

# Public Document Pack

## Southend-on-Sea Borough Council

Civic Centre  
Southend-on-Sea

22 October 2020

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held virtually on the Microsoft Teams platform in accordance with Part 2 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 on, **Thursday 29<sup>th</sup> October 2020 at 6.30pm** for the transaction of the following business.

A Griffin  
Chief Executive

### **A G E N D A**

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Meeting held on Thursday 10th September 2020 (Pages 1 - 20)**  
Minutes attached
- 7 Petition - Wren Avenue Lower Speed Limit and introduce one-way (Pages 21 - 22)**  
Prayer of Petition attached
- 8 Minutes of the Meeting of Licensing Sub Committee B held on Monday 20th July 2020 (Pages 23 - 24)**  
Minutes attached
- 9 Minutes of the Meeting of Licensing Sub Committee B held on Friday 4th September 2020 (Pages 25 - 26)**  
Minutes attached

- 10 Minutes of the Meeting of the Health & Wellbeing Board held on Tuesday 8th September 2020 (Pages 27 - 34)**  
Minutes attached
- 11 Minutes of the Meeting of Development Control Committee held on Wednesday 9th September 2020 (Pages 35 - 86)**  
Minutes attached
- 12 Minutes of the Meeting of Licensing Sub Committee A held on Monday 14th September 2020 (Pages 87 - 88)**  
Minutes attached
- 13 Minutes of the Meeting of Cabinet Committee held on Monday 14th September 2020 (Pages 89 - 92)**  
Minutes attached
- 14 Minutes of the Meeting of Cabinet held on Tuesday 15th September 2020 (Pages 93 - 114)**  
Minutes attached
- 15 Minutes of the Meeting of Cabinet Committee held on Tuesday 22nd September 2020 (Pages 115 - 116)**  
Minutes attached
- 16 Minutes of the Meeting of Special Cabinet Committee held on Tuesday 6th October 2020 (Pages 117 - 118)**  
Minutes attached
- 17 Minutes of the Meeting of Development Control Committee held on Wednesday 7th October 2020 (Pages 119 - 132)**  
Minutes attached
- 18 Minutes of the Meeting of Licensing Sub Committee B held on Thursday 8th October 2020 (Pages 133 - 136)**  
Minutes attached
- 19 Minutes of the Meeting of Place Scrutiny Committee held on Monday 12th October 2020 (Pages 137 - 140)**  
Minutes attached
- 20 Minutes of the Meeting of Appeals Committee A held on Tuesday 13th October 2020 (Pages 141 - 142)**  
Minutes attached
- 21 Minutes of the Meeting of People Scrutiny Committee held on Tuesday 13th October 2020 (Pages 143 - 146)**  
Minutes attached
- 22 Minutes of the Meeting of Policy and Resources Scrutiny Committee held on Thursday 15th October 2020 (Pages 147 - 150)**  
Minutes attached

- 23 Notice of Motion - Street Prostitution in Southend (Pages 151 - 152)**  
Notice of Motion attached
- 24 Opposition Business - Collapse of Robin Hood Energy**
- 25 Appointments and Amendments to Committees etc. (Pages 153 - 154)**  
Attached

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of The Council

Date: Thursday, 10th September, 2020

Place: Virtual Meeting - MS Teams

# 6

**Present:** Councillor J Lamb (Chair)  
Councillors M Flewitt (Deputy Chair), S Ayles, B Ayles, 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, D Jarvis, 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, S Wakefield, N Ward, C Walker, P Wexham and R Woodley

**Start/End Time:** 6.30 - 10.45 pm

### 288 Apologies for Absence

There were no apologies for absence at this meeting.

### 289 Declarations of Interest

- **Councillor Ayles**

**Council – 10<sup>th</sup> September 2020**

Agenda item 30 (Notice of Motion: Recruit two Special Constables per ward) – Non-pecuniary interest: son is a Special Constable;

- **Councillor Beck**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: has received emails from the applicant;

- **Councillor Borton;**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Easement) – Non-pecuniary interest: Daughter employed in mental health unit at Basildon Hospital;

**Council – 10<sup>th</sup> September 2020**

Agenda Item 27 (Notice of Motion: EasyJet) – Non-pecuniary interest: niece works at Southend Airport;

- **Councillor Burton**

**Appeals Committee B – 13<sup>th</sup> August 2020**

Minute 257 (School Transport Appeal – Pupil JM) – Non-pecuniary interest: reference made to King John school;

- **Councillor Burzotta**

**Council – 10<sup>th</sup> September 2020**

Agenda Item 6 (Public Questions from A. Atkinson) – Non-pecuniary interest: has businesses in the area of Hamlet Court Road;

- **Councillor Collins**

**Cabinet Committee – 27<sup>th</sup> July 2020**

Minute 197 (Traffic Regulation Orders (Junction Protection – Various locations) – Non-pecuniary interest: Lives in Green Lane, which is named on six of the draft orders and knows personally residents and has canvassed them for their opinion on nine of the proposed restrictions situated in Eastwood Park Ward;

- **Councillor Cowan**

**Council – 10<sup>th</sup> September 2020**

Agenda Item 24 (Notice of Motion: Conversion of Twenty One site into Cycle Hub and Café) – Non-pecuniary interest: friends work for Forward Motion;  
Agenda Item 28 (Notice of Motion: Ekco Park) – Non-pecuniary interest: has had conversations with residents about the matter;

- **Councillor Cox**

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 286 (Notice of Motion: No overnight camping in the Borough) – Non-pecuniary interest: owns a static caravan outside the Borough;

- **Councillor Davidson**

**Audit Committee – 12<sup>th</sup> August 2020**

All minutes in so far as they related to South Essex Homes – Non-pecuniary interest: Non-Executive Director of South Essex Homes;

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 284 (Balmoral Estate) – Non-pecuniary interest: Non-Executive Director of South Essex Homes;

- **Councillor Dear**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: has received emails from the applicant;

- **Councillor Dent**

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 286 (Notice of Motion: No Overnight Camping in the Borough) – Non-pecuniary interest: Former member of scouting organisations;

**Council – 10<sup>th</sup> September 2020**

Agenda Item 24 (Notice of Motion: Conversion of Twenty One site into Cycle Hub and Café) – Non-pecuniary interest: friends works for Forward Motion;

- **Councillor F Evans**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: has been lobbied in the past on application on this site, but not this application specifically;

- **Councillor Flewitt**

**Cabinet Committee – 27<sup>th</sup> July 2020**

Minute 195 (Snakes Lane Waiting Restrictions) – Non-pecuniary interest: has lobbied and been lobbied about the waiting restrictions and lives in the vicinity;

Minute 197 (TRO's – Junction Protection (various locations)) – Non-pecuniary interest: Has lobbied and been lobbied for some of these TRO's;

Minute 198 (Bell Junction Improvement Scheme TRO's) – Non-pecuniary interest: has lobbied and been lobbied on aspects of these TRO's;

**Cabinet – 28<sup>th</sup> July 2020**

Minute 206 (Parking Policy Statement) – Non-pecuniary interest: Discussions on social media and with residents on this matter;

Minute 209 (Balmoral Estate) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

Minute 210 (Care Act Easement) – Non-pecuniary interest: spoke and secured some amendments on the matter at the People Scrutiny Committee held 2<sup>nd</sup> September;

Minute 212 (Notice of Motion: Footpath Cycling) – Non-pecuniary interest: Named supporter of the Motion;

Minute 213 (Notice of Motion: No overnight camping the Borough) – Non-pecuniary interest: Named supporter of the Motion and has commented in social media about the matter;

Minute 214 (Safeguarding Annual Report (Adults and Children) – Non-pecuniary interest: Spoke and secured refreshed training on the matter at People Scrutiny Committee held 2<sup>nd</sup> September;

#### **Standards Committee – 28<sup>th</sup> July 2020**

Minute 219 (Draft Model Code of Conduct) – Non-pecuniary interest: Taking part in a webinar and completed the on-line consultation;

#### **Development Control Committee – 29<sup>th</sup> July 2020**

Minute 235 (59 The Bentleys, Eastwood, LOS) – Disqualifying Non-pecuniary interest: Has had email correspondence with the objector to the application;

#### **Place Scrutiny Committee – 1<sup>st</sup> September 2020**

Minute 267 (Parking Policy Statement) – Non-pecuniary interest: discussed the matter on social media and with residents;

#### **People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Easement) – Non-pecuniary interest: Family member employed at an NHS Trust outside the Borough;

#### **Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 284 (Balmoral Estate) – Non-pecuniary interest: friends and family are tenants of South Essex Homes;

Minute 285 (Notice of Motion: Footpath Cycling) and Minute 286 (Notice of Motion – No overnight camping in the Borough) – Non-pecuniary interest: has discussed the matters on social media and with residents;

#### **Council – 10<sup>th</sup> September 2020**

Agenda Item 6 (Public Questions from A Atkinson) – Non-pecuniary interest: has commented on and written about Hamlet Court Road heritage/conservation;

- **Councillor Folkard**

#### **People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Easement) – Non-pecuniary interest: Ambassador for Fund Raising Team at Southend Hospital; relative works at Broomfield Hospital; on the reading panel at Southend Hospital;

- **Councillor Garston**

#### **Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: the applicant has phoned him twice regarding this application;



- **Councillor Gilbert**

**Policy and Resources Scrutiny Committee – 3rd September 2020**

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

- **Councillor Harp**

**Cabinet – 28<sup>th</sup> July 2020**

Minute 209 (Balmoral Estate) – Non-pecuniary interest: volunteer with Turning Tides at Balmoral Community Centre and knows some of the residents;

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

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

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 272 (Questions from members of the public) – Non-pecuniary interest: Friend and future relative employed by the East of England Ambulance Service NHS Trust;

Minute 275 (Care Act Easement) – Non-pecuniary interest: Wife is employed in hospital discharge capacity;

Minute 276 (Annual Safeguarding Report (Adults and Children)) – Non-pecuniary interest: Wife is an employee of SAVS;

- **Councillor Hooper**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 276 (Annual Safeguarding Report (Adults & Children)) – Non-pecuniary interest: son attends Southend High School for Boys and Director of Blade Education;

- **Councillor Jones**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

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

- **Councillor Kelly**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Easement) – Non-pecuniary interest: Employed by Essex Partnership University NHS Foundation Trust;

- **Councillor McGlone**

**Cabinet Committee – 27<sup>th</sup> July 2020**

Minute 198 (Bell Junction improvement scheme) – Non-pecuniary interest: has been Lobbied by residents;

**Cabinet – 29<sup>th</sup> July 2020**

Minute 206 (Parking Policy Statement) – Non-pecuniary interest: has had discussions with residents about the matter;

Minute 212 (Notice of Motion Footpath Cycling) – Non-pecuniary interest: Named supporter of the Motion

Minute 213 (Notice of Motion Overnight Camping) – Non-pecuniary interest: Named supporter of Motion;

**Policy and Resource Scrutiny – 3<sup>rd</sup> September 2020**

Minute 286 (Notice of Motion Overnight Camping) – Non-pecuniary interest: has had contact with residents about the Motion;

- **Councillor Mitchell**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Enablement) – Non-pecuniary interest: family friend is employed as a Finance Officer by the Council;

Minute 276 (Safeguarding Annual Report) – Non-pecuniary interest: employed by Essex County Council;

**Council – 10<sup>th</sup> September 2020**

Agenda Item 37 (Changes to the Constitution – ASELA Working Party) – Non-pecuniary interest: employed by Essex County Council;

- **Councillor Mulroney**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning) and Pecuniary interest: applicant is well known to her;

### **Place Scrutiny Committee – 1<sup>st</sup> September 2020**

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

### **Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

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

### **Council – 10<sup>th</sup> September 2020**

Agenda Item 7 (Question 3 from Councillor Dent) – Pecuniary interest (withdrew)

- **Councillor Nelson**

### **Council – 10<sup>th</sup> September 2020**

Agenda Item 9 (Petition: Burges Road traffic calming measures) – Non-pecuniary interest: family are members of BERA;  
Agenda Item 28 (Notice of Motion: Ekco Park) – Pecuniary interest: lives in Ekco Park estate (withdrew);

- **Councillor Nevin**

### **People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Enablement) – Non-pecuniary interest: Employed at external NHS Trust; family members employed by Mid and South-Essex Trust hospitals;

- **Councillor Robinson**

### **Place Scrutiny Committee – 1<sup>st</sup> September 2020**

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

- **Councillor Salter**

### **People Scrutiny Committee – 2<sup>nd</sup> September 2020**

Minute 275 (Care Act Easement) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the Borough;

- **Councillor Stafford**

**Council – 10<sup>th</sup> September 2020**

Agenda Item 9 (Petition: Burges Road traffic calming measures) – Non-pecuniary interest: lives in the vicinity of Burges Road;

- **Councillor Terry**

**People Scrutiny Committee – 2<sup>nd</sup> September 2020**

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

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

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

Minute 285 (Notice of Motion: Footpath Cycling) – Non-pecuniary interest: keen cyclist within the Borough;

**Council – 10<sup>th</sup> September 2020**

Agenda Item 9 (Petition: Burges Road Traffic Calming Measures) – Non-pecuniary interest: member of BERA;

Agenda Item 27 (Notice of Motion: EasyJet) – Non-pecuniary interest: employer has clients at Southend Airport and is the Council appointed representative on the Airport Consultative Committee;

- **Councillor Thompson**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: the applicant has contacted him;

- **Councillor Walker**

**Council – 10<sup>th</sup> September 2020**

Agenda Item 7 (Questions from Councillors regarding Garrons Leisure Centre/Fusion Lifestyle) – Non-pecuniary interest: wife is a member of a swim club at Garrons Leisure Centre;

- **Councillor Ward**

**Development Control Committee – 29<sup>th</sup> July 2020**

Minute 232 (115 Tattersall Gardens, LOS) – Non-pecuniary interest: the applicant has phoned him and he is an owner of a bed and breakfast;

- **Councillor Wakefield**

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 284 (Balmoral Estate) – Non-pecuniary interest: Sub-contractor for South Essex Homes;

- **Councillor Wexham**

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

Minute 284 (Balmoral Estate) – Non-pecuniary interest: Board member of South Essex Homes;

- **Councillor Woodley**

**Place Scrutiny Committee – 1<sup>st</sup> September 2020**

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

**Policy and Resources Scrutiny Committee – 3<sup>rd</sup> September 2020**

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

**Council – 10<sup>th</sup> September 2020**

Agenda Item 9 (Petition: Burges Road traffic calming measures) – Non-pecuniary interest: Name mentioned in petition and is a member of BERA;  
Agenda Item 27 (Notice of Motion: EasyJet) – Non-pecuniary interest: daughter is a pilot with EasyJet;

**290 Communications**

**Councillor Willis**

On behalf of the Council, The Worshipful the Mayor, extended the Council's thanks and appreciation to Charles Willis, who recently stepped down as a Councillor in the Borough of Southend-on-Sea, representing the Westborough Ward.

**Concord Rangers Football Club**

On behalf of the Council, the Worshipful the Mayor conveyed his congratulations to Concord Rangers Football Club, based on Canvey Island, in reaching the final of the prestigious FA Trophy. He wished the football club well in the final which will take place at Wembley stadium on Sunday 27<sup>th</sup> September.

**291 Minutes of the Council held on Thursday 16th July 2020**

Resolved:

That the minutes of the meeting held on Thursday 16<sup>th</sup> July 2020 be confirmed and signed as a correct record.

**292 Minutes of the Special Council held on Thursday 30th July 2020**

Resolved:

That the minutes of the meeting held on Thursday, 30<sup>th</sup> July 2020, be confirmed and signed as a correct record.

**293 Questions from Members of the Public**

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

**294 Questions from Members of the Council**

The relevant Cabinet Members responded to questions received from Councillors.

**295 Petition - Old Leigh Alcohol Free Zones**

The Democratic Services Team had received a petition from Mr Sverdloff calling on the Council to introduce alcohol free zones in Old Leigh.

Resolved:

That, in accordance with Council Procedure Rule 15.7, the petition stands referred to the Cabinet.

**296 Petition - Burgess Road Traffic Calming Measures**

The Democratic Services Team had received a petition from Mr Webster and Mr Stobart calling on the Council to introduce traffic calming measures and speed restrictions in Burges Road

Resolved:

That, in accordance with Council Procedure Rule 15.7, the petition stands referred to the Cabinet Committee.

**297 Minutes of Licensing Sub Committee C held on Thursday 23rd July 2020**

Resolved:

That the minutes of this meeting, be noted.

**298 Minutes of Cabinet Committee held Monday, 27 July 2020**

Resolved:

That the minutes of this meeting, be noted.

**299 Minutes of the Cabinet held Tuesday, 28 July 2020**

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minutes 207 and 209, be approved.

**300 Minutes of the Standards Committee held Tuesday, 28 July 2020**

Resolved:

That the minutes of this meeting, be noted.

**301 Minutes of Development Control Committee held Wednesday, 29 July 2020**

Resolved:

That the minutes of this meeting, be noted.

**302 Minutes of Licensing Sub-Committee A held Thursday, 30 July 2020**

Resolved:

That the minutes of this meeting, be noted.

**303 Minutes of Licensing Sub-Committee B held Friday, 31 July 2020**

Resolved:

That the minutes of this meeting, be noted.

