low Emission Vehicles in advice issued 14<sup>th</sup> May 2018 (paragraph 12.2) states that “electric and hybrid cars are treated in the same as petrol and diesel cars for the purposes of AMAPs.”<sup>5</sup>
61. Consequently for the sake of clarity **the Joint Panel further recommends that in line with advice issued by the Office for Low Emission Vehicles that mileage rates for electric and hybrid vehicles are paid at the same AMAP rates as set out above in table 2.**

### **Indexation**

62. **The Panel recommends that the following indices are applied to the remuneration and allowances paid to Members of both Councils:**
- a. **Basic Allowance, SRAs, Co-optees & IP Allowances:**
    - Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.
  - b. **Mileage Allowance:**
    - Adjusted in line with applicable HMRC rates
  - c. **Subsistence Allowances:**
    - The day subsistence allowances and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.

<sup>5</sup> [ultra-low-emission-vehicles-tax-benefits.pdf](#)

- d. **DCA:**
  - **Child Care rates:**
    - Indexed to national living wage

### **Implementation of Recommendations**

63. **The Panel further recommends that both Southend-on-Sea and Thurrock Borough Councils implement the recommendations contained in this report from 1 August 2019.**

## **Appendix One:**

### **Information received by the Joint Independent Remuneration Panel**

1. Terms of Reference for JIRP
2. The Joint Independent Remuneration Panel for Southend-on-Sea Borough Council and Thurrock Borough, Review of Allowances Report, July 2015, including
  - a. Report of Corporate Director for Corporate Services to Southend-on-Sea Borough Council, "Review of Members Allowances" 23<sup>rd</sup> July 2015 and Council Minutes recording decision
  - b. Report of Chair of the Joint Independent Remuneration Panel "Review of Members' Allowances – Report of the Joint Independent Remuneration Panel", Thurrock Borough Council, 22<sup>nd</sup> July 2015 and Council Minutes recording decision
3. Copies of written submissions from Members
4. National Joint Council for Local Government Services Local Government Staff Pay awards 2018/19 and 2019/20
5. Benchmarking data from other comparable unitary authorities
6. Statutory Instruments: 2003 No. 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003
7. Statutory Guidance on Consolidated Regulations for Local Authority Allowances May 2006. Introduction + paragraphs 1-90
8. Power point presentation to JIRP by Declan Hall PhD, advisor and JIRP support, "JIRP Briefing/Update – reviewing allowances, the Southend and Thurrock model of remuneration, including benchmarking, issues of concern and options
9. National Census of Local Authority Councillors 2018, Local Government Association, March 2019

### **Southend-on-Sea Borough Council Information**

10. Southend-on-Sea Borough Council, Members' Allowances Scheme, 2019-20
11. Southend-on-Sea Borough Council, Annual statutory publication of allowances and expenses received by Members 2018/19
12. Southend-on-Sea Borough Council, Schedule 2 - The Constitution and Terms of Reference of Cabinet, Committees, etc., January 2019

13. Southend-on-Sea Borough Council, Political Structure Chart
14. Southend-on-Sea Borough Council, Schedule of Council meetings 2019/20.

### **Thurrock Borough Council Information**

15. Thurrock Borough Council, Members' Allowances Scheme, 2019-20
16. Thurrock Borough Council, Annual statutory publication of allowances and expenses received by Members 2018/19
17. Thurrock Borough Council, Constitution Part Four, Terms of Reference for Cabinet, and Committees, 5 April 2016
18. Thurrock Borough Council, Political Structure Chart
19. Thurrock Borough Council, Calendar of Council Meetings 2019/20

## **Appendix Two:**

### **Members and Officers who met with the Joint Panel**

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

##### **Members:**

Cllr S. Aylen                      Non-aligned Councillor

Cllr I. Gilbert                      Leader of the Council and Labour Group

##### **Officers (Briefings):**

Colin Gamble:                      Head of Democratic Services

#### **Thurrock Borough Council:**

##### **Members:**

Cllr R. Gledhill                      Leader of the Council and Conservative Group

##### **Officers (Briefings):**

Matthew Boulter                      Democratic Services Manager



## **Appendix Three:**

### **Written Submissions Received by the Panel**

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

Cllr B. Ayling	Vice-Chairman Licensing Committee A and Independent Group Member
Cllr J. Beck	Labour Group Member
Cllr I. Gilbert	Leader of the Council and Labour Group
Cllr C. Walker	Conservative Group Member

#### **Thurrock Borough Council:**

Cllr D. Huelin	Cabinet Member for Performance Communities and Culture and Conservative Group Member
Cllr S. Little	Cabinet Member for Social Services, Chair of Health & Wellbeing Board and Conservative Member
Cllr J. Potheary	Leader of the Labour (Main) Opposition Group

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## Appendix 2

### Part 6 – Members’ Allowances Scheme – 2019 / 2023

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## Part 6 – Members’ Allowance Scheme – 2019 / 2023

Type	Allowance Per Annum
<b>Basic Allowance (“BA”)</b> (for all elected Councillors x 51)	£ 9,200
<b>Special Responsibility Allowances (“SRA”)</b>	
<b>Note:</b> SRAs are paid in addition to BA, but no Councillor shall be entitled to payment of more than one SRA regardless of the number of remunerable posts they hold. If a Councillor holds more than one post which attracts an SRA, it will be assumed they will be paid the higher SRA.	
Leader	£32,200 (350% of BA)
Deputy Leader	£16,500 (180% of BA)
Cabinet Member (other than Leader and Deputy)	£11,500 (125% of BA)
Mayor <sup>1</sup>	£13,800 (150% of BA)
Deputy Mayor <sup>1</sup>	£ 3,220 (35% of BA)
Leader of the largest opposition group	£ 9,200 (100% of BA) (If two main opposition groups are equal in size, each group leader will be paid 100% of BA.)
Leader of other opposition groups	£ 2,300 (25% of BA) (But if opposition group has less than 4 members then this SRA is not payable.)
Deputy Leader of largest opposition group	£2,300 (25% of BA) (But if opposition group has less than 17 members, namely one third of the Council, then this SRA is not payable.)
Chairs of Scrutiny Committees (x 3)	£ 6,900 (75% of BA)
Vice-Chairs of Scrutiny Committees (x3)	£ 460 (5% of BA)
Chair of Development Control Committee	£ 9,200 (100% of BA)
Vice-Chair of Development Control Committee	£ 2,300 (25% of BA)
Chair of Audit Committee	£ 2,300 (25% of BA)
Chair of Licensing Committee / Chair of Licensing Sub-Committee (A or B)	£ 5,520 (60% of BA)
Vice-Chair of Licensing Committee / Chair of Licensing Sub-Committee (A or B)	£ 5,060 (55% of BA)
Chairs of Appeals Committee A and Appeals Committee B (x 2)	£ 2,300 (25% of BA)
Vice-Chairs of Appeals Committee A and Appeals Committee B (x 2)	£ 460 (5% of BA)
Chair of Standards Committee	£ 0

<b>Type</b>	<b>Allowance Per Annum</b>
Group Leader of a group in a Joint Administration not otherwise in receipt of an SRA.	£ 0
Chair of Health & Wellbeing Board	£ 0

<b>Co-opted Members Allowance</b>	
Audit Committee	£ 1,150 (12.5% of BA)
Statutory Co-opted Members on Scrutiny Committees	£ 270 (3% of BA)
<b>Independent Persons</b>	
Independent Persons (re Standards Regime)	£ 1,150 (12.5% of BA)

<b>Dependants' Carers' Allowance</b>	
Basic "sitters" allowance	To be linked to the National Living Wage
Professional carers	Up to £10.00 per person cared for per hour
Specialist carers	Up to £15.00 per person cared for per hour
Booking fees	Actual up to £10.00
<b>1.</b>	Councillors and Co-opted Members shall be entitled to claim for the care of dependents in accordance with the rates set out in this scheme, subject to the provisions in 1.1 below.
<b>1.1</b>	The following provisions apply to Dependants' Carers' Allowances:
	<p><b>(a)</b> Payments shall be claimable in respect of children up until their fifteenth birthday or in respect of dependants where there is medical or social worker evidence that care is required.</p> <p><b>(b)</b> The Council reserves the right to require evidence that there is a reasonable need for the level of care in respect of which a claim is made. Councillors / Co-opted Members seeking to claim an allowance to cover the cost of professional or specialist carers should first seek the approval of the Executive Director (Legal &amp; Democratic Services).</p> <p><b>(c)</b> A claim will be reimbursed where it is a reasonable requirement of the market that a booking fee is payable and that a rate is payable for each person cared for.</p> <p><b>(d)</b> The allowance shall be paid as a reimbursement of actual incurred expenditure against receipts. If receipts are unavailable the payment will be made through the Council's payroll and be subject to tax and national insurance contributions.</p> <p><b>(e)</b> When there is more than one Councillor / Co-opted Member in a household, only one claim can be made in respect of each person cared for.</p> <p><b>(f)</b> The paid carer cannot be a member of the immediate family or household.</p>