**304 Minutes of Audit Committee held Wednesday, 12 August 2020**

Resolved:

That the minutes of this meeting, be noted.

**305 Minutes of Appeals Committee B held Thursday, 13 August 2020**

Resolved:

That the minutes of this meeting, be noted.

**306 Minutes of Licensing Sub Committee A held Thursday 18th August 2020**

Resolved:

That the minutes of this meeting, be noted.

**307 Minutes of Place Scrutiny Committee held Tuesday 1st September 2020**

Resolved:

That the minutes of this meeting, be noted.

**308 Minutes of People Scrutiny Committee held Wednesday 2nd September 2020**

Resolved:

That the minutes of this meeting, be noted.

**309 Minutes of Policy and Resources Scrutiny Committee held Thursday 3rd September 2020**

During consideration of Minute 286 (Notice of Motion: No overnight camping in the Borough) a motion was proposed and seconded to refer the matter back to Cabinet.

The motion for reference back of Minute 286 was not carried.

Resolved:

That the minutes of this meeting, be noted.

**310 Notice of Motion - Ban BBQs in the Borough on beaches, Parks and Open Spaces**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**'The use of BBQs on beaches, parks and open spaces**

That the Cabinet considers a full ban in the Borough on the use of BBQs on its beaches, parks and open spaces, including the removal of the ones on East Beach.'

Proposed: Cllr Ward

Seconded: Cllr Chalk



**311 Notice of Motion - Conversion of Twenty One site into Cycle Hub and Cafe**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**‘Conversion of Twenty One Site into Cycle Hub and Cafe**

We recognise the importance of cycling in improving the mental and physical wellbeing of residents and for improving the air quality of the town. We also recognise and support the Government’s commitment to increase the amount of active travel. We also recognise that currently the organisation designed to increase the uptake of cycling, ForwardMotion, does not have a public base in the town and the importance of ‘Coffee Culture’ in the culture of amateur cyclists.

This Council therefore resolves that it should:

1. Convert the Twenty One site along Western Esplanade into a Cycling Hub for Forward Motion to use as a base to include cycle hire facilities as well as bike repairs and sales.
2. Incorporate a Coffee shop within the facility to increase the appeal of the facility and encourage cycling along the length of our seafront.’

Proposed: Cllr Nelson

Seconded: Cllr Buck

**312 Notice of Motion - Covid-19 Local Recognition Scheme**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**‘COVID-19 Local Recognition Scheme**

There have been many stories of those in our communities who have focused on the physical, mental, emotional and financial wellbeing of our residents, and in these extraordinarily challenging times innovated to find new and creative ways to help and support the most vulnerable in our community.

This Council therefore resolves that it should:

1. Note the efforts of those in our community who have supported the most vulnerable during this challenging time.
2. Create a local recognition scheme to honour our local community heroes who went above and beyond during the COVID-19 pandemic.’

Proposed: Cllr Cox

Seconded: Cllr Davidson

### 313 Notice of Motion - Cycling Strategy

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

#### **'Cycling Strategy**

We recognise the importance of cycling in improving the mental and physical wellbeing of residents and for improving the air quality of the town. We also recognise and support the Government's commitment to increase the amount of active travel. We note that in the recent Council active travel bid to Government that the Council does not have a Cycling Strategy and note that the proposed Transport Policy going through Council at the moment does not include the need for Cycling Strategy.

This Council therefore resolves that it should:

1. Generate a comprehensive strategy to increase the uptake of cycling and make cycling safer in our Borough.'

Proposed: Cllr Nelson

Seconded: Cllr Buck

### 314 Notice of Motion - Easyjet

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

#### **Withdrawal of EasyJet Base at Southend Airport**

The announcement by EasyJet to withdraw all flights out of Southend Airport is a massive disappointment and setback not only for the many employees of the airline but also for the associated small businesses and trades such as service Companies, logistics operators and retail outlets (hotels and shops) in and around Southend.

For many, the loss of employment will outweigh any enhanced redundancy package offered by EasyJet and for thousands more the loss of a convenient and expeditious transit through an airport which has been voted "best small airport " on many occasions will bring frustration and sadness.

This Council therefore resolves that it should:

1. Note with regret the announcement by EasyJet
2. Engage with EasyJet to explore the possibility of reversing the decision of closing Southend Airport as a base and to reinstate its operations to enable the Airport to realise its commercial vision, to provide essential employment to local

residents and to give South Essex the much needed economic recovery post COVID-19.’

Proposed: Cllr Flewitt  
Seconded: Cllr McGlone

**315 Notice of Motion - Ekco Park Estate**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**‘Ekco Park Estate**

Residents on the Ekco Park Estate are continuing to suffer with un-adopted land and highways.

This Council therefore resolves that it should:

1. Undertake to investigate the un-adopted highway and land at the Ekco Park Estate with a view to bringing all land on that estate to adoptable standards.
2. Highlight to all Councillors future planning applications that include any Un-Adopted or unadoptable highway or land for consideration in the planning process.’

Proposed: Cllr Flewitt  
Seconded: Cllr McGlone

**316 Notice of Motion - Make our Gardens and Open Spaces to RHS Britain in Bloom Standard**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**‘Make our Gardens and Open Spaces to RHS Britain in Bloom Standard**

This town has a renowned history with our parks and open spaces and our Parks Department winning numerous awards at the Chelsea and Hampton Court Flower Shows in the past.

To ensure that Southend continues to remain renowned for its floral displays, parks and open spaces, This Council therefore resolves that it should:

1. Engage with the RHS Britain in Bloom scheme, looking to involve both gardens/open spaces cultivated by community groups as well as public land tended by the Council Parks Department.’

Proposed: Cllr Bright  
Seconded: Cllr Nelson

**317 Notice of Motion - Recruit the 2 Special Constables per Ward**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**'Recruit the Two Special Constables Per Ward**

It is recognised that further Police resource is required in the Borough to help against the rising levels of crime especially the recent high levels of violent crime. To help in providing an increase in uniformed Police presence across the town, Cabinet agreed on 11th June 2019 that the Council would recruit two Special Constables per ward.

As yet no attempt has been made to recruit the Special Constables despite Essex Police having one of the best Special Constable recruitment programmes in the UK.

This Council therefore resolves that it should:

1. Take immediate action to recruit two Special Constables for each ward as agreed by Cabinet on 11th June 2019.'

Proposed: Cllr Nelson

Seconded: Cllr Cox

**318 Notice of Motion - No Driving on Parks and Open Spaces PSPO**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

**'No Driving on Parks & Public Spaces**

We have recently seen well publicised cases of vehicles being driven over our parks and public spaces at Thorpe Bay Gardens and Marine Parade Gardens. Regularly, members receive complaints from residents where motor bikes are being driven on our parks and public open spaces causing widespread nuisance.

To assist Council Officers and our Community Safety Team by giving them powers to take action on this anti-social behaviour, This Council therefore resolves that it should:

1. Create a Public Spaces Protection Order to prevent the driving of cars, van, lorries and motor bikes in our parks and public open spaces.'

Proposed: Cllr Bright

Seconded: Cllr Nelson

### 319 Notice of Motion - Southend Illuminations Festival of Light

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

#### **'Southend Illuminations Festival of Light**

Many in Southend will remember that Southend Illuminations were a fixture of the events calendar on Southend Seafront. The current light columns on City Beach give a taste of what can be done with lighting illuminations on the seafront. There are many examples across the world where light shows are a popular feature in towns, cities and tourist areas which consist of water features, music and colourful laser lights.

The need to attract visitors back to Southend seafront and high street post COVID-19 has never been more needed.

This Council therefore resolves that it should:

1. Resurrect the Southend Illuminations by creating a free to the public modern festival of light event.'

Proposed: Cllr Jarvis

Seconded: Cllr Cox

### 320 Notice of Motion - Speed Camera Eastern Avenue

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet Committee:

#### **'Speed Camera on Eastern Avenue**

Along the stretch of dual carriageway on Eastern Avenue there has been a history of accidents along this stretch of road. We have seen residents walls knocked down, cars written off and constant excessive speeding. Urgent action needs to be taken to try and control the excessive speeds on this stretch of dual carriageway and protect those residents whose lives are being put at risk by this antisocial and dangerous behaviour.

Acknowledging that a static speed camera would not be affective along the whole stretch of road, we seek a solution that would be affective and works for all the affected residents.

This Council therefore resolves that it should:

1. Install average speed cameras along the stretch of dual carriageway along Eastern Avenue between Hamstel Road and Sutton Road immediately.'

Proposed: Cllr Nelson

Seconded: Cllr Buck

### **321 Notice of Motion - Tyre Pump Stations**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

#### **'Tyre Pump Stations**

We recognise the importance of cycling and walking in improving the mental and physical wellbeing of residents and for improving the air quality of the town and support the Government's commitment to increase the amount of active travel.

To assist active travel, there needs to be improved infrastructure. As part of the infrastructure, there is a need for cyclists and users of wheelchairs and pushchairs on occasions to require the use of a pump to inflate their tyres.

This Council therefore resolves that it should:

1. Install communal bike pumps, similar to those seen in cities such as Portsmouth, in areas such as our segregated cycle lanes and high footfall areas to allow for cyclists and users of wheelchairs and pushchairs to inflate their tyres.'

Proposed: Cllr Nelson

Seconded: Cllr Buck

### **322 Notice of Motion - Water Fountains and Water Bottle Refill Points**

Resolved:

That, in accordance with Standing Order 8.4, the following Notice of Motion be referred to the Cabinet:

#### **'Water Fountains & Water Bottle Refill Points**

Single use plastics cause considerable harm to the environment and contribute to the litter problem on our beaches and open spaces. We also note the damage that plastics cause to our seas and marine life.

To help reduce single use plastics: This Council therefore resolves that it should:

1. Promote existing water fountains and water bottle refill points.

2. Extend the provision of water fountains and water bottle refill points in public areas.'

Proposed: Cllr Bright

Seconded: Cllr Buck

### **323 Opposition Business - The Development of the Gas Works, Pitmans Close and Warrior Square Car Parks**

This matter was deferred to the next meeting of Council.

**324 Changes to the Constitution**

The Council considered a report of the Executive Director (Legal and Democratic Services) recommending the establishment of the ASELA and Local Government Reform Working Party.

Resolved:

1. That the ASELA and Local Government Reform Working Party be established with the terms of reference set out in Appendix 1 to the submitted report.

2. That Council appoints Councillors to the Working Party on a politically proportional basis - 3(Con) :2 (Lab) :2 (Indep) :1(LD).

**325 Changes to membership of Committees, Working Parties, etc**

Resolved:

That the list of changes and appointments to Committees, Working Parties, etc, be approved as submitted.

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

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**Petition: Lower Speed limit and make Wren Avenue one-way.**

## PETITION

Local petition for residents of Wren Avenue Leigh-on-sea and adjoining roads.

Would it be possible to Lower the Speed Limit and make Wren Avenue a one way road.

The Speed Bumps laid down in 2009 have no impact on Motorist Slowing Down, This road is becoming unsafe and there have been many accidents already.

Below are names of Concerned Local Residents who are concerned.

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

**Meeting of Licensing Sub-Committee B**

**Date: Monday, 20th July, 2020**  
**Place: Virtual Meeting via MS Teams**

**8**

**Present:** Councillor B Ayling (Chair)  
Councillors M Borton and A Dear

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

**Start/End Time:** 2.00 - 3.30 pm

**326 Apologies for Absence**

There were no apologies for absence.

**327 Declarations of Interest**

No interests were declared at the meeting.

**328 212 Leigh Road, Leigh-on-Sea, SS9 1BS - Application for the Grant of Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Lucy Hannah Readman for the grant of a Premises Licence at 212 Leigh Road, Leigh-on-Sea, SS9 1BS.

The application was presented by Mr M Bell (21<sup>st</sup> Century Licensing) the applicants licensing consultant. Ms Readman (applicant) together with her business partner, Ms Lyndsey Mower, were also in attendance.

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, the Licensing Authority and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment).

Six representations had however, been received from local residents. Four of those, namely Ms Beecham, Ms Clarke, Mr Hurst and Mr Berry attended and gave evidence at the hearing. Their objections/representations related to concerns of noise and public nuisance.

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 the application, subject to the imposition of further conditions. The sub-committee therefore:

Resolved:-

The application be granted, subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment).

(ii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police, the Licensing Authority and the Applicant as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the following amendments:

Condition 8 to now read:

“8. All doors and windows (including the ‘hatch’) to remain closed except for access and egress between 18:00 hours and 09:00 hours the following day, to minimise noise breakout.”

Condition 10 to now read:

“10. The external areas shall not be used by patrons between 18.00 and 09:00 hours the next day save for access and egress to the toilet facilities. The chairs on the High Cliff Drive aspect shall be removed. The rear garden shall be rendered inaccessible to patrons by way of rope or barrier.”

(iii) The following additional conditions:

- No more than two people shall be permitted to queue in the outside area for the toilet facilities after 18.00 hours.
- Drinks for consumption in the external areas shall only be served in polycarbonate/plastic and/or toughened glass containers.

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

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

**Meeting of Licensing Sub-Committee B**

**Date: Friday, 4th September, 2020**  
**Place: Virtual Meeting via MS Teams**

**9**

**Present:** Councillor B Ayling (Chair)  
Councillors D Cowan and K Mitchell

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

**Start/End Time:** 10.00 - 11.45 am

**329 Apologies for Absence**

There were no apologies for absence.

**330 Declarations of Interest**

No interests were declared at the meeting.

**331 Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP -  
Application for the Grant of Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Scouts of Leigh Ltd for the grant of a Premises Licence at Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP.

The application was presented by Ms A Alston on behalf of the applicants

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, the Licensing Authority and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment). Sixteen (16) representations had however, been received from local residents, Leigh Town Council and the three local ward Councillors.

Prior to the hearing, the applicant amended the application and conditions to mirror the conditions that had been imposed following the grant of planning permission for the premises. Further amendments were also agreed between the applicants and the Licensing Authority, the effect of which had resulted in a number of the objections being withdrawn. A revised report setting out the amendments was circulated prior to the meeting.

Six of the representations were however, not withdrawn. Four of those, namely Ms Gridley, Ms Sporton, Ms Sverdloff and Mr Sverdloff, attended the hearing and gave evidence. Councillor Cracknell also attended the hearing and gave evidence on behalf of Leigh Town Council. Councillor Mulrone, also attended the hearing to present the representation on behalf of Mr Johnson.

The objections/representations related to concerns of noise and public nuisance, particularly, the noise of patrons attending and leaving the premises, the disturbance caused by customers using the external areas and the current nuisance caused by intoxicated patrons which could be exacerbated by the grant of the licence. The need for another licensed premises in a compact residential and heritage area was also questioned, as well as issues relating to the planning merits of the application.

The need for licensed premises, the rationale for making the application and the merits of the planning application are not matters for the sub-committee to consider. The current issues being experienced in the area are not attributable to these premises and neither the police nor Environmental Health, who are the experts in their respective field in relation to public nuisance, crime and disorder had objected to the application.

The sub-committee did, however, note that the terminal hour for the sale of alcohol matched the hours the premises was open to the public and the kitchens would usually be closed for orders after 9.30-10.00 p.m. It therefore felt that whilst consumption of alcohol was not a licensable activity, an appropriate reduction in the hours when alcohol could be purchased with a meal would help to reduce any disturbance to residents.

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 the amended application, subject to the reduction in the terminal hour for the supply of alcohol.

The sub-committee therefore:

Resolved:-

That the amended application be granted subject to the following:

- (i) The provision of the sale of alcohol shall be permitted on the premises daily from 09:00 to 23.30 from 1st May until 30th September and from 12.00 until 23.30 from 1st October until 30th April including Bank Holidays;
- (ii) The Mandatory Conditions set out in Appendix 1 to the amended report of the Executive Director (Neighbourhoods and Environment); and
- (iii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police, the Licensing Authority and the Applicant as set out in Appendix 2 to the amended report of the Executive Director (Neighbourhoods and Environment).

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

# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Health & Wellbeing Board

**Date: Tuesday, 8th September, 2020**

**Place: Virtual Meeting - MS Teams**

# 10

**Present:** Councillor T Harp (Chair)  
Councillors M Davidson, D Jarvis, A Jones, I Gilbert and C Mulroney, J Banks (A Better Start Southend), T D'orsi (NHS Southend Clinical Commissioning Group), J Gardner (Essex Police), K Jackson (Southend Association of Voluntary Services), A Khaldi (A Better Start Southend), S Morris (Essex Partnership University NHS Trust), Dr S Ozturk (NHS Castle Point & Rochford Clinical Commissioning Group), O Richards (Healthwatch Southend)

**In Attendance:** Councillor L Salter (Chair - People Scrutiny Committee), S Baker, S Dolling, T Forster, E Cook, B Leigh, M Marks, B Martin, K Ramkhelawon and S Tautz

**Start/End Time:** 5.00pm - 7.25 pm

#### **332 Apologies for Absence**

Apologies for absence were received from Yvonne Blucher (Southend University Hospital NHS Foundation Trust)

#### **333 Declarations of Interest**

The following councillors and co-opted members declared interests as indicated:

- (1) Councillor T Harp - Minute 336 (Annual Public Health Report) - Friend employed by 'A Better Start Southend' - Non-pecuniary interest;
- (2) Councillor T Harp - Minute 339 (Flu Planning and Marketing Campaign) - Volunteer with Southend Association of Voluntary Services (SAVS) and wife is an employee of SAVS - Non-pecuniary interest;
- (3) Councillor L Salter - Minute 336 (Annual Public Health Report), Minute 337 (Teenage Pregnancy Implementation Plan), Minute 338 (Mid & South-Essex Health and Care Partnership Diabetes Framework), Minute 339 (Flu Planning & Marketing Campaign) and Minute 340 (COVID-19 Pandemic Updates) - Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is general practitioner in the Borough - Non-pecuniary interests;
- (4) O Richards (Healthwatch Southend) - Minute 336 (Annual Public Health Report) and Minute 337 (Teenage Pregnancy Implementation Plan) - Employed by Family Action to run Healthwatch Southend, Family Action run children's centres within the Borough and will support action arising from the Teenage Pregnancy Implementation Plan - Non-pecuniary interests; and
- (5) Councillor M Davidson - Minute 336 (Annual Public Health Report) - Volunteer for Southend Food Bank - Non-pecuniary interest.