<b>Travelling &amp; Subsistence Allowances (Out of Borough Approved Duties Only)</b>	
<b>1.</b>	Councillors (including Co-opted Members) are entitled to claim travelling and subsistence allowances at the same rates as apply to Council officers (see details in 3 below) in connection

	with, or relating to, one or more of the following <b>Approved Duties</b> which are undertaken or take place <u>outside</u> the Borough of Southend-on-Sea:
1.1	Attendance as the Council's appointee or nominee (or substitute) at the meeting of any body to which the Council makes appointments or nominations (or any committee or sub-committee of such a body) <u>provided that</u> no such allowances are payable by the body concerned.
1.2	Attendance at a meeting, the holding of which is authorised by the Council (or a committee, sub-committee or joint committee), <u>provided that</u> :  (a) it is a meeting to which members of at least two political groups have been invited; and  (b) no such allowances are otherwise payable in respect of that meeting.
1.3	Attendance as the Council's nominee (or substitute) at a meeting of any association of authorities of which the Council is a member e.g. the Local Government Association <u>provided that</u> no such allowances are payable by the association concerned.
1.4	Attendance at such other meetings, conferences, presentations, training events, etc where it is in the interests of the Council that the Councillor / Co-opted Member attends and such attendance is approved in advance by:  (a) Council, Cabinet or a Committee; or  (b) The Chief Executive or the Executive Director (Legal & Democratic Services) under paragraph 4.2 of the Delegations Scheme in Part 3, Schedule 3 of the Constitution.
2.	No travelling or subsistence allowances are payable to Councillors (or Co-opted Members) in connection with, or relating to, any duties which are undertaken or take place within the Borough of Southend-on-Sea: The Basic Allowance already reflects in-Borough travel and subsistence costs.
3.	<b>Claiming and Payment of Travelling &amp; Subsistence Allowances re Out of Borough Approved Duties only</b>  <ul style="list-style-type: none"> <li>▪ Councillors (including Co-opted Members) are entitled to receive payment of travelling and subsistence allowances in accordance with the respective rates prescribed under the Officer Allowances Scheme (as detailed in 3.1 and 3.2 below). <b>Councillors (incl. Co-opted Members) can only claim allowances for travel undertaken and for subsistence costs actually incurred.</b></li> <li>▪ Councillors (including Co-opted Members) are responsible for completing their own travel and subsistence claims on the official form which Internal Audit shall prescribe which should be sent to the Councillors' Officer – Legal &amp; Democratic Services.</li> <li>▪ Claim forms must be submitted by the 15<sup>th</sup> day of the following month for which a claim relates <b>otherwise it will not be paid.</b></li> <li>▪ Claims are liable for checking as they are processed by the Payroll team and Councillors / Co-opted Members may be contacted if Payroll has any queries.</li> </ul>
3.1	<b>Travelling Allowances (Out of Borough – Approved Duties only)</b>  (a) <b>Car Allowances</b>  A car allowance is payable at 45p per mile (up to 10,000 miles), 25p per mile thereafter (such allowance to also apply to electric/hybrid vehicles) and subject to the following conditions:  <ul style="list-style-type: none"> <li>▪ Return car mileage is calculated by reference to the shortest practicable route from the Councillor's / Co-opted Member's normal place of residence to the point at which the approved duty is performed.</li> <li>▪ Mileage can be claimed for a car in which a Councillor / Co-opted Member is</li> </ul>

being driven by a family member or friend - provided that person is not also submitting a mileage claim for the same trip.

- There is no allowance payable for additional passengers travelling with the driver.
- Any travel claim should reflect actual trips undertaken. The claim form should record the date, start and finish times, start and finish points of the journey, purpose of the journey, and actual mileage or other travel expense for each journey. Journey distances can be checked via the AA web site – and if there are special reasons why a longer route was taken then these should be stated on the form.
- A Councillor / Co-opted Member using their own car and claiming mileage must ensure that they hold a current driving license and have current motor insurance that permits the use of the vehicle for Council business and indemnifies the Council against 3<sup>rd</sup> Party claims.

**(b) Motor Cycle Allowances**

This is payable at 24p per mile and the conditions in (a) above apply.

**(c) Bicycle Allowances**

This is payable at 20p per mile.

**(d) Public Transport**

Councillors and Co-opted Members who travel by public transport can claim the relevant bus fare or second class rail fare. First class travel or taxis should only be used in exceptional circumstances. Whenever first class rail or taxi fare is claimed, the reason for such should be stated on the claim form.

Wherever possible receipts or the ticket should be accompanied the claim. Where no receipt is provided, claims will be subject to tax and National Insurance deductions.

**(e) Air Travel**

Councillors and Co-opted Members who travel by air should only claim economy or budget fare.

**3.2 Subsistence Allowances**

The following subsistence allowances apply subject to the conditions set out in (f) below:

<b>(a)</b>	<b>Breakfast Allowance</b> Need to be at venue before 11:00 am	<b>£6.72</b>
<b>(b)</b>	<b>Lunch Allowance</b> Need to be at venue between 12 noon and 2:00 pm	<b>£9.28</b>
<b>(c)</b>	<b>Tea Allowance</b> Need to be venue between 3:00 pm to 6:00 pm	<b>£3.67</b>
<b>(d)</b>	<b>Evening Meal Allowance</b> Need to be venue after 7:00 pm	<b>£11.49</b>
<b>(e)</b>	<b>Overnight Subsistence</b> Need to be at venue overnight – London / LGC Conferences – B&B	<b>£124.97</b>
	– any other location – B&B	<b>£109.56</b>



	<p><b>(f)</b> Conditions applicable to all subsistence allowances in (a) – (e):</p> <ul style="list-style-type: none"> <li>▪ To qualify for reimbursement, the Councillor / Co-opted Member must be away from his / her normal place of residence for a minimum of four hours. (This time period applying to the time spent in travel, to and from, and attendance at the Approved Duty.)</li> <li>▪ There must be no meal provided at the location where the Approved Duty is performed, either by the Council or the organisers of the event.</li> <li>▪ The Councillor / Co-opted Member should attach a receipt to his / her expenses claim form to show that a meal or other subsistence was purchased. Where no receipt is provided, claims will be subject to tax and National Insurance deductions.</li> </ul>
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### **Schools Appeals Panel Members**

Schools Appeals Panel (Admissions and Exclusions) members shall be entitled to receive travelling and subsistence allowances payable at the same rates that are applicable to elected Councillors and Officers.

## **Members' Allowances – Other Terms and Conditions**

### **1. The Basic Allowance includes:**

- A sum for in-Borough travel and subsistence;
- The reasonable use of the internet – see paragraphs 10.2 and 20.2 of the Internet and Electronic Mail Code of Practice and Minute 71 of Economic Scrutiny Committee 10<sup>th</sup> July 2001; and
- The cost of postage, stationery and minor items of office equipment (not printing cartridges and paper).

### **2. Other Facilities**

In addition to Councillors' Allowances, the Council provides various facilities to Councillors in order that they may carry out their duties effectively. These include computer equipment and telephone facilities and business related call charges.

The Council also offers all elected Councillors a free car park pass for use in any Council "Pay and Display" controlled parking zone, provided the pass is used solely in connection with undertaking official duties on behalf of the Council. Elected Councillors must sign a declaration confirming that they will abide by the conditions of use. Any breach of such conditions will result in the pass being withdrawn.

### **3. Pensions**

Elected Councillors are not entitled to join the Local Government Pension Scheme by virtue of the LGPS (Transitional Provisions Savings & Amendment) Regulations 2014.

### **4. Implementation of the Scheme**

The Joint Independent Review Panel (JIRP) recommended that this revised scheme be applied from 1<sup>st</sup> August 2019.

### **5. Forgoing Allowances**

Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003 provides that a Councillor may, by notice in writing given to the Proper Officer of the Authority (Chief Executive), elect to forgo his entitlement or any part of his entitlement to allowances.

## **6. Indexation**

This scheme comes into effect on 1<sup>st</sup> August 2019 and is subject to Indexation as follows:

### **(a) Basic Allowance, SRAs and Co-optees Allowances**

Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable. The first date for indexation is therefore May 2020.

### **(b) Mileage Allowance**

To be updated by reference to the rates which apply to officers (HMRC rates).

### **(c) Subsistence Allowances**

The day subsistence allowance and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.

### **(d) Dependants' Carers' Allowance**

Child Care rates – indexed to National Living Wage.

## **7. Questions and Interpretation**

All questions about the interpretation and application of the Councillors' Allowance Scheme should be referred to the Head of Democratic Services.

## SOUTHEND-ON-SEA BOROUGH COUNCIL AND CLIMATE CHANGE

Council notes the impacts of climate change which were considered in the Report on Global Warming, published by the Intergovernmental Panel on Climate Change in October 2018, that describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise; confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector; and states that all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies.