#### **334 Minutes of the Meeting held on Wednesday 10th June 2020**

Resolved:

That the minutes of the meeting held on 10 June 2020 be confirmed as a correct record and signed, subject to the inclusion of O Richards (Healthwatch Southend) in the list of co-opted members present, in place of J Broadbent (Healthwatch Southend).

### **335 Public Questions**

There were no questions from members of the public relating to the responsibilities of the Board.

### **336 Annual Public Health Report**

The Director of Public Health reported that the Health and Social Care Act 2012 required the preparation and publication of an annual report on the health of the local population and that the report presented an opportunity to focus attention on particular issues that impacted the health and wellbeing of the local population, to highlight any concerns and make recommendations for further action.

The Board was advised that the report provided an update on the report for 2018 report and covered the themes of health protection and the prevention of ill-health alongside the tackling of wider health inequalities. The Director of Public Health advised the Board that the report set out a number of recommendations cross each of these themes, covering;

- Flu and MMR Immunisation
- Lessons from Outbreaks
- Air Quality
- Obesity
- Parenting
- Mental Wellbeing

The Board noted that the response to the COVID-19 pandemic would be more fully reflected in the annual report of the Director of Public Health for 2020, but that it would be important to significantly increase the local uptake of flu vaccines for the coming Winter period, particularly as Southend currently had one of the lowest uptake rates in the East of England. The Director of Public Health reported that, with the recent announcement that vaccinations would be offered free to those over 50 years of age, the planning of an innovative and scalable approach to the delivery of a vaccination programme had already commenced.

The Director of Public Health reported that there was growing evidence of the link between spatial planning and the food environment, and the health impacts for local residents in terms of obesity. The Board was advised that the development of a new Local Plan presented an opportunity for public health, public protection and planning services to work together to shape the natural and built environment, and identify measures that would have a positive gain from reduced air pollution and the tackling of obesity through the shaping of the food environment.

Resolved:

That the Annual Report of the Director of Public Health for 2019 and progress made to date with regards to the recommendations from the previous report in 2018, be noted.

### **337 Teenage Pregnancy Implementation Plan**

The Board considered an implementation plan developed as a result of the deep dive into teenage pregnancy and young parenthood in in the Borough.



The Director of Public Health reported that the plan proposed action across the following key areas and included the re-establishment of a teenage pregnancy and young parent working group from September 2020:

- Leadership
- Commissioning and Pathways
- Data and Intelligence
- Prevention
- Communications and marketing
- Support for teenage parents

The Board was advised that it was intended that the delivery of the plan would also involve engagement with other areas where successes had been achieved in terms of addressing teenage pregnancy and the provision of support for young parents. The co-opted members of the Board indicated that their respective organisations, including primary care, would wish to support the delivery of the plan and be involved in the taking forward of relevant actions.

Resolved:

- (1) That the Teenage Pregnancy and Young Parents Implementation Plan, based on the strategic approach developed by Public Health England for taking a whole system approach to teenage pregnancy prevention and support for young parents and local findings, be agreed.
- (2) That a Teenage Pregnancy and Young Parents Working Group with senior leadership and key elected members, be established to:
  - (a) bring together a full range of services and organisations involved in the delivery and commissioning of the teenage pregnancy and young parenthood pathways;
  - (b) deliver a whole system approach to teenage pregnancy prevention and support of young parents; and
  - (c) adopt a clear governance framework.

### **338 Mid and South Essex Health and Care Partnership Diabetes Framework**

The Board considered a report presented by T D'orsi and Dr S Ozturk with regard to the Mid and South Essex Diabetes Framework, that proposed a structured approach to the management and improvement of Diabetes care within health systems. The Board noted that the framework was intended to provide;

- A structure to deliver new collaborative models of integrated diabetes care to meet the needs of local people with diabetes.
- Improvements in the quality and consistency of services in line with both local and national standards and funding programmes.
- Methods to deliver best outcomes for people living with diabetes or at risk of developing the condition across the Mid and South Essex Health and Care Partnership (HCP).

T D'orsi reported that the framework had been prepared for all primary care physicians, following a focus on the management and improvement of Diabetes care over the last year. The Board noted that it was critical that the importance of Diabetes care not be under estimated, particularly amongst hard to reach groups and as diabetic patients had been disproportionately affected by the impacts of the COVID-19 pandemic and that it was also important to recognise the importance of educating patients to be able to take ownership of their own conditions.

The Board was advised that it might be necessary to develop plans for the implementation of the framework by 'place', to support system implementation of the framework and that a specific pathway would be introduced to handle diabetic foot care services. The Board was also advised that the HCP was working to increase the training available to care home staff to support residents with Diabetes and that work was also to be undertaken in relation to arrangements for the consideration of food options in care homes.

The Cabinet member for Children and Learning emphasised the importance of the 'Good Diabetes Care in School' scheme, which Dr Ozturk indicated he would be happy to support.

Resolved:

That the Mid and South Essex Health and Care Partnership Diabetes Framework be agreed.

### **339 Flu Planning and Marketing Campaign**

The Director of Public Health presented an update on the flu campaign plan and implementation for 2020/21.

The Board was reminded that flu immunisation was critical in reducing the number of preventable deaths in older people and people within at-risk groups. The Director of Public Health reported that the Government had also recently announced that all people between 50 and 64 years of age would also be entitled to receive a free flu jab this year, which was likely to take place from November and depending on the availability of vaccines. The Board was reminded that the uptake of flu vaccinations across Southend was amongst the lowest in the country across all our key target groups

The Director of Public Health reported that the COVID-19 pandemic presented a double challenge in the coming Autumn and Winter period as, given the risks associated with the spread of coronavirus, people who were entitled to a flu vaccination should ensure they received it as soon as possible to reduce the strain on health care services and social care provision. The Board was advised that a more innovative approach to the vaccination programme was therefore to be taken, involving more direct engagement with residents and greater collaborative working between the NHS, the Council and other health and voluntary organisation to maximise the uptake of vaccinations, through the identification of champions to support the campaign and the following key objectives:

- Inform: to raise awareness of flu vaccination across key audiences informed by data.
- Educate: tailored educational messages to help overcome barriers to accepting the offer of a vaccination.
- Inspire: encouragement from staff and wider community to increase uptake.

Resolved:

That the content of the flu campaign plan and the approach being taken to its implementation for 2020/21, be noted.

### **340 Covid-19 Pandemic Updates (Health Protection Board and Local Outbreak Control Plan Oversight and Engagement Board) and EPUT: Response, actions and implications on Mental Health**

The Director of Public Health provided an update on the COVID-19 Local Outbreak Control Plan implementation of the national Test, Trace, Contain and Enable (TTCE)

programme, which was a central part of the government's COVID-19 recovery strategy to manage the rate of reproduction and reduce the spread of infection through coordinated effort from local and national organisations, the voluntary sector and community partners, and the general public.

The Board was advised that £889,000 had been allocated to Southend for the implementation of the TTCE programme in 2020/21, which was being led by the Health Protection Board, working in collaboration with local emergency planning forums, and the Outbreak Control Oversight and Engagement Board supported by the NHS and Essex Police, to facilitate communication with the public.

The Director of Public Health reported that the joint Essex and Southend Contact Tracing Service had commenced operation and that a mobile testing unit was operating at Southend Airport, alongside a walk-through testing facility provided by the Department of Health and Social Care at the Short Street Car Park. The Board noted that the positivity rate for the Borough remained low, although a marginal increase in infection had been experienced, which was to be expected as a result of the increased testing capacity.

S Morris advised the Board that COVID-19 had and was continuing to have, significant implications for mental health providers such as Essex Partnership University NHS Trust (EPUT). The Board noted that, during the peak of the pandemic, there had been a noticeable reduction in mental health referrals but that, since the lift in lockdown restrictions, referrals appeared to be rising to above pre-COVID-19 levels, involving a higher proportion of new patients with complex mental health needs and patients accessing services for the first time, alongside increased Mental Health Act presentations.

The Board was advised that EPUT had successfully been able to mitigate some of the mental health issues arising from the pandemic, but that difficulties had been experienced in securing COVID-secure wards and bed capacity, such that out of area resources had needed to be identified.

Resolved:

- (1) That progress and the on-going implementation of the Local Outbreak Control Plan by the Local Health Protection Board and the Outbreak Control Oversight and Engagement Board, be noted.
- (2) That the current position with regard to COVID-19 and the provision of local mental health services be noted.
- (3) That the appreciation of the Board for the contribution of S Morris to its work over many years be recorded, as she was shortly due to leave EPUT.

#### **341 Improving SEN and Disabilities Progress Update Report: Next Steps, organisational structure and HWB responsibilities**

The Board considered a report of the Director of Education and Early Years, with regard to children and young people with Special Educational Needs and Disabilities (SEND), setting out progress in key areas and the role of the Board in the strategic oversight and governance of SEND on an ongoing basis.

The Director of Education and Early Years reported that progress had been made in developing a new local governance framework for SEND, with significant engagement and agreement achieved at a joint meeting of partners in July 2020.

The Board was advised that a draft version of the framework was due to be issued for consultation shortly and that the first meeting of the new SEND Strategic Partnership Board would be held in October/November 2020 to agree final governance arrangements.

The Board noted that it was intended that all new groups, membership and functions would be operational by the end of November 2020.

The Director of Education and Early Years reported that development sessions were to be held with relevant stakeholders to review current evidence, to finalise the self-evaluation and to agree priorities and areas for improvement, that would result in a refresh of the current SEND strategy in December 2020. The Board noted that children and young people, parents, carers and the community and voluntary sector would be integral stakeholders to this work.

The Board was advised that an updated SEND summary (Joint Strategic Needs Assessment chapter) would be available at the end of September 2020, which had been extended to include a greater breadth of evidence and qualitative information from across the local area, alongside the development of an outcomes framework and different ways to capture and understand views and experiences of children, parents and carers, including the first results from the POET (Personalisation Outcome Evaluation Tool) survey that were currently being analysed.

The Board noted that the Council had continue to progress the actions identified in the Written Statement of Action arising from the SEND inspection in October 2018, in addition to continuing to deliver good outcomes. The Director of Education and Early Years reported that, whilst the impact of the COVID-19 pandemic and delay in securing recruitment to key posts had slowed the progress that was noted earlier in the year, significant achievements had been made in many areas as set out in the report.

Resolved:

- (1) That progress on leadership and governance be noted and that the Board support the pace required for the changes.
- (2) That the new organisational structure be agreed, pending further stakeholder consultation and liaison with the HWBB leadership and governance workstream.
- (3) That the sign-off arrangements for the terms of reference and membership be agreed at SEND Strategic Partnership Board level, given the attention needed to pace.
- (4) That the role of the Board in undertaking the statutory requirements be noted.
- (5) That the Director of Education and Early Years circulate the results from the POET survey to the Board, once they have been analysed.

### **342 Alliance Update and Overview**

With the agreement of the Board, T D'Orsi confirmed that she would bring a written report on the progress of the alliance to the next meeting, including details of the recent refresh of its priorities.

### **343 Greater Essex LeDeR Annual Report**

The Director of Public Health presented the Greater Essex Annual Learning Disabilities Mortality Review (LeDeR) Report for 2019/20 The Board was reminded that the LeDeR programme aimed to review the deaths of all people with learning disabilities aged from four years and upwards in order to identify health inequalities and issues which contributed to early or preventable deaths, to raise the age at which people with learning disabilities were dying.

The Board noted that the LeDeR programme had commenced in Southend, Essex and Thurrock September 2017 and was currently managed through the Learning Disability Health Equalities Team that worked on behalf of the collaborative forum of the three local authorities and relevant Clinical Commissioning Groups.

The report detailed progress against the action plan for the year, including the establishment of processes to ensure that reviews were completed within timescales and identified a number of cross-system priorities for 2020/21 to be taken forward through the commissioning of specialist healthcare functions.

Resolved:

- (1) That the report be noted.
- (2) That the proposed priorities for 2020/21 be noted.

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

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

Date: Wednesday, 9th September, 2020

11

Place: Virtual Meeting via MS Teams

Present: Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, K Buck\*, A Chalk, D Cowan, A Dear, M Dent, F Evans, N Folkard\*, D Garston, A Jones, C Mulrone, A Thompson, S Wakefield and C Walker

\*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Cllrs Flewitt and McGlone  
A Greenwood, A Rogers, A Smyth, C Galforg, D Farthing, E Cook, G Gilbert, K Waters, M Warren, P Keyes, P Sinclair, S Mouratidis, T Hartley, T Row and T Saunders.

Start/End Time: 5.00 - 9.30 pm

#### 344 Apologies for Absence

Apologies for absence were received from Cllr Habermel (Substitute Cllr Folkard) and Cllr Jarvis (Substitute: Cllr Buck).

#### 345 Declarations of Interest

The following declarations of interest were made at the meeting:

- (a) Cllr Beck – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) – Non-Pecuniary Interest: Has received an email from the applicant.
- (b) Cllr Borton – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) – Non-Pecuniary Interest: Has received an email from the applicant.
- (c) Cllr Borton – Agenda Item No. 16 (20/01086/FUL - 8 Richmond Avenue, Westcliff-on-Sea) – Non-Pecuniary Interest: Has been in correspondence with the objector.
- (d) Cllr Borton – Agenda Item No. 18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) and 19 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Non-Pecuniary Interest: Niece works at Southend Airport.
- (e) Cllr Chalk – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) – Non-Pecuniary Interest: Has received an email from the applicant.
- (f) Cllr Cowan – Agenda Item No. 18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-Pecuniary Interest: Objectors have been in contact with him regarding the application.
- (g) Cllr Cowan – Agenda Item No. 19 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Non-Pecuniary Interest: The supplementary report mentions the Airport Consultancy Committee of which he is a member.

- (h) Cllr Dear – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) – Non-Pecuniary Interest: Has received an email from the applicant.
- (i) Cllr Dear – Agenda Item No. 17 (20/01049/AMDT - 88 Woodside, Leigh-on-Sea) Non-Pecuniary Interest: Has been in contact with the objector.
- (j) Cllr Dear – Agenda Item No.18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-Pecuniary Interest: Has received an email from a colleague concerning the impact the application would have on the air cadets.
- (k) Cllr F Evans – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) – Non-Pecuniary Interest: Has been involved in discussions about the application.
- (l) Cllr Flewitt – Agenda Item No. 10 (20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane), 13 (20/00801/AMDT - 200 Priory Crescent), 18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) and 19 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Non-Pecuniary Interest: Has publicly spoken and written about the application in the St. Laurence Ward.
- (m) Cllr Flewitt – Agenda Item No. 9 (20/00817/BC3 - Garages Rear of 187 Saxon Gardens) Non-Pecuniary Interest: Knows someone who lives on Saxon Gardens.
- (n) Cllr Garston – Agenda Item No. 10 (20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to him
- (o) Cllr Garston – Agenda Item No. 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue) and 18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-Pecuniary Interest: Has received emails regarding the application.
- (p) Cllr Jones – Agenda Item No. 9 (20/00817/BC3 - Garages Rear of 187 Saxon Gardens) Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Jones is a Cabinet Member.
- (q) Cllr Jones – Agenda Item No. 16 (20/01086/FUL - 8 Richmond Avenue, Westcliff-on-Sea) – Disqualifying Non-Pecuniary Interest: Knows two families that live in close proximity to the application site.
- (r) Cllr Mulroney – Agenda Item No. 10 (20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to her
- (s) Cllr Mulroney – Agenda Item No. 14 (20/00889/FUL - 20 Berkeley Gardens, Leigh-on-Sea) and 15 (20/00923/FUL - Land Rear of 26-30 Lime Avenue, Leigh-on-Sea) – Non-Pecuniary Interest: Is a non-planning member of Leigh Town Council
- (t) Cllr Mulroney – Agenda Item No. 19 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Disqualifying Non-Pecuniary Interest: The item relates to her Cabinet portfolio
- (u) Cllr Mulroney - Agenda Item No. 9 (20/00817/BC3 - Garages Rear of 187 Saxon Gardens) Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Mulroney is a Cabinet Member.
- (v) Cllr Thompson – Agenda Item No. 10 (20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to him
- (w) Cllr Wakefield - Agenda Item No. 10 (20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane) – Disqualifying Non-Pecuniary Interest: The applicant is known to him



- (x) Cllr Ward 18 (19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-Pecuniary Interest: A hotel was mentioned in discussion – Cllr Ward owns a B and B.

**346 Minutes of the meeting held on Monday 18th May 2020**

Resolved:-

That the Minutes of the Meeting held on 18th May 2020 be confirmed as a correct record and signed.

**347 Minutes of the meeting held on Wednesday 27th May 2020**

Resolved:-

That the Minutes of the Meeting held on 27th May 2020 be confirmed as a correct record and signed.

**348 Minutes of the meeting held on Wednesday 3rd June 2020**

Resolved:-

That the Minutes of the Meeting held on 3rd June 2020 be confirmed as a correct record and signed.

**349 Minutes of the meeting held on Wednesday 1st July 2020**

Resolved:-

That the Minutes of the Meeting held on 1st July 2020 be confirmed as a correct record and signed.

**350 Supplementary Report**

The Committee received a supplementary report by the Deputy Chief Executive and Executive Director (Growth and Housing) that provided additional information on items referred to elsewhere on the Agenda.

**351 18/01975/FULM - Land at Barge Pier Road, Shoeburyness (Shoeburyness Ward)**

**Proposal: Re-grading and retention of existing on-site spoil heap, erect 9 Commercial Units (Use Class B1/B8) with ancillary Trade Counter, 1 Retail Unit (unit 8) (Use Class A1) and 1 Unit (Use Class Sui Generis) for use as Vets (unit 1), layout Car Parking Spaces and Cycle Parking, construction of vehicular and pedestrian accesses from existing roundabout and layout soft landscaping.**

**Applicant: Garrison Developments LLP**

**Agent: Pomery Planning Consultants**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: NGR LOC d, NGR 08, NGR 09, NGR 06a, NGR 07, NGR 57c, NGR 51c, NGR52a, NGR 53b, NGR 61, NGR 58a, NGR 59a, NGR 60a

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence above a ground floor slab level unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site, including facing materials, roof detail and windows and doors, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in full accordance with the approved materials, details and specifications before the development hereby approved is brought into first use.

Reason: To safeguard character and appearance of the area in accordance with 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).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall take place above ground floor slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces and all means of enclosing the site.

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

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

05 The development shall not be first occupied unless and until vehicle manoeuvring areas and 111 on site car parking spaces have been provided and made available for use in full accordance with drawing NGR06a. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

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

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development above ground floor slab level shall be undertaken unless and until full details of the secure, covered cycle parking for no less than 36 cycles have been submitted to and approved in writing by the local planning authority. The approved cycle parking facilities shall be provided in full and made available for use for the development prior to the first use of the development hereby approved and be retained as such in perpetuity.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, DM3 and DM15 and the guidance contained in the Design and Townscape Guide (2009).

07 No part of the development hereby approved shall be first occupied or brought into first use unless and until a waste management plan which includes full details of refuse and recycling storage and servicing arrangements has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall be carried out solely in accordance with the approved details from the first use 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) and Design and Townscape Guide (2009).

08 None of the Individual unit hereby approved shall be first occupied or brought into first use unless and until full details of the operating and opening times of that unit have been submitted to and approved in writing by the local planning authority. Each unit shall subsequently be operated only in full accordance with the details approved under this condition.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

09 External lighting shall only be installed and operated in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

10 CCTV shall only be installed and operated in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

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

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

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

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

13 Commercial refuse collection and delivery times for the development hereby approved shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time on Sundays or Bank Holidays.

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

14 Notwithstanding the information submitted and otherwise hereby approved and notwithstanding the provisions of Section 55(2) of the Town and Country Planning Act (1990), as amended, or any provisions amending, revoking or re-enacting that section no mezzanine floorspace shall be constructed within any unit within the approved development unless express planning permission for such works has previously been granted.

Reason: To enable the Local Planning Authority to regulate and control the development in the interests of amenity of neighbour properties and to ensure that sufficient parking and cycle parking is provided in accordance with 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).

16 The development hereby approved shall be implemented in strict accordance with the findings, recommendations and conclusions of the approved Flood Risk Assessment and Drainage Strategy undertaken by Ardent dated August 2018 reference H523-01A, including the flood resistance and resilience measures at paragraphs 6.18-6.19 of the strategy, before the development is brought into first use. The development shall thereafter be managed in accordance with the approved measures. Finished ground floor levels in the development shall be set no lower than 3.00 metres above Ordnance Datum (AOD).

Reason: To ensure the approved development is safe and does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

17 The development hereby approved shall be undertaken and completed in strict accordance with the findings, recommendations and conclusions of the approved Ecology Statement undertaken by D F Clark Bionomique Ltd dated 22 March 2018 reference DF3398, including the mitigation measures set out on pages 16-18 of the statement.

Reason: To ensure the development results in no adverse harm to ecology or biodiversity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

18 No development above ground floor slab level shall be undertaken unless and until full details of the bird and bat boxes to be installed at the site have been submitted to and approved in writing by the local planning authority. The approved bird and bat boxes shall be provided in full prior to the first use of the development hereby approved and be retained as such in perpetuity.

Reason: To ensure the development results in no adverse harm to ecology or biodiversity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

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

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

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the

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

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

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

## 20 Decontamination

### A. Site Characterisation

No development other than demolition shall take place until and unless an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property, existing or proposed, including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;

### B. Submission of Remediation Scheme

No development other than demolition shall take place until and unless a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### C. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report that demonstrates the

effectiveness of the remediation carried out must be submitted to the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

#### E. Long Term Monitoring and Maintenance

E1) No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

E2) Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority.

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).

21 No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the local planning authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation of the development hereby approved and be retained as such thereafter.

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

22 No development or preliminary groundworks of any kind shall take place unless and until a written scheme of investigation for a programme of archaeological work

has been submitted to and approved in writing by the local planning authority. This must include details of the suitably qualified person or organisation that will carry out the archaeological work and reasonable notification to the local planning authority when the work will be undertaken. The archaeological work and development must then be carried out in accordance with the approved scheme. A written report of the investigation and findings shall be produced, showing that the archaeological work and development has been carried out in accordance with the approved scheme and recommendations within the report carried out. Copies of the written report of the investigation and findings must be sent to Southend Borough Council.

Reason: A pre commencement condition is needed to avoid damage to archaeological remains on site as set out in the National Planning Policy Framework (2019), Core Strategy (2007), Policies KP2 and CP4, Development Management Document (2015) Policies DM1, Dm2 Design and Townscape Guide (2009).

23 Unit 1 hereby approved, as identified on plan number NGR 06a, shall only be used as a Sui Generis veterinary practice and shall not be used for any other purpose as defined on the date this application was submitted. Unit 1 shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

24 Unit 8 hereby approved, as identified on plan number NGR 06a, shall only be used for purposes falling within use class A1 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. Unit 8 shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).



25 Units 2, 3, 4, 5, 6, 7, 9, 10 and 11 hereby approved, as identified on plan number NGR 06a, shall only be occupied for purposes falling within Use Classes B1 or B8 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. Units 2, 3, 4, 5, 6, 7, 9, 10 and 11 shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea 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

1 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.

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 Should the applicant require to carry out any alterations to the public highway they will be required to enter into the appropriate highway agreement

4 During construction and demolition there shall be no burning of waste material on site

5 Due to the proximity of the site to local residents a COPA (1974) sec 61 agreement with SBC will be required in order to control/mitigate construction noise and lorry movements effectively.

6 Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087

7 The applicant is advised that any proposed advertisements could require separate advertisement consent.

8 The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

**352 20/00817/BC3 - Garages Rear of 187 Saxon Gardens, Shoeburyness (West Shoebury Ward)**

**Proposal: Erect 2 semi-detached dwellinghouses on former garage site to rear of 187 Saxon Gardens, layout parking to front, amenity space to rear and erect toilet block for the allotments**

**Applicant: Mr Martin Berry**

**Agent: Mr David Lloyd of AK Design Partnership LLP**

Cllrs Jones and Mulronev withdrew from the meeting for this agenda item.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby approved shall be carried out in accordance with the approved plans: 4634.105 REV PL9.

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

03 The materials to be used on the external surfaces of the new dwellings hereby approved, including roof, walls and fenestration, shall be in accordance with the details submitted with the application form or shall be in line with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out solely in complete accordance with the approved details before it is brought into first use.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

05 The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

06 Notwithstanding the information submitted and otherwise hereby approved, the proposed toilet block shall be constructed and provided on site solely in accordance with details, including details of materials and elevation drawings, which have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014),

Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-sea Design and Townscape Guide (2009).

07 Notwithstanding the details submitted and otherwise hereby approved, the development hereby approved shall be constructed to ensure that the dwellings comply with building regulation M4 (2) “accessible and adoptable dwellings” prior to their first occupation.

Reason: To ensure the development hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the 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).

08 No dwelling shall be occupied on site unless and until the internal and external areas of the dwelling are protected from external noise in accordance with mitigation measures, including any details of sound insulation, noise protection measures and any maintenance required, which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The agreed measures shall be maintained on site as implemented thereafter for the lifetime of the development.

Reason: In the interest of the living conditions of intended future occupiers of the approved development in accordance with 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).

09 Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control noise and the emission of noise, dust and dirt during construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2019),

Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

11 The use of the dwellings hereby approved shall not commence unless and until the four parking spaces, two for each dwelling on site, as shown on the approved plan 4634.105 REV PL9 have been provided and made available for use on site. The parking spaces shall be retained in perpetuity for the lifetime of the development for the purposes of car parking solely for residents of the approved dwellings on site and their visitors.

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

12 No construction works, other than demolition and excavation works and works associated with this condition, shall take place unless and until useable accesses have been provided in full accordance with details shown on the approved plan 4634.105 REV PL9 for the rear of the neighbouring terrace to the west, including access for mobility scooters, and the allotments to the east, including access for HGVs. The accesses shall be retained thereafter for the lifetime of the development.

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

13 Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works, shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

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

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

15 The dwellings hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before they are occupied.

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

16 (a) Notwithstanding the details submitted and otherwise hereby approved, no development shall take place, other than that required to carry out additional necessary investigation which in this case may include demolition, site clearance, removal of underground tanks and old structures, and any construction until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the local planning authority.

The report of the findings must include:

- i) A survey of extent, scale and nature of contamination;
- ii) An assessment of the potential risks to:
  - human health;
  - properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems;
  - archaeological sites and ancient monuments; and
  - an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be

undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(c) Implementation of Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken unless and until the measures set out in the detailed remediation scheme approved under part (b) of this condition have been implemented. The Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority. Development must be halted on that part of the site until an assessment has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority before the development is brought into use.

Reason: To ensure that any contamination on site is identified and treated so that it does not harm anyone who uses the site in the future and in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM14 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the

proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives

1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable.

If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal

([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([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.

#### **353 20/00320/FUL & 20/00321/LBC - Cockethurst, Eastwoodbury Lane (St Laurence Ward)**

Proposal: 1. Convert existing farm buildings into 2 dwelling houses  
2. Convert existing farm buildings into 2 dwelling houses (Listed Building Consent)

Applicant: Mr David Dedman

Agent: Mr Steven Kearney of SKArchitects

Cllr Wakefield withdrew from the meeting for this agenda item.

Resolved:-

1. 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 504\_P300F, 504\_P301F, 504\_P302F, 504\_P303F, 504\_P304F, 504\_P305F, 504\_P306F, 504\_P307F, 504-P309F, 504\_P308F, 504\_P310F, 504\_P311F, 10186-01, 10186-02, 10186-03, 10186-04.

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

03 The development hereby approved shall be carried out in full accordance with the mitigation measures identified in the Flood Risk Assessment by SLR reference 402.08714.00004 and plan reference 504\_3111F before the approved dwellings are occupied and the recommended mitigation measures shall be maintained for the lifetime of the development.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment National Planning Policy Framework and policy KP2 of Core Strategy.

04 The materials used for the development hereby approved shall be as specified on plans reference 504\_P303F, 504\_P304F , 504\_P306F , 504\_P308F and 504\_P309F.

Reason: To safeguard the visual amenities of the historic buildings, setting of the adjacent listed farmhouse and the wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

05 The retention and re siting of the existing historic features impacted by the development hereby approved shall be carried out in full accordance with the specifications set out in the Gazetteer of Historic Features reference 504 revision A and plans reference 504\_309F and 504\_310F and the email from the agent dated 30.07.20 regarding doors, raised beams and hay racks before the development is occupied.

Reason: To safeguard the visual amenities of the historic buildings, setting of the adjacent listed farmhouse and the wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

06 The soft landscaping at the site shall be carried out in full accordance with the details and specifications shown in landscaping plan reference 504\_P302F before the dwellings hereby approved are occupied. The surfacing of the courtyard, parking spaces and driveway shall remain as the existing surfacing.

Reason: To safeguard the visual amenities of the historic buildings, setting of the adjacent listed farmhouse and the wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

07 Prior to the commencement of the development hereby approved tree protection measures, as set out in the Arboricultural Impact Assessment by Owen Allpress reference 1921 dated 16.02.20 shall be implemented in full prior to commencement of the development and shall be retained throughout construction of the development.

Reason: A pre commencement condition is required to ensure the trees to the west of the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

08 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), there shall be no formation of new marked or treated boundaries of any kind within the site including to separate the main farmhouse from the courtyard.

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 DM5 of the Development Management Document (2015).

09 The development hereby approved shall not be occupied until and unless 2 car parking spaces have been provided at the site and made available for use solely for occupiers of the residential units hereby approved and their visitors all in accordance with the details shown on drawing 504\_P310F. 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).

10 The development hereby approved shall not be occupied until and unless the store containing at least 2 secure, covered cycle parking spaces and the refuse and recycling stores, as shown on drawing 504\_P303F, have been provided at the site in full accordance with the approved plans and made available for use for the occupiers of the dwellings hereby approved. The approved scheme shall be permanently retained for the storage of cycles and waste and recycling thereafter.

Reason: To ensure that adequate refuse and recycling storage cycle parking is provided and retained to serve the development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM8 and DM15 of the Development Management Document (2015).

11 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).

12 Prior to any drainage infrastructure being installed, in accordance with the latest submitted Technical Note (9th March 2020, SLR Ref: 402.08714.00004 Ref: TN01 00) detailed designs of a surface water drainage scheme incorporating the following details shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details prior to the first occupation of the development. The scheme shall address the following matters:

- Provide clarification of the location and type of outfall connection with pipe sizes and invert levels.
- Provide evidence of consent from the Environment Agency for the proposed works which require a permit.

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

13 Prior to the occupation of the approved dwellings a noise Impact assessment must be conducted by a competent person to assess the potential impact of noise from London Southend Airport and existing commercial, industrial and premises on the proposed dwelling. The assessment must be made using the appropriate standards for noise sources and recognised standards and best practice in order to make the dwelling fit for its proposed use. The noise impact assessment must include any necessary mitigation measures needed to achieve the required standards and shall be submitted to the local planning authority for approval in writing before the development is occupied. Any agreed mitigation must be installed before the development is occupied and be maintained thereafter.

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

14 (a) Notwithstanding the details submitted and otherwise hereby approved, no development shall take place, other than that required to carry out additional necessary investigation which in this case may include demolition, site clearance, removal of underground tanks and old structures, and any construction until an

investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the local planning authority.

The report of the findings must include:

i) A survey of extent, scale and nature of contamination;

ii) An assessment of the potential risks to:

human health;

- o properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- o adjoining land;
- o groundwaters and surface waters;
- o ecological systems;
- o archaeological sites and ancient monuments; and
- o an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(c) Implementation of Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken unless and

until the measures set out in the detailed remediation scheme approved under part (b) of this condition have been implemented. The Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority. Development must be halted on that part of the site until an assessment has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority before the development is brought into use.

Reason: To ensure that any contamination on site is identified and treated so that it does not harm anyone who uses the site in the future and in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM14 of the Development Management Document (2015).

15 No development shall commence until a survey of the barn has been undertaken to determine whether bats or barn owls are present and the results of this have been submitted to and approved in writing by the local planning authority. If bats or barn owls are found to be present, no conversion work shall take place until an acceptable mitigation scheme has been submitted to and approved in writing by the local planning authority. The development shall commence and proceed only in accordance with the approved mitigation scheme. No work including any clearance or demolition shall take place between 1 April and 1 October in any year.

Reason: A pre-commencement condition is required to ensure any bats or barn owls utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and Development Management Document (2015) policy DM2.

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

Informatives:

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). 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 If construction works are to be considered outside of normal hours especially overnight it is recommended that the applicant applies for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Regulatory Services Team at Southend-on-Sea Borough Council for details.

2. That LISTED BUILDING CONSENT 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 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans 504\_P300F, 504\_P301F, 504\_P302F, 504\_P303F,

504\_P304F, 504\_P305F, 504\_P306F, 504\_P307F, 504-P309F, 504\_P308F, 504\_P310F, 504\_P311F, 10186-01, 10186-02, 10186-03, 10186-04.

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

03 The materials used for the development hereby approved shall be as specified on plans reference 504\_P303F, 504\_P304F , 504\_P306F , 504\_P308F and 504\_P309F.