Furthermore, Council notes the recent statement from Government that the target for zero emissions is to be set at 2050, and the IPCC's finding that net-zero carbon dioxide emissions must be reached by 2030. Strong policies to cut emissions also have associated health, wellbeing and economic benefits; and recognising this, a growing number of UK local authorities have already passed 'Climate Emergency' motions.

### MOTION

**Given the special situation of this Borough geographically, ecologically and environmentally, Southend-on-Sea Borough Council therefore declares a Climate Emergency requiring urgent action and commits to the following six actions, and in so doing calls on the Government to provide the powers, resources and help with funding to achieve them, and urges its local MPs to support this action and lobby Government accordingly -**

1. ensuring action is taken to achieve net-zero carbon by 2030 if not earlier for its activities, supporting and working with all other relevant agencies towards making the Borough zero carbon by that date and that all strategic decisions, budgets and approaches to planning decisions are aligned with a shift to zero carbon and achieving 100% clean energy across the Council's full range of functions by 2030 if not earlier, as part of the Borough's 2050 Vision;
2. ensuring that this work is embedded within all political and senior officer leadership teams in all areas to effect the reduction, as rapidly as possible, of carbon emissions resulting from the Council's activities, with any recommendations fully costed and that the Executive and Scrutiny Committees review Council policies, strategies and activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline. This leadership to be led across the Council by key roles selected by the Chief Executive and the Cabinet.
3. working with, influencing and inspiring partners across the Borough and region to help deliver this goal through all relevant strategies, plans and shared resources and sets up a Climate Change Partnership group, involving Councillors, residents, climate science and solutions experts, businesses and other relevant parties, and in particular the young people who will have to live with the consequences of our actions, to consider strategies and actions being developed by the Council and other partner organisations and develops a strategy in line with a target of net zero emissions by 2050 if not earlier, including ways to maximise local benefits of these actions in other sectors;
4. reporting on the level of investment in the fossil fuel industry alongside sustainable and renewable energy schemes that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio;

5. ensuring that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the Council will lead and take to address this emergency;
6. considering other actions that could be implemented, such as renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;

Proposed by Cllrs Wexham, Mulronev and Dent

Secoded by Cllrs Collins, Hooper, Thompson and Mitchell

**Better Queensway Development**

Better Queensway is the largest regeneration project that this Council has undertaken for many years, and has been supported by both administrations since it was started.

The rebuilding of better homes for our tenants in the multi-story blocks and providing at least 600 new affordable homes, as well as producing a boost for our town centre, is to be commended.

In the light of the National Housing Shortage, this Council resolves,

1. To fully support our partners Swan Housing Association to expedite commencement and completion of the project at an early stage thus supporting this Council's 2050 ambition.
2. To deliver updates at least twice a year to elected members to ensure that progress is not impeded in any way.
3. To hold regular meetings with our tenants so that they are fully aware of the progress to date.

Proposed By:

Cllr Davidson  
Cllr Garston

Seconded By:

Cllr Boyd  
Cllr Bright  
Cllr Buck  
Cllr Burzotta  
Cllr Cox  
Cllr Dear  
Cllr Evans  
Cllr Folkard  
Cllr Garne  
Cllr Habermel  
Cllr Jarvis  
Cllr McGlone  
Cllr Moring  
Cllr Nelson  
Cllr Salter  
Cllr Walker

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To Full Council: 18<sup>th</sup> July 2019

Notice of Motion

34

Seaway Car Park Development

A viable development on Seaway Car Park must satisfy the seafront's parking needs. The proposed development comprises a 1370 seat multi-screen cinema, 10 restaurants, an 80 bedroom hotel, bowling alley and an amusement centre. Currently, there are 661 car parking spaces at Seaway Car Park. The proposals only contains provision for 555 car parking spaces.

**This Council therefore resolves that it should:**

1. Provide additional parking spaces either at, or in the immediate vicinity, of the proposed Seaway Car Park Development to meet the shortfall of parking spaces.
2. Be in addition to any proposed increase of spaces at Tylers Avenue/York Road Car Park.

**Proposed  
By:** Cllr Buck  
Cllr Davidson

**Seconded  
By** Cllr Boyd  
Cllr Bright  
Cllr Burzotta  
Cllr Davidson  
Cllr Dear  
Cllr Evans  
Cllr Folkard  
Cllr Garne  
Cllr Garston  
Cllr Habermel  
Cllr Jarvis  
Cllr McGlone  
Cllr Moring  
Cllr Nelson  
Cllr Salter  
Cllr Walker

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