Reason: To safeguard the visual amenities of the historic buildings, setting of the adjacent listed farmhouse and the wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

04 The retention and re siting of the existing historic features shall be carried out in full accordance with the details and specifications set out in the Gazetteer of Historic Features reference 504 revision A and plans reference 504\_309F and 504\_310F and the email from the agent dated 30.07.20 regarding doors, raised beams and hay racks.

Reason: To safeguard the visual amenities of the historic buildings, setting of the adjacent listed farmhouse and the wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

05 No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, air conditioning units, boiler flues, ventilation grills, ducting or telecommunication equipment shall be fixed to the exterior of the building without prior written approval of 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 DM5 of the Development Management Document (2015).

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

**354 20/00696/TPO - 56 Fairfield Road, Eastwood (Eastwood Park Ward)**

**Proposal: Remove to ground level 1 Oak Tree (T1) at rear (Application for works to trees subject to a Tree Preservation Order)**

**Applicant: Subsidence Management Services**

**Agent: IG Environmental Services of Innovation Group Environmental Services**

Resolved:-

That CONSENT TO CARRY OUT WORK ON TREES be GRANTED subject to the following conditions:

01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice in the Southend Design and Townscape Guide (2009).

02 The works shall be carried out in accordance with British Standard BS 3998 (2010) by a suitably qualified person.

Reason: In the interests of ecology and in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 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.

**355 20/00737/FUL - 30-32 The Leas, Westcliff-on-Sea (Chalkwell Ward)**

Proposal: Erect part 3/part 4 storey building with basement level comprising of 9 self-contained flats (Class C3 ) layout secure cycle/refuse stores and parking at basement level with landscaping to front and rear.

Applicant: Elmore Homes Limited

Agent: R Warren of SKArchitects

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 and details 609-P01E, 609-P02F, 609-P03C, 609-P04A, 609-P05A, 609-P06B, 609-P07B, 609-P08E, 609-P09C, 609-P10B, 609-P11F, 609-P12B, 609-P13 (visual), 609-P14, 609-P15C, Materials List by SKArchitects ref 609 Rev A and Platform Lift Information by SKArchitects Ref 609.

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

03 The development hereby approved shall be carried out in full accordance with the mitigation measures identified in the Flood Risk Assessment carried out by by Ambiantal Environmental Assessment reference 5364 before the approved dwellings are occupied and the recommended mitigation measures shall be maintained for the lifetime of the development.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment National Planning Policy Framework and policy KP2 of Core Strategy

04 Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken unless and until full details of the existing and proposed site levels to include the proposed dwellings, forecourts and landscaped areas relative to the adjoining land and any other changes proposed in the existing levels of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and completed in accordance with the approved details before it is occupied.

Reason: A pre commencement condition is required to safeguard the visual amenities of the site and wider area as set out in Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Southend Design and Townscape Guide (2009).

05 The materials used for the external surfaces of the building shall be as detailed on plan reference 609-P15C and the Materials List prepared by SKArchitects reference 609 Rev A.

Reason: To safeguard the visual amenities of the conservation area and wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM5 and DM6 and advice contained within the Southend Design and Townscape Guide (2009).

06 The detailing for the front balconies and guttering of the development hereby approved shall be carried out in full accordance with plan references 609-P12B and 609-P15C before the development is occupied.

Reason: To safeguard the visual amenities of the conservation area and wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM5 and DM6 and advice contained within the Southend Design and Townscape Guide (2009).

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction to 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. The details submitted shall include, but not limited to: -

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. other vehicle and pedestrian access and circulation areas;
- iii. hard surfacing materials;
- iv. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- 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: To safeguard character and appearance of conservation area and wider streetscene in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

08 Prior to the commencement of the development hereby approved details of tree protection measures, in relation to the trees on, or adjoining, the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented in full prior to commencement of the development and shall be retained throughout construction of the development.

Reason: A pre commencement condition is justified to ensure the trees to the west of the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

09 The development hereby approved shall not be occupied until and unless 11 car parking spaces have been provided at the site and made available for use solely for occupiers of the residential units hereby approved and their visitors all in accordance with the details shown on drawing 609-P07B, together with properly constructed vehicular access to the adjoining highway, in full 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).

10 The development hereby approved shall not be occupied until and unless the store containing at least 9 secure, covered cycle parking spaces and the refuse and

recycling store to serve the flatted development as shown on drawing 609-P07B have been provided at the site in full accordance with the approved plans and made available for use for the occupiers of the flats hereby approved. The approved scheme shall be permanently retained for the storage of cycles and waste and recycling thereafter. The waste management and servicing of the development shall be carried out in accordance with the submitted Waste Management Plan by SKArchitects.

Reason: To ensure that adequate refuse and recycling storage cycle parking is provided and retained to serve the development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM8 and DM15 of the Development Management Document (2015).

11 No drainage infrastructure shall be installed at the site unless and until detailed designs of a surface water drainage scheme incorporating the following measures has been submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented in full before the development is first occupied. The scheme provided shall address the following matters:

- i. Provide a detailed drainage plan identifying the sustainable urban drainage (SuDS) features to be used, including their size and location, the destination of runoff, any runoff rate restrictions, and the proposed method of flow control;
- ii. Provide supporting calculations to demonstrate the hydraulic performance of the proposed SuDS for the 1 in 100 year plus 40% change event;
- iii. Provide evidence of consent from Anglian Water for the proposed discharge rate and connection location to the public sewer; and
- iv. Provide details of the management and maintenance for all SuDS and how they will be secured for the lifetime of the development (maintenance plan).

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

12 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, 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 hereby approved. This provision shall be made for the lifetime of the development.

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

13 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).

14 The east and west facing windows in the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level of the rooms served by those windows 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).

15 The development hereby approved shall be carried out in a manner to ensure the flats comply with building regulation M4 (2) 'accessible and adaptable dwellings', including the installation of the platform lift as detailed in the approved plan reference 609-P11 Rev F and Platform Lift Information by SKArchitects Ref 609, before they are occupied.

Reason: To ensure the residential units hereby approved provides a 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 DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

16 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 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the

proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives

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

**356 20/00801/AMDT - 200 Priory Crescent, Southend-on-Sea (St Laurence Ward)**

**Proposal: Application to vary condition 11 (Refuse collection hours) to allow commercial refuse collection and the deliveries for the development; shall not take place outside 06:00 hours to 23:00 hours Mondays to Saturdays and 07:00 hours to 23:00 hours on Sundays and bank holidays (Minor Material Amendment of planning permission 18/01963/FULM dated 9.1.2019)**

**Applicant: Aldi Foodstores Ltd**

**Agent: Mr William Rogers of Planning Potential**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1 The development hereby permitted shall begin no later than 9 January 2022, three years from the date planning permission 18/01963/FULM was granted.

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

2 The development shall be carried out in accordance with the approved plans: 22380CHE-102, 2238-CHE-100, 2238-CHE-113, 2238-CHE-112 Rev. A, 2238-CHE-111, V2238 L01, 2238-CHE-110 Rev. B, 18311-BT1, 2238 CHE Aldi Southend CGI 02, B2340-MJA-P105-4837.

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

3 The development hereby approved shall be constructed in accordance with the material details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD or any other materials which have previously been submitted to and approved in writing by the local planning authority.

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

4 The development shall be undertaken in accordance with the approved hard and soft landscaping scheme as shown on drawing number V2238 L01, or any other hard and soft landscaping scheme that has been previously submitted to and approved in writing by the local planning authority. All planting in the approved landscaping scheme shall be carried out within the first available planting season following first use of the development hereby approved. Any shrubs or trees dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. Hard landscaping shall be implemented in full accordance with the approved scheme prior to occupation of any part of the development hereby approved.

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

5 The development shall not be first brought into use until 97 on site car parking spaces have been provided and made available for use in full accordance with drawing 2238-CHE-110 rev. B, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely for the parking of customers and staff of the development.

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

6 Notwithstanding the details shown on the plans hereby approved the development shall not be brought into first use unless and until details of a minimum of 10 secure, covered cycle parking spaces to serve the development

have been submitted to and approved in writing by the local planning authority. The approved cycle parking facilities shall be provided and made available for use for occupiers of the development in full accordance with the approved plans. The approved facility shall be permanently maintained thereafter.

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

7 The development shall be undertaken and thereafter occupied and maintained in perpetuity in accordance with the waste and recycling management strategy reference 2238-CHE dated 08.10.18. or any other waste management strategy that has previously been submitted to and approved in writing by the local planning authority.

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

8 No external plant or ventilation equipment shall be installed at the development unless and until full details of its location, design and technical specifications and a report detailing any mitigation measures proposed in respect of noise impacts has been submitted to, and approved in writing by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and specifications and any noise mitigation measures undertaken in association with the agreed details before the extraction and ventilation equipment is brought into use. With reference to British Standard 4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

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

9 External lighting shall only be installed in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

10 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 and implemented in full prior

to the first use of any part of the development. This provision shall be made for the lifetime of the development.

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

11 Commercial refuse collection and deliveries for the development shall not take place outside 06:00 hours to 23:00 hours Mondays to Saturdays and 07:00hours to 23:00hours on Sundays and 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).

12 The development hereby approved shall be constructed in accordance with the surface water drainage works and Sustainable Urban Drainage (SuDS) details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other surface water drainage work details which have previously been submitted to and approved in writing by the local planning authority.

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

13 The development hereby approved shall be constructed in accordance with the contamination details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other details which have previously been submitted to and approved in writing by the local planning authority.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

14 The development hereby approved shall be constructed in accordance with the programme of archaeological recording and analysis previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other details which have previously been submitted to and approved in writing by the local planning authority.

Reason: to allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction off any archaeological finds in accordance with the National Planning Policy Framework (2019) and Policy DM5 of the Development Management Document (2015).



15 Notwithstanding the information submitted with the application, the development hereby approved shall not be brought into first use unless and until a Travel Plan including a comprehensive survey of users, targets to reduce car journeys to and from the site, identifying sustainable transport modes including cycling and modes of public transport and measures to reduce car usage has been submitted to and agreed in writing by the local planning authority. The approved Travel Plan shall be fully implemented prior to first use of the development hereby approved and be maintained thereafter in perpetuity and shall be reviewed after 9 months of the development. For the first three years at the end of each calendar year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions and recommendations.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

15 The development hereby approved shall be constructed in accordance with the Construction Method Statement submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other Construction Management Plan which has previously been submitted to and approved in writing by the local planning authority.

Reason: This 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).

16 Notwithstanding information submitted with this application the development shall not be brought into first use unless and until full details of the bird and bat boxes to be installed at the site have been submitted to and approved in writing by the local planning authority. The approved bird and bat boxes shall be provided in full prior to the first use of the development hereby approved and retained as such in perpetuity.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

17 The development hereby approved shall be undertaken in accordance with the findings and recommendations of the protected species and habitats surveys for bats, badgers and reptiles previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other details which have previously been submitted to and approved in writing by the local planning authority.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4.

18 Site clearance works shall be undertaken outside of the bird nesting season (October to February) or if this is not possible then the site shall be surveyed by an ecologist before works commence. If nesting birds are found then work shall not commence until the young have fledged.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

19 The development shall be undertaken in accordance with the Arboricultural assessment and method statement undertaken by Barrell Tree Consultancy reference 18311-AA-AN dated 28th September 2018.

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

20 Notwithstanding the information submitted with this application, the development shall not be first used unless and until a deliveries management plan has been submitted to and approved in writing by the local planning authority. The development shall be undertaken and operated in strict accordance with the approved management plan in perpetuity.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (2019), Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

21 The development hereby approved shall be constructed in accordance with the details of the right hand turn lane and amended access details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 19/01782/AD, or any other details which have previously been submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (2019), Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

22 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 extensions or works to provide additional floorspace shall be carried out at the development hereby approved falling within Schedule 2, Part 7 Class A of that Order.

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).

23 Notwithstanding the provisions of Section 55(2) of the Town and Country Planning Act (1990) as amended, no mezzanine floorspace shall be erected within the approved development unless express planning permission for such works has been previously granted.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties in accordance the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

24 Notwithstanding the information submitted and otherwise hereby approved, within one month after the opening of the store to the public, a Noise Impact Assessment and Validation Survey, including any additional noise mitigation measures proposed shall be carried out which shall include an assessment of the noise levels from delivery/refuse collection vehicles between the hours of 06:00 – 07:00 on Saturdays and public holidays. The Noise Impact Assessment and Validation Survey shall be submitted to the Local Planning Authority and approved in writing within 4 months of the store first opening. The development shall subsequently be managed in full accordance with the approved Noise Impact Assessment and Validation Survey. In the event that the Noise Impact Assessment and Validation Survey are not approved by the Local Planning Authority within 4 months of the store opening commercial refuse collection and deliveries for the development shall not take place outside 06:00 hours to 23:00 Monday to Friday and 07:00 hours to 23:00 hours on Saturdays, Sundays and Bank Holidays, overriding the provisions of condition 11 of this permission, until such times as the Local Planning Authority has approved a Noise Impact Assessment and Validation Survey submitted in accordance with the terms of this condition.

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).

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

Informatives:

1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). 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 You are advised that separate advertisement consent will be required for the advertisements shown on the approved plans and the granting of planning permission in this case does not permit the advertisements shown on the plans for which separate advertisement consent is required.

4 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

**357 20/00889/FUL - 20 Berkeley Gardens, Leigh-on-Sea (West Leigh Ward)**

Proposal: Demolish existing building, erect two semi-detached dwellinghouses, layout amenity space and parking, form new vehicular access onto Berkeley Gardens.

Applicant: Mr Ben Bradley

Agent: Danny Knott of DK Building Designs Ltd

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby approved shall be carried out in accordance with the approved plans: 3639-06 Sheet 1 of 3 rev C, 3639-06 Sheet 2 of 3 rev C, 3639-06 Sheet 3 of 3 rev C.

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

03 The materials to be used on the external surfaces of the new dwellings hereby approved, including roof, walls and fenestration, shall be in line with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out solely in complete accordance with the approved details before it is brought into first use.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

05 The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

06 Notwithstanding the details submitted and otherwise hereby approved, the development hereby approved shall be constructed to ensure that the dwellings

comply with building regulation M4 (2) “accessible and adoptable dwellings” prior to their first occupation.

Reason: To ensure the development hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the 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).

07 Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

08 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control the emission of noise, dust and dirt during construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

09 The north and south facing (side) windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or equivalent) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room served by that window. 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 window shall be retained in line with these details in perpetuity for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

10 The flat roof areas above the first floor level and the flat roofs over the single storey rear projections of the development hereby approved shall not be used as balconies, roof gardens or similar amenity area or for any other purpose unless planning permission has first been obtained by the local planning authority. These

areas can however be used for the purposes of maintenance or to escape in an emergency.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

11 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended or any equivalent statutory provisions revoking or amending the above referenced class of permitted development rights, the northern dwelling hereby approved shall not be extended rearwards without first obtaining planning permission from the Local Planning Authority.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

12 The use of the dwellings hereby approved shall not commence unless and until the four parking spaces, two for each dwelling on site, as shown on the approved plan 3639-06 Sheet 3 of 3 rev B have been provided and made available for use on site. The parking spaces shall be retained in perpetuity for the lifetime of the development for the purposes of car parking solely for residents of the approved dwellings on site and their visitors.

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

13 Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works, shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

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

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

15 The dwellings hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before they are occupied.

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives:

1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([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 The granting of this permission does not negate the need for Highways Consent for the permanent vehicular crossing and there is no guarantee that you will automatically be granted Highways Consent for this. Applications for permanent vehicular crossings made under Planning Legislation consider a broader range of criteria in comparison to applications made under Highways legislation. They are separate regimes and different requirements apply to each.

**358 20/00923/FUL - Land Rear of 26-30 Lime Avenue, Leigh-on-Sea (West Leigh Ward)**

Proposal: Erect two dwellinghouses incorporating garages to side to rear of 26 and 30 Lime Avenue with amenity space to rear and install additional vehicular access to front of 30 Lime Avenue

Applicant: Mr Bishop and Mr Avery

Agent: Mrs Lindsey Wislocki of Hedgehog Development

S Bennet spoke as an objector to the application, S Avery responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

01 The proposed development by reason of its siting and layout would materially conflict with the grain of the local area, would appear incongruous and be materially out of keeping with and detract from the character and appearance of the site and wider surrounding area. 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 National Design Guide (2019) and the Southend Design and Townscape Guide (2009).

02 The proposed development, in particular the northern dwelling, by reason of its position and upper floor window arrangements, would result in material harm to the residential amenity of neighbouring occupiers at 2 Belfairs Close, due to overlooking and material loss of privacy. This is an unacceptable form of development which is contrary to the National Planning Policy Framework (2019); Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

03 The proposed development, in particular the northern dwelling, by reason of its siting and relationship with 2 Belfairs Close, would result in overlooking which would be detrimental to the living conditions of the intended future occupiers of the proposed dwelling. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007),

Policies DM1, DM3 and DM8 (as amended by the Technical Housing Standards Policy Transition Statement (2015)) of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

04 The proposal fails to demonstrate that the development would not result in the loss of local ecological assets including wildlife habitats. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1, DM3 and DM14 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 via the pre-application service available at [https://www.southend.gov.uk/info/200155/make\\_a\\_planning\\_application\\_and\\_planning\\_advice/365/planning\\_advice\\_and\\_guidance/2](https://www.southend.gov.uk/info/200155/make_a_planning_application_and_planning_advice/365/planning_advice_and_guidance/2)

Informative:

1 Please note that this application would have been 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 may also be CIL liable.

**359 20/01086/FUL - 8 Richmond Avenue, Westcliff-on-Sea (Victoria Ward)**

Proposal: Change of use from 6-bedroom HMO (Class C4) to 9 bedroom HMO (Sui Generis), erect two storey side extension (Amended Proposal)

Applicant: Mr Ben Page

Agent: Mr Luis Mulry of Edith Garland Architecture

Cllr Jones withdrew from the meeting for this agenda item.

Cllr Buck withdrew from the rest of the meeting (Note: Agenda item Nos.18 and 19 were taken first, Cllr Buck was present for these items)

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

The development would, by reason of its internal layout, design and the level of facilities provided, fail to provide an adequate standard of living conditions for its future occupiers to the detriment of their amenity. This is unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Essex HMO Amenity Standards (30 July 2018).

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

The development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

### **360 20/01049/AMDT - 88 Woodside, Leigh-on-Sea (Belfairs Ward)**

Proposal: Vary Condition 02 (Approved Plans) to replace approved plans with 1519.100, 1519.101b, 1519.102b, 1519.103c and 1519.104b (Minor material amendment to Planning Permission 19/02062/FUL dated 22.01.2020)

Applicant: Mr And Mrs N Stevens

Agent: Mr John Jackson of Architectural Design Associates

A written objection, from M Le Brun, was read to the committee. A written response, from J Jackson, was also read to the committee.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 22 January 2023, three years from the date planning permission 19/02062/FUL was granted.

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

02 The development hereby approved shall be carried out in accordance with the approved plans: 1519.100, 1519.101b, 1519.102b, 1519.103c and 1519.104b.

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

03 The materials to be used on the external surfaces of the development hereby approved, including roof, walls and fenestration, shall be in line with the details shown on the approved plan 1519.103c or details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out solely in complete accordance with the approved details before it is brought into first use.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

05 The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

06 Notwithstanding the details submitted and otherwise hereby approved, the development hereby approved shall be constructed to ensure that the dwelling complies with building regulation M4 (2) "accessible and adoptable dwellings" prior to their first occupation.

Reason: To ensure the development hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the 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).

07 Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

08 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control the emission of noise, dust and dirt during construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

09 The side facing windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or equivalent) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room served by that window. 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 window shall be retained in line with these details in perpetuity for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

10 The flat roof areas above the first floor level and the flat roofs over the single storey rear projections of the development hereby approved shall not be used as balconies, roof gardens or similar amenity area or for any other purpose unless planning permission has first been obtained by the local planning authority. These areas can however be used for the purposes of maintenance or to escape in an emergency.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

11 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development shall not be first used unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of privacy screens, which shall be a minimum of 1.7m in height, to be installed at the rear balcony of the property hereby approved. Before the development hereby approved is first used the privacy screens shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

12 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any Order amending, revoking or re-enacting that Order) no extensions, conservatories, dormers, roof extensions or other form of development normally permitted under Class A or Class B of Part 1 of Schedule 2 of the above Order shall be erected within the site without planning permission having been obtained from the local planning authority.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with 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).

13 The use of the development hereby approved shall not commence unless and until two parking spaces have been provided and made available for use on site in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be retained in perpetuity for the lifetime of the development for the purposes of car parking solely for residents of the approved dwellings on site and their visitors.

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

14 Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works, shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

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

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

16 The dwelling hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before they are occupied.

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, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable.

If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact

S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([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.

**361 19/02066/BC4M - Airport Parking, Southend Airport, Eastwoodbury Crescent (St Laurence Ward)**

**Proposal: Erect Part5/Part 6 Storey Hotel (Use Class C1) comprising of 132 rooms, with associated access, car parking and secure cycle parking, reconfigure existing staff car park with secure barrier, delivery/servicing to north of site for Hotel and hard and soft landscaping**

**Applicant: Mr Glyn Jones**

**Agent: Mr Robert Matthews of Vantage Planning Ltd**

D Sabine spoke as an objector to the application, R Matthews responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

The submission fails to demonstrate that the proposed development would not result in a materially increased level of traffic and additional on-street parking, in an area of existing parking stress, to the detriment of highway safety and free flow of traffic. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1 and T7 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy T1 of the Rochford Core Strategy (2011), Policies DM30 and DM31 of the Rochford Development Management Plan and the advice contained within the Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

**362 Airport Surface Access Strategy - Airport Surface Access Strategy (St Laurence Ward)**

**Proposal: Review of the Airport Surface Access Strategy as required by the Section 106 Agreement dated 30th April 2010 as modified by a Deed of Variation dated 20th June 2012**



**Applicant: London Southend Airport Company Limited ("the Airport Operator")**  
**Agent: n/a**

Resolved:-

That the Airport Surface Access Strategy review document be AGREED pursuant to the Section 106 Agreement dated 30<sup>th</sup> April 2010 as modified by a Deed of Variation dated 20<sup>th</sup> June 2012.

Various issues for consideration as part of the next Airport Surface Access Strategy were raised.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Monday, 14th September, 2020**

**Place: Virtual Meeting via MS Teams**

12

**Present:** Councillor B Ayling (Chair)  
Councillors M Borton and A Dear

**In Attendance:** A Brown, T Row and A Penn

**Start/End Time:** 10.40 am - 11.25 am

**363 Apologies for Absence**

There were no apologies for absence.

**364 Declarations of Interest**

No interests were declared at the meeting.

**365 Yak & Yeti, 1030 London Road, Leigh-on-Sea, Southend-on-Sea, Essex, SS9 3ND - Application for the Transfer of a Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Masala Kitchen Ltd. to transfer the existing premises licence at Yak & Yeti, 1030 London Road, Leigh-on-Sea, Essex, SS9 3ND.

The applicant nor his legal representative were in attendance at the meeting. However, a written submission received from the applicant's legal representative in an email dated 11<sup>th</sup> September was read out at the hearing on behalf of the applicant.

Objections to the application had been received from Essex Police under the licensing objective of the prevention of crime and disorder, in particular, employing a person who is disqualified from work by reason of their immigration status. Ms K Drain (Essex Police) was in attendance at the hearing and gave evidence.

On the basis of the evidence presented to it, the sub-committee felt Mr T Singh would not be a fit and proper person to hold the premises licence on the grounds that the promotion of the licensing objective for the prevention of crime and disorder would be undermined. The sub-committee therefore:

Resolved:-

The application to transfer the licence be rejected.

**366 Yak & Yeti, 1030 London Road, Leigh-on-Sea, Southend-on-Sea, Essex, SS9 3ND - Application for the variation of a premises licence to specify a new Designated Premises Supervisor**

The sub-committee noted that an application had been made by Masala Kitchen UK Ltd for the variation of the premises licence to specify a new Designated Premises Supervisor.

However, only the current licence holder may make an application to vary the licence and, on the basis that the application to transfer the premises licence had been rejected by the sub-committee and the decision had been issued, the application to vary the premises licence was invalid and was therefore not determined.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet Committee**

**Date: Monday, 14th September, 2020**

**Place: Virtual Meeting via MS Teams**

**13**

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

**In Attendance:** Councillors A Bright, K Buck, P Collins, D Cowan, T Cox, M Flewitt,  
D Jarvis, D McGlone, A Moring, C Nevin and S Wakefield  
L Reed, S Harrington and T Row

**Start/End Time:** 6.30 pm - 8.00 pm

**367 Apologies for Absence**

There were no apologies for absence.

**368 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Cowan – Agenda Item No. 4 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with the issue since for some time and is mentioned in the report;

(b) Councillor Flewitt – Agenda Item No. 4 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with parking issues since fin St Laurence Ward for some time;

(c) Councillor McGlone – Agenda Item No. 4 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with parking issues since fin St Laurence Ward for some time;

(d) Councillor Terry – Agenda Item No. 4 (Airport Parking Scheme) – Non-pecuniary interest: Is a member of the Airport Consultative Committee and has been involved with 2 or 3 companies at the airport; and

(e) Councillor Woodley – Agenda Item No. 4 (Airport Parking Scheme) – Non-pecuniary interest: Daughter is a pilot for EasyJet at the airport.

**369 Minutes of the Meeting held on Monday 27th July 2020**

Resolved:-

That the Minutes of the Meeting held on Monday, 27<sup>th</sup> July 2020 be received, confirmed as a correct record and signed.

**370 Airport Parking Scheme**

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) concerning further requests and alleged issues surrounding the parking areas in the vicinity of the airport. The report also sought agreement on the way forward, after having considered the views of the Traffic Regulation Working Party.

Resolved:-

That consultation on any scheme for the area around the airport be delayed until 2021 to allow the service to understand the new parking behaviours, including those of the airport, and the outcome of discussions on the potential development of a Southend Pass and the zoning of areas as part of a Boroughwide Parking Strategy.

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: Cllr Woodley

**371 Eastern Avenue Safety Scheme**

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Planning) that presented and update on recent issues that had been experienced in Eastern Avenue and the next steps recommended by the service.

Resolved:-

That the report be noted.

Reasons for Decision

N/A

Other Options

N/A

Note this is an Executive function  
Eligible for call-in to: Place Scrutiny Committee  
Cabinet Member: Cllr Woodley

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



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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet**

**Date: Tuesday, 15th September, 2020**

**Place: Virtual Meeting via MS Teams**

**14**

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

**In Attendance:** Councillors K Evans and D Cowan  
A Griffin, A Lewis, J Chesterton, T Forster, L Reed, J Ruffle, J Williams, S Baker, E Cooney, C Gamble, G Halksworth, S Harrington, A Keating, M Marks, S Meah-Sims, B Pegram, A Richards and M Sheppard

**Start/End Time:** 2.00 - 3.57 pm

**372 Apologies for Absence**

Apologies for absence were received from Councillor Harp.

**373 Declarations of Interest**

The following declarations of interest were made at the meeting:

(a) Cllr Terry – Agenda Item No. 19 (Declaration of Air Quality Management Area) – Non-Pecuniary Interest: Season Ticket Holder, Southend United Football Club.

(b) Cllrs Gilbert, Jones, Robinson – Agenda Item No. 19 (Declaration of Air Quality Management Area) – Non-Pecuniary Interest: Know residents in the affected area

(c) Cllr Mulrone – Agenda Item No. 20 (Mid and South Essex Health and Care Partnership MoU) – Non-Pecuniary Interest: Niece works for Mid Essex NHS

(d) Cllr Robinson – Agenda Item No. 20 (Mid and South Essex Health and Care Partnership MoU) – Non-Pecuniary Interest: Employer is mentioned in the MoU

(e) Cllr Jones – Agenda Item No. 21 (Planning White Paper) – Non-Pecuniary Interest: Chairman of Burges Estate Residents Association

(f) Cllr Jones – Agenda Item No. 22 (School Admissions Arrangements for Community Schools 2022/23) – Non-Pecuniary Interest: Has a child still at school age

**374 Minutes of the Meeting held on Tuesday 28th July 2020**

Resolved:-

That the Minutes of the Meeting held on Tuesday 28<sup>th</sup> July 2020, be confirmed as a correct record and signed.

**375 Covid-19 Financial Update and Medium Term Financial Strategy Impact Assessment**

The Cabinet considered a report of the Executive Director (Finance and Resources) providing an updated assessment of the local financial impact of Covid-19 and a range of high level scenarios to illustrate the potential scale of the financial challenge over the short and medium term.

Resolved:-

1. That the Council's updated assessment of the local financial impact of the unprecedented challenges that has been caused by the pandemic, be noted.
2. That the scale of the potential financial challenge summarised in the submitted report, be noted.
3. That the Council's Medium Term Financial Strategy is reviewed and a range of options are developed to ensure continuing financial sustainability.
4. That the Cabinet receive regular reports to future Cabinet meetings, which will provide updated assessments on our financial position and outline any changes to our strategy and range of assumptions.

Reason for decision:

To provide an update on the financial impact of Covid-19

Other Options:

None.

Note: This is an Executive Function

**Called-in to: All Three Scrutiny Committees**

Executive Member: Cllr Gilbert

**376 Resourcing Better Outcomes - Finance Performance Report for July 2020 (Period 4)**

The Cabinet considered a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

Recommended:-

That, in respect of the 2020/21 Revenue Budget Performance as set out in appendix 1 to the submitted report that:

1. The forecast outturn for the General Fund and the Housing Revenue Account as at July 2020, be noted.
2. The planned budget transfers (virements) of £824,300 between portfolio services, be approved

That, in respect of the 2020/21 Capital Budget Performance as set out in appendix 2 to the report that:

1. The expenditure to date and the forecast outturn as at July 2020 and its financing, be noted.
2. The requested changes to the capital investment programme for 2020/21 and future years, as set out in section 3 and appendix 2 to the report, be approved.

Reason for Decisions:

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to Councillors, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the associated management action being implemented to address any identified issues. It also informs decision making to ensure that the Council's priorities are delivered within the approved budget provision.

Other options:

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the current reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to also formally manage the Council's exposure to financial risk.

Note: This is a Council Function

Eligible for call-in to: Policy and Resources Committee

Executive Members: Cllrs Gilbert and Woodley

**377 Southend 2050 Milestones and Measures - Refresh in response to Covid-19**

The Cabinet considered a report of the Chief Executive presenting the second stage of the review and refresh of Southend 2050 milestones and measures in response to the Covid-19 pandemic.

Resolved:-

1. That the new format of the outcome success measures report, which presents insight at an outcome level, be noted.
2. That it be noted that the associated measures and insight against each of the outcomes will be used to manage performance against the delivery of Southend 2050.
3. That the Quarter 1 performance (April-June 2020), be noted.
4. That the Southend 2050 roadmap milestones will form part of future reports that update on Southend's recovery journey in order for responsive developments.
5. That the detailed Transforming Together programme of work, be noted.

6. That it be noted that Covid-19 is presenting lots of unknowns, as a result 2050 needs to be flexible to deal with the challenges therefore our outcomes will need to be responsive to the changing situations.

7. That the performance and measures of success and progress to achieve 2050 continue to be reported through the quarterly Outcome Success Measures Report, reported 4 times a year to Cabinet.

8. That the creation of a Covid-19 recovery fund with an initial value of £500,000 to be funded by the Business Transformation Reserve, be approved.

Reason for Decisions:

To ensure the Council has an opportunity to review action taken to date to tackle the Covid-19 crisis and to consider the appropriate approach to be taken to enable the Borough and Council to recover.

Other options:

The Council could choose not to review its current ambition and desired outcomes. This would mean failing to set out the huge impact the crisis has had on the Borough, its people and the Council and the Council's approach to recovery. A review of the current 2050 ambition and outcomes would most likely be required in any case, given they were agreed in 2018.

Note: This is an Executive Function.

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

Executive member: Cllr Gilbert

### **378 Annual Public Health Report**

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the 2019 Annual report of the Director of Public Health.

Resolved:-

That the content and recommendations of the 2019 Annual Report of the Director of Public Health and progress made to-date in regards to the recommendations from the previous report in 2018, 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

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

Executive Member: Cllr Harp

## 379 Fire Safety Report

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth & Housing) setting out the progress in delivering the Council's fire safety review and the Council's response to the Government's consultation 'Sprinkler and other Fire Safety Measures in New High-Rise Blocks of Flats'.

Resolved:-

1. That the work undertaken by the Council and South Essex Homes in respect to fire safety in high rise residential blocks including progressing the installation of a pilot 'annunciation system' in Longbow residential tower block and a pilot sprinkler system in Cecil Court residential tower block, be noted and endorsed.
2. That the work undertaken by the Council in respect to fire safety across its operational buildings including the completion of all fire stopping and compartmentation works at Chase Sports Centre, Southend Tennis and Leisure Centre and Belfairs Swim Centre, be noted and endorsed.
3. That it be noted that Type 4 Fire Risk Assessments will be undertaken at Quantock and Brecon residential tower blocks with investigation works to be programmed and undertaken in a Covid secure manner and in consultation with residents of the blocks.
4. That it be noted that the Council will be responding to the Home Office's 'Fire Safety' Consultation Document by the consultation deadline of 12 October 2020.
5. That a further update be provided to Cabinet in spring 2021.

Reason for decisions:

The Council has undertaken a fundamental review of its fire safety policies and procedures, reviewed its property stock, and put in place appropriate resources (financial and other) to ensure that it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.

Other options:

1. To maintain all operational properties in their current condition with fire improvement works and, where practicable, to bring them up to the requirements of the latest Building Regulations when they next undergo major alterations and/or extension.
2. The Council could maintain the current arrangements whereby individual building managers are identified as responsible for the buildings within which they operate.
3. The Council could commit to the immediate adoption of all recommendations set out within the Independent Review of Building Regulations and Fire Safety.

Note: This is an Executive Function.

Eligible for call-in to: Place Scrutiny Committee

Executive Members: Councillors Gilbert and Terry

**380 Better Queensway**

This item was deferred to a future meeting of Cabinet.

**381 RAMS - Essex Coast Recreation, Disturbance, Avoidance & Mitigation Strategy**

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth & Housing) setting out the findings of the public consultation on the draft Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and Supplementary Planning Documents (SPD) and proposed the adoption of the revised SPD and the publication of the Adoption Statement.

Recommended:-

1. That the contents of the 'You Said We Did' Feedback Report and the proposed amendments to the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (Appendix 1 to the submitted report), be noted.
2. That the RAMS SPD (Appendix 2), be adopted and the Adoption Statement (Appendix 3), be published in accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
3. That the contents of the SEA/HRA Screening Report (Appendix 4 to the report), be noted and be published.
4. That it be noted that the project will be delivered through an Essex Coast RAMS Partnership Agreement between the partner authorities.
5. That the Deputy Chief Executive and Executive Director (Growth and Housing) be authorised in consultation with the Cabinet Member for Environment and Planning, to make necessary minor amendments to the Supplementary Planning Document, Adoption Statement, You Said We Did Feedback Report, and SEA/HRA Screening Report (in Appendices 1 – 4 to the report) should it be necessary before adoption/publication, and to undertake all the necessary legal and procedural adoption processes.
6. That it be noted that in adopting the RAMS SPD Southend Borough Council will collect a tariff charge of £125.58 per dwelling unit (indexed linked) from planning applications and transfer this to the RAMS Accountable Body in accordance with the RAMS Partnership Agreement. The Council will explore and utilise a number of methods in collecting the RAMS tariff to ensure the process is as effective and efficient as possible.

Reason for decision:

To ensure that an appropriate strategy and supporting evidence is put in place to support the nature conservation provisions of the emerging Southend New Local Plan (SNLP) and to meet the requirements of the Conservation of Habitats and Species Regulations 2017.

Other options:

The Council is required to meet the statutory provisions of the Conservation of Habitats and Species Regulations 2017, in relation to the protection of the habitat sites of international and European importance within the Borough from the impacts of new development. An alternative option would be to develop guidance unilaterally, which would be a greater administrative burden than working with neighbouring authorities, and would not necessarily lead to consistency of approach compared with other similar local authorities. Alternatively a do-nothing approach could put the Council at risk of legal challenge.

Note: This is a Council Function  
Eligible for call-in to: Place Scrutiny Committee  
Executive Member: Cllr Mulroney

### **382 Association of South Essex Local Authorities (ASELA) Update**

The Cabinet considered a report of the Chief Executive providing a general update on ASELA, as well as wider developments including the establishment of an ASELA and Local Government Reform Working Party.

Resolved:-

1. That updates provided in the submitted report be noted, in particular that the ASELA prospectus has now been submitted to the government and the stated position of Essex County Council in relation to Local Government Reform (LGR).
2. That the ongoing programme of work to explore and develop local government reform options with neighbouring councils, be supported.
3. That it be noted that specialist advice will continue to be obtained, under officer delegations and within approved budgets, to support the exploration of options, assess and validate data and help ensure the best outcomes for Southend-on-Sea

Reasons for decision:

To note the update on ASELA, the position of the ASLEA/LGR Working Party and the appropriate next steps in supporting the on-going programme of work to explore and develop local government reform options.

Other options:

Do nothing – this option is not recommended because it is clear that both government and subsequently Essex County Council are proposing significant changes to local government across England, including Essex. It is, therefore, incumbent upon the Council to develop proposals that provide the best possible outcome for Southend's residents while satisfying the government's criteria.

Note: This is an Executive Function  
**Called-in to: Policy and Resources Scrutiny Committee**  
Executive Member: Cllr Gilbert

### 383 Parking Review 2020 - Enabling Projects

Further to the meeting of Cabinet held on 16<sup>th</sup> June 2020, the Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) setting out the enabling projects required to deliver the wider aspirations as set out in the Traffic & Parking Policy Statement, particularly the Administrative Zones, Permit Parking Concessions and Digitisation of services. The report also set out the financial commitments required to deliver the overall Parking Review 2020 project, together with the investment required to support a trial period of a new parking concession for residents, the Southend Pass.

Resolved:-

1. That the following be approved:

a) Parking Administrative Zones (Section 4 of the report)

As described in the submitted report and on the attached plan to the report, to introduce Administrative Zones which will be used to deliver future projects such as a review of Fees & Charges, Permits and the types of regulations (parking restrictions) which will be brought forward to meet the local need. To be delivered by April 2021.

b) Permit Review (Section 5)

To undertake a wider review of parking concessions, based on the core permit types as described in the report, ensuring they remain fit for purpose. To be delivered by April 2021.

c) Southend Pass Trial (Section 6)

To deliver aspirations for a trial period of a new parking concession for residents, enabling pass holders to park for free in certain areas of the Borough, as described in the report. The trial period is to commence in April 2021.

That it be noted that the trial period will be used to monitor the overall impact of the Southend Pass and an evaluation of the trial scheme on a quarterly basis by the Executive Director (Neighbourhoods and Environment) in consultation with the Executive Director (Finance & Resources) and the Cabinet Member for Transport, Capital and Inward investment. This could result in further recommendations coming back to Cabinet to make changes to the scheme during the trial period.

That it be noted that a final comprehensive evaluation report on the Southend Pass will be brought back to Cabinet following the conclusion of the trial period.

d) Service Digitisation (Section 7)

To deliver on the wider Council digitisation programme, in respect of the Parking Service, including transition to digital, rather than paper parking permits, and improvements to the way in which parking permits and paid for parking sessions are administered.



e) Traffic Regulation Order Review (Section 8)

To undertake a review of the TRO database, ensuring it is fit for purpose and helps improve accessibility to public documents.

f) Discounted parking offer

To extend the discounted parking offer of a free hour of parking, once one hour has been purchased, valid in all off street car parks. This was intended to expire in September 2020 but will now be extended until 31 March 2021.

2. That it be noted that the temporary relaxation of enforcement in car parks after 16:00 each day, will expire on 30<sup>th</sup> September 2020, as originally approved in June 2020.

Recommended:-

3. That the use of up to £635,000 from the Business Transformation Reserve to support the proposals set out in the report, be approved. This includes a £180,000 revenue contribution to the Capital Investment Programme to fund the replacement of signage project.

4. That the addition of £180,000 to the Capital Investment Programme for the replacement of signage project, be approved.

Reason for decisions:

To ensure the Parking Review 2020 and related projects can be delivered within the timescale and to the standards and outputs already directed by Cabinet.

Other options:

To adopt a different approach to delivering the Parking Review 2020, and the related projects as described in the report. However, it is likely this will significantly extend the programme and limit the effectiveness of certain elements.

Note: The decisions in 1-2 above constitute an Executive Function

The decisions in 3-4 above constitute a Council Function

Eligible for call-in to: Place Scrutiny Committee

Executive Member: Cllr Woodley

**384 Potential Amalgamation of Chalkwell Infant and Chalkwell Junior Schools - Consultation**

The Cabinet considered a report of the Executive Director (Children and Public Health) concerning a potential amalgamation of Chalkwell Hall Infant School and Chalkwell Hall Junior School.

Resolved:-

That a formal consultation on the potential amalgamation of Chalkwell Hall Infants School and Chalkwell Hall Junior School, be approved.

Reason for decision:

It is the Council's policy that consideration be given to the potential amalgamation of the Infant and Junior Schools on the same site when an appropriate opportunity arises.

Other options:

1. The two schools could remain separate entities with their own separate DfE numbers and separate governing bodies as currently constituted.
2. The schools could consider academy status.

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

### **385 Enabling Major Projects & Recovery**

The Cabinet considered a report of the Executive Director (Finance and Resources) seeking to reconfigure existing and secure additional resources to enable delivery of the Council's major projects and recovery journey to support the delivery of the 2050 Ambition, refreshed roadmap, outcomes, administration recovery priorities and to support the financial challenge faced by the Council to ensure that the Council's corporate support is appropriately resourced for the future.

Recommended:-

1. That the additional permanent resources required for this increased staffing capacity of 10 FTE at a revenue impact of £497,000 pa and to be included as part of the budget setting for 2021/22 onwards, be approved.
2. That the estimated requirement to establish the new arrangements and any part year effect of recruitment up to £150,000 in 2020/21 is to be funded from the Business Transformation Reserve.

Resolved:-

3. That it be noted that a consultation will be undertaken with the officers affected in line with employment law and the Council's HR Policies.
4. That it be noted that a combination of internal and external recruitment will be arranged to fill the posts required.

Reason for decision:

The decisions enable, subject to successful recruitment, the Council to resource the corporate enabling services to manage services more effectively and to provide the required advice and support the organisation requires.

Other options:

None, or less additional resource could be agreed for these key areas. The risk with this option is that the service areas will continue to be under resourced and will not be well placed to drive and support the significant growth ambitions and recovery priorities of the Council and also to meet the significant financial challenge the Council now faces over the medium term.

A reduced ambition and less priorities could be considered which could be met from within existing resources. The Council has, however, fully committed to the delivery of the 2050 Ambition, refreshed roadmap, outcomes and administration recovery priorities and is relying on these to drive the future recovery and growth of the Borough forward.

Note: The decisions in 1-2 above constitute a Council Function. The decisions in 3-4 above constitute an Executive Function

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

Executive Members: Cllrs Gilbert and Woodley

## 386 The Forum 2

The Cabinet considered a report of report of the Deputy Chief Executive and Executive Director (Growth & Housing) providing an update on the delivery of Forum 2 in the context of the economic impacts of the Covid-19 pandemic, and to seek agreement to the closure of the project in its current form.

Resolved:-

1. That the financial impact of the Covid-19 pandemic on project viability for Forum 2, be noted and that as a result, the project as is currently planned is brought to a conclusion.

Recommended:-

2. That as a result of 1 above, the associated capital expenditure budgets and their financing are removed from the current Capital Investment Programme;

3. That the £6m Local Growth Fund (LGF) money secured for the project is released back to South East Local Enterprise Partnership (SELEP) for re-investment across the SELEP area and the costs incurred to date (c£1.4m) are borne on a 50:50 basis by the Council General Fund and by South Essex College (the College) and that the Council's share of circa £700k is funded from the Business Transformation Reserve;

4. That the outcomes identified for delivery through the project be noted and officers be requested to undertake an options appraisal as to how these could be still delivered in an alternative way, and that £50,000 is set aside in the Business Transformation Reserve to support this work.

Reason for decisions:

The Forum 2 development which had secured planning consent and commensurate funding is not viable as a result of the Covid-19 pandemic and resulting pressures on organisational finances, particularly those of South Essex College. However, both the Council and the College remain committed to delivering the outcomes sought through Forum 2 and therefore should continue to work together to identify other ways in which these may be achieved within a viable budget envelope.

Other options:

1. Alternative options have already been explored in relation to continuing with the development, notably the Council increasing its investment in the project or reducing the size of the scheme and therefore the cost. However, neither of these will be deliverable within the timescales of the LGF funding and present a range of other risks.

2. The Council could decide not to pursue the outcomes which were to be delivered through Forum 2. This would have a detrimental impact on the Southend 2050 ambition and related outcomes.

Note: The decision in 1 above constitutes an Executive Function. The decisions in 2-4 above constitute a Council Function

Eligible for call-in to: Place Scrutiny Committee

Executive Member: Cllr Robinson

### **387 Housing & Development Pipeline Update**

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth & Housing) providing an update on the work underway in relation to the pipeline of housing and development opportunities across the Borough.

Resolved:-

1. That the progress on the Acquisitions Programme for Council Housing as set out in sections 3.6-3.11 of the submitted report, be noted.

2. That the progress towards the development of the MMC pilot projects and HRA Land Review Phase 3 Project on various sites in Southend as set out in sections 3.12-3.17 of the report, be noted.

3. That the work progressing with Southend United Football Club and Citizen Housing in respect to the development of housing at Roots Hall and Fossett's Farm, as set out in section 3.18-3.20 of the report, be noted in particular the proposals relating to the Youth Commemoration Ground Trust land.

4. That the progress underway with PSP Southend LLP and proposed developments at Ilfracombe Road car park and Southchurch Library, as set out in sections 3.21-3.25 of the report, be noted.

Reason for decision:

To update Cabinet on the progress of the Pipeline of Housing & Development opportunities namely the Acquisitions Programme, MMC pilot projects, Phase 3 of the HRA Land Review, PSP Southend LLP and the work with Southend United Football Club and Citizen Housing in respect to Roots Hall and Fossetts Farm.

Other options:

1. Alternative arrangements for the Right to Buy spend such as grants to Registered Providers were considered for the Acquisitions Programme however this would not have resulted in the long-term benefit to the Council in the way of HRA property.
2. The Council does not need to continue the relational partnering arrangement with PSP however this is a useful non-committal additional delivery option for the Council which will be well placed to assist with capacity and delivery, particularly (but not exclusively) of housing sites, going forward.
3. The Council does not need to pursue either the pilot developments of MMC housing, or the delivery of housing via the HRA Land Review, however these approaches are considered important contributions to the aims of the Housing, Homelessness and Rough Sleeping Strategy and of the 2050 ambitions endorsed by the Council.

Note: This is an Executive Function

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

Executive Member: Cllr Gilbert

**388 Rough Sleeper Accommodation Bid Opportunities: Next Steps in Accommodation Programme and Move On Fund**

The Cabinet considered a joint report of the Deputy Chief Executive and Executive Director (Growth & Housing) and Executive Director (Adults & Communities) setting out proposals to secure additional funding for permanent and supported accommodation for rough sleepers. Additionally, the report sought agreement to use HRA capital reserves and S.106 funds to support the delivery of this programme.

Recommended:-

1. That the allocation of HRA and S106 funds to enable delivery of the Next Steps in Accommodation project, as set out in sections 3.1 – 3.7 of the submitted report, in the event that the bid submitted to the MHCLG Next Steps in Accommodation Fund is successful, be approved.
2. That the allocation of HRA funds to enable delivery of the Move On project, as set out in sections 3.8-3.10 of the report, in the event that the bid submitted to the Homes England Move On Fund is successful, be approved

Reason for decision:

To inform the Cabinet of the opportunity to secure additional funds to support the provision of 34 additional units of accommodation for rough sleepers (24 through Council acquisitions and 10 via HARP) to endorse both bids and to allocate HRA capital reserves and S.106 funds for this purpose.

Other options:

The action to reduce rough sleeping is a key objective of the Homelessness and Rough Sleeping Strategy.

Note: The decisions in 1 and 2 above constitute a Council Function.

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

Executive Member: Cllr Gilbert

### **389 HRA Land Review Phase 4 (Lundy Close) Update**

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth & Housing) providing an update on the progress of the HRA Land Review Phase (Lundy Close) and set out options to progress the development.

Resolved:-

1. That the progress undertaken to date on HRA Land Review Phase 4 as set out in sections 3.3-3.6 to the submitted report, be noted.
2. That the scheme be progressed on the basis of option 3 as set out in the report.

Recommended:-

3. That the reduction in the associated capital budget for the project, be approved. ||

Reason for decision:

To update Cabinet on the progress of the HRA Land Review Phase 4 and to take forward the most appropriate option in order to progress the scheme.

Other options:

As set out in the report

Note: The decisions in 1-2 above constitute an Executive Function. The decision in 3 above constitutes a Council Function.

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

Executive Member: Cllr Gilbert

### **390 Declaration of Air Quality Management Area No.2**

The Cabinet considered a report of the Executive Director (Neighbourhoods & Environment) proposing the declaration of an air quality management area following an assessment of the air quality at the junction of Victoria Avenue, West Street and Princes Crescent A127.

Resolved:-

1. That the outcome of the 2020 Local Air Quality Management Detailed Assessment for Southend-on-Sea Borough Council for nitrogen dioxide exceedences at the junctions of Victoria Avenue, West Street and Priory Crescent, be noted.
2. That the proposed Air Quality Management Area boundaries for nitrogen dioxide, detailed within Appendix 1 to the submitted report as the Air Quality Management Area (No. 2) 2020, be declared and that an Order be made under the Provisions of Section 83(1) of the Environment Act 1995 by formally designating the area as an Air Quality Management Area as detailed in Appendix 2 to the report.
3. That the Air Quality Action Plan adopted by Council in July 2018 be reviewed in order to take into consideration the second AQMA.

Reason for decision:

The Council has a statutory duty to review air quality in the Borough and assess whether standards and objectives are being achieved. Where air quality objectives are not met the Council must declare an AQMA and develop an air quality action plan to try to improve air quality.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Executive Member: Cllr Mulroney

### **391 Mid & South Essex Health & Care Partnership MoU**

The Cabinet considered a report of the Executive Director (Adults & Communities) presenting the Mid & South Essex Health & Care Partnership Memorandum of Understanding (MOU).

Resolved:-

1. That the Mid & South Essex Health & Care Partnership Memorandum of Understanding (attached at Appendix 2 to the submitted report), be approved, enabling the Lead Officer to sign the MoU on behalf of the organisation.
2. That it be acknowledged that the Terms of Reference (ToR) for groups outlined in the MoU (the Health & Care Partnership Board, System Finance Leaders, Clinical and Professional Forum, etc) will be considered and approved by the Health & Care Partnership Board. (All ToR will align with the principles of the MoU).

Reason or decision:

To enable the Council to participate and contribute fully in the Mid and South Essex Partnership.

Other options:

None

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

### **392 Planning White Paper**

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth & Housing) on the proposed changes to the planning system set out in the 'White Paper Planning for the Future' and the implications of these for planning in Southend.

Resolved:-

1. That the comments on the 'Planning for the Future' White Paper and associated consultation on planning matters set out in the submitted report and appendices (Appendices 1 and 2) form the basis of the Council's formal response to Government in respect to these consultations.
2. That the Deputy Chief Executive and Executive Director (Growth & Housing) be authorised, in consultation with the Cabinet Member for Environment and Planning, to finalise the Council's detailed response to the Government's consultation.

Reason for decision:

To ensure that the Council provides a fully considered response to these wide ranging and significant changes to the current planning system in England that takes into account the implications for planning and development, climate change adaptation and mitigation and equity in Southend.

Other options:

The proposals set out in the Planning White Paper will radically alter the current planning system in England. Not setting out the Council's concerns with the proposed changes would miss an opportunity to influence the design of the new system in a way that would benefit the Borough.

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



### **393 Schools Admissions Arrangements for Community Schools 2022/23**

The Cabinet considered a report of Executive Director (Children and Public Health) concerning the admission arrangements for community schools for the academic year 2022/23 and the Coordinated Admissions Scheme for 2022/23.

Resolved:-

1. That the proposed Admissions Arrangements for Community Schools for the academic year 2022/23 as set out in Appendix 1 to the submitted report and the requirement for the public consultation on changes, be approved.
2. That consultation with governing bodies of community schools takes place on the published admission number (PAN) for community infant, junior and primary schools for September 2022 as set out in the Admission Arrangements in Appendix 1 to the report.
3. That the proposed Coordinated Admissions Scheme for 2022/23 onwards, as set out in Appendix 2 and Appendix 3 of the report, be approved.
4. That the relevant area for schools is reviewed and agreed as follows: Southend, Castle Point and Rochford for the years 2022 and 2023.

Reason for decision:

The Council has a statutory duty to ensure sufficient places for all statutory aged children.

Other options:

The Council could decide not to consider reducing the PAN of one community school and thus not publicly consult on the 2022/23 Admission Arrangements for Community Schools and Coordinated Admissions Scheme. This would add undue pressure on a small number of local schools for 2022, where a significant surplus of places is forecast, creating financial and organisational challenges.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Executive Member: Cllr Jones

### **394 Treasury Management - Quarter One 2020/21**

The Cabinet considered a report of the Executive Director (Finance & Resources) covering the treasury management activity for the period from April.

Resolved:-

1. That The Treasury Management Report for Quarter One 2020/21, be approved.
2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to June 2020.

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

4. That it be noted that £0.412m of interest and income distributions for all investments were earned during this three month period at an average rate of 1.05%. This is 1.09% over the average 7 day LIBID (London Interbank Bid Rate) and 0.95% over the average bank rate. Also the value of the externally managed funds decreased by a net of £0.589m due to changes in the unit price, giving a combined overall return of (0.45)%.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at £310.3m (HRA: £75.0m, GF: £235.3m) during the period from April to June 2020.

6. That it be noted that during the quarter the level of financing for 'invest to save' schemes decreased from £8.64m to £8.63m.

Reason for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2020/21 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

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

Note: This is an Executive Function

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

Executive Member: Cllr Woodley

### **395 Information Governance Update and SIRO Report**

The Cabinet considered a report of the Chief Executive setting out the Council's key actions in regard to information governance and management during 2019/20 and the opportunities and challenges.

Resolved:-

1. That the SIRO's report on Information Governance in Section 4 of the submitted report for 2019/20, be noted.

2. That the key actions taken during 2019/20, and the opportunities and challenges for 2020/21, be noted.

Reason for decision:

To ensure that the Council holds personal data securely, disseminates information effectively, is transparent and enabling in its handling of information and operates within the necessary legal framework.

Other options:

None

Note: This is an Executive Function

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

Executive Member: Cllr Gilbert

### **396 The Regulation of Investigatory Powers Act 2000 (RIPA)**

The Cabinet considered a report of the Executive Director (Legal and Democratic Services) on the use of powers available to the Council under the Regulation of Investigatory Powers Act 2000 (RIPA) during the financial year 2019/2020.

Resolved:-

1. That it be noted that the Council has used the surveillance powers available to it under RIPA on one occasion during the period 1 April 2019 – 31 March 2020.
2. That it be noted that the Council has not used any covert human intelligence source (CHIS) during the period 1 April 2019 - 31 March 2020.
3. That it be noted that Thurrock Council has not used any such powers on behalf of Southend-on-Sea Borough Council when undertaking Anti-Fraud work between 1 April 2019 and that the Service Level Agreement between the two Authorities was terminated in October 2019.
4. That the staff training undertaken in 2019/20 and the training proposed for 2020/21 in connection with RIPA, be noted.
5. That the details of the regulation of CCTV activities as detailed in the submitted report, be noted.

Reason for decision:

To comply with the Home Office Codes of Practice and IPCO Guidance on RIPA.

Other options:

None

Note: This is an Executive Function

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

Executive Member: Cllr Gilbert

### 397 Council Debt Position

The Cabinet considered a report of the Executive Director (Finance and Resources) on the current position of outstanding debt to the Council, as at 31<sup>st</sup> July 2020.

Resolved:-

1. That the current outstanding debt position as at 31<sup>st</sup> July 2020 and the position of debts written off to 31<sup>st</sup> July 2020 as set out in Appendices A & B to the submitted report, be noted.
2. That it be noted that no write offs greater than £25,000 are requested, as shown in Appendix B to the report.

Reason 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 that is left 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

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

Executive Member: Cllr Gilbert

### 398 SO46 Report

Resolved:-

That the submitted report, be noted.

Note: This is an Executive Function

**Called-in to: Policy and Resources Scrutiny Committee (Rough Sleepers Accommodation) and Place Scrutiny Committee (Re-opening of Leisure Centres)**

Executive Member: as appropriate to item

### 399 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.

**400 SO46 Report - Confidential Sheet**

Resolved:-

That the SO46 confidential sheet, be noted.

Note: This is an Executive Function

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

Executive Member: Cllr Robinson

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet Committee**

**Date: Tuesday, 22nd September, 2020**

**Place: Virtual Meeting via MS Teams**

**15**

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

**In Attendance:** Councillors K Buck, P Collins, D Cowan, T Cox, D Garston, D Jarvis,  
A Moring, C Nevin and S Wakefield  
S Harrington and T Row

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

**401 Apologies for Absence**

The were no apologies for absence.

**402 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillors D Garston and Jarvis - Application Ref No. 20/00181 – Non-pecuniary interest: The applicant's agent is known to them.

**403 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.

**404 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)**

The Cabinet Committee received a report of Executive Director (Neighbourhoods and Environment) presenting the exceptional circumstance applications for permanent vehicle crossings (PVX) as set out in Appendix 1 to the report. Applicants or their representatives attended the meeting to present their respective applications.

It was noted that Application Ref No. 20/00018 had been withdrawn by the applicant's agent.

Resolved:-

That the following PVX exceptional circumstance applications be refused:

Application Reference No. 19/00333  
Application Reference No. 20/00137  
Application Reference No. 20/00143

Reasons for Decision  
As set out in the submitted report

Other Options  
As set out in the submitted report

Note: This is an Executive function  
Not eligible for call-in pursuant to Scrutiny Procedure Rule 15(e)(iv)  
Cabinet Member: Cllr Woodley

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



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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet**

**Date: Tuesday, 6th October, 2020**

**Place: Virtual Meeting - MS Teams**

**16**

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

**In Attendance:** A Griffin, J Williams, J Chesterton, T Forster, C Gamble, G Gilbert  
A Grant and N Laver

**Start/End Time:** 1.00 - 1.15 pm

**405 Apologies for Absence**

There were no apologies for absence at this meeting.

**406 Declarations of Interest**

The following Councillor declared an interest as indicated:

Councillor Harp (Minute 407 – Porters Place Southend-on-Sea LLP: Additional 100 Homes Update) – Non-pecuniary interest: volunteer with Turning Tides and Youth Clubs in the wider Queensway area.

**407 Porters Place Southend-on-Sea LLP: Additional 100 Homes Update**

Further to the meeting of the Cabinet held on 30<sup>th</sup> June 2020, consideration was given to a report of the Executive Director (Finance and Resources) providing an update on the provision of an additional 100 affordable homes for social rent and sought approval to enter into and execute the legal agreement to secure the homes.

Resolved:

1. That it be noted that the Legal Agreement (“the Agreement”) that has been negotiated by the Council, Swan Housing Association and Porters Place Southend on Sea LLP as set out in the submitted report is now completed to secure the additional 100 affordable homes for social rent.

2. That authority be delegated to the Executive Director (Finance & Resources) and Director of Housing in consultation with the Leader to:

a) Review and, if applicable, approve any offer made under the Agreement to acquire or gap fund with nomination rights any of the 100 additional affordable homes;

b) Settle and complete the value for money terms of each acquisition or gap funding with nomination rights, within the approved capital investment programme budget;

c) In the event of an acquisition option being selected, to agree and procure the management arrangements for these units.

Recommended:

3. That an initial budget addition to the Housing Revenue Account Capital Investment Programme of £10m for this project, to be funded by the HRA capital investment reserve, be approved.

Reasons for recommendations:

1. Securing the additional 100 affordable homes supports the additional commitments as agreed at Full Council held on 21<sup>st</sup> February 2019 (Minute 737) to secure additional affordable housing and to deliver more affordable homes in the Borough.

2. The delegations provide for the Council to act expeditiously and at pace with regards to securing the additional affordable housing for social rent.

Other Options

1. Not approving the completion of the Agreement would have a negative impact on the Council's affordable housing supply and therefore it would not meet one of the requirements of the Project to maximise affordable homes nor would it remove the need for the Council to deliver more affordable homes in the Borough and further would not support the additional commitments as agreed at Full Council (Minute 737).

2. An alternative option could be to acquire units that come to market at the time and then designate as social housing. This would be subject to market conditions, as does the current proposal but without certainty that the Council would be offered these units and also potentially at a higher cost to the Council.

Note: The decisions in 1 and 2 above constitute an Executive Function. The decision in 3 above constitutes a Council Function.

Referred direct to: Place Scrutiny Committee

Cabinet Member: Cllr Gilbert

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Development Control Committee**

**Date: Wednesday, 7th October, 2020**

**Place: Virtual Meeting via MS Teams**

**17**

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, A Chalk,  
D Cowan, A Dear, M Dent, F Evans, D Garston, S Habermel,  
D Jarvis, A Jones, C Mulrone, A Thompson, S Wakefield and  
C Walker

**In Attendance:** Councillor H Boyd  
K Waters, C Galforg, P Keyes, T Row, T Hartley, E Cook, A Smyth,  
M Warren and G Gilbert.

**Start/End Time:** 5.00 - 6.20 pm

**408 Apologies for Absence**

There were no apologies for absence for this meeting.

**409 Declarations of Interest**

The following declarations of interest were made at the meeting:

- (a) All Committee Members – Agenda Item No. 9 (20/01048/FULH - 1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor.
- (b) Cllr Beck – Agenda Item No. 6 (20/01095/AMDT - Beaumont Court and Richmond House – 71 Victoria Avenue) – Non-Pecuniary Interest: Has been in correspondence with residents for months regarding this application.
- (c) Cllr Beck – Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Friend lives close to the application site.
- (d) Cllr Garston – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is known to him.
- (e) Cllr Garston – Agenda Item No. 9 (20/01048/FULH - 1 Highwood Close, Leigh-on-Sea) – Disqualifying Non-Pecuniary Interest: The applicant is a close colleague and friend.
- (f) Cllr Jarvis - Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: The applicant is known to him.
- (g) Cllr Mulrone – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea – Disqualifying Non-Pecuniary Interest: The applicant is known to her.
- (h) Cllr Thompson – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward) – Non-Pecuniary Interest: Has been heavily canvassed by supporters and objectors

- (i) Cllr Thompson – Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Is a trustee with the Southend boys’ and girls’ choir.
- (j) Cllr Walker - Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Disqualifying Non-Pecuniary Interest: Chair of the Southend Boys’ and Girls’ Choir Trust.
- (k) Cllr Ward – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: Owner of a B and B.

**410 Minutes of the Meeting held on Wednesday, 29th July 2020**

Resolved:-

That the Minutes of the Meeting held on Wednesday, 29<sup>th</sup> July 2020 be confirmed as a correct record.

**411 Supplementary Report**

The Committee received a supplementary report by the Deputy Chief Executive and Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda.

**412 20/01045/AMDT - 67 Branksome Road, Southend-on-Sea (Kursaal Ward)**

**Proposal: Application to vary condition 01 (Approved Plans) amend from pitched roof to flat roof with Velux windows with roof lantern (Minor Material amendment of planning permission 19/00598/FULH - Erect single storey rear extension dated 5th June 2019)**

**Applicant: Mrs D Curson**

**Agent: N/A**

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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).

02 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.

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the

area. This is as set out in the National Planning Policy Framework (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 The roof of the rear extension 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. 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 (2019), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

#### Informatives

01 You are advised that as the proposed extension(s) 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.

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.

#### **413 20/01095/AMDT - Beaumont Court and Richmond House - 71 Victoria Avenue, Southend-on-Sea (Victoria Ward)**

Proposal: Application to vary conditions 02 (materials), 03 (hard and soft landscaping), 04 (landscape maintenance), 05 (telecoms equipment), 06 (extraction, filtration, air con, ventilation/refrigeration equipment) and 07 (car parking and cycle storage)-various site changes comprising of increases to car parking and cycle spaces, revisions to landscaping areas, new residents entrance, waiting area, concierge service, residents community/meeting room and gym – Minor Amendment of planning permission 06/00598/FUL allowed on Appeal dated 03.10.2007

Applicant: Randall Watts

Agent: Steven Kearney of SKArchitects

Resolved:-

(a) That the Council enter into a Planning Obligation by Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. Public Accessible Area – Design as shown on drawings reference 279-03-15-6202A and 279-03-15-6088H to be provided and permanently maintained.
2. Victoria Avenue Works - Design as shown on drawings reference 8715-04-CRH-XX-00-DR-C-4103-P1, 8715-04-CRH-XX-00-DR-C-4002 – P1 and 8715-04-CRH-XX-00-DR-C-4003 – P1 - noted as completed.
3. Public Art lighting scheme - Design as shown on drawing reference 279-03-15-6088H to be permanently retained and maintained.
4. Residents Community Facility – Facilities including communal lobby, meeting room and residents gym as shown on drawing reference 279-03-15- 6202A to be permanently retained and maintained.
5. Management Strategy for the site including buildings, car park, refuse and outside areas including public access area and public art to be submitted, agreed and implemented in accordance with the approved document.
6. Travel Plan for the site to be submitted, agreed and implemented in accordance with the approved document
7. Affordable Housing – 52 shared ownership units on floors 1-7 of Richmond House as shown on drawings reference 279-03-15-4(15) F01 and 279-03-15-4(16) F01 to be provided and permanently maintained. The affordable housing contribution is to be noted as paid in full.

(b) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to in part (a) above and subject to the conditions set out below.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 9th November 2020 (or an extension of this time as may be agreed by the Interim Director for Planning or Group Manager Planning and Building Control, the Interim Director for Planning or Group Manager Planning and Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide for affordable housing, highway works, travel plan, a publicly accessible area, a public art provision or appropriate management of the site and that as such the proposal would be unacceptable and contrary to Policies KP2, KP3, CP3, CP6 and CP8 of the Core Strategy (2007) and Policies DM1, DM3, DM7 and DM15 of the Development Management Document (2015).

01 The development shall be carried solely out in accordance with the approved plans: 279-03-15-6084B, 279-03-15-6085E, 279-03-15-6103A, 279-03-15-6202A, 279-03-15-6203A, 279-03-15-6204A, 279-03-15-6205A, 279-03-15-6206A, 279-03-15-6207, 22855-A-02-PL-001 Rev A, 22855-A-PL-03P-001-000 Rev A, 22855-A-PL-03P-002 Rev A, 22855-A-PL-03P-003 Rev A, 22855-A-PL-03P-004 Rev A, 22855-A-PL-03P-005 Rev A, 22855-A-PL-03P-006 Rev A, 22855-A-PL-03P-007 Rev A, 22855-A-PL-03P-008 Rev A, 22855-A-PL-03P-009 Rev A, 22855-A-PL-03P-010 Rev A, 279-03-15-6088H

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

02 The materials used for the external surfaces of the building shall be as detailed on plan reference 279-03-15-6203, 279-03-15-6204 and 279-03-15-6205

Reason: To safeguard the visual amenities of the area and wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, and DM3 and advice contained within the Southend Design and Townscape Guide (2009).

03 Within 4 months of the date of this decision the landscaping for the development hereby approved shall be carried out in full accordance with the approved landscaping plans reference 297-03-15-6103 Rev A, 279-03-15-6084 Rev B, 279-03-15-6085 Rev E, 279-03-15-6088H and the associated landscape management plan entitled Garden Specification Beaumont and Richmond House by iv Property Management. If any tree, shrub or plants are removed or found to be dying, severely damaged or diseased within 5 years of planting them they must be replaced with trees, shrubs or plants of a similar size and species.

Reason: In the interests of visual amenity and to ensure the development 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 Design and Townscape Guide (2009).

04 The 180 residents car parking spaces, including 1 disabled parking space and 7 visitor parking spaces, including 2 disabled visitor car parking spaces, shall be permanently retained at the site and made available for use solely for occupiers of the residential units hereby approved and visitors to the site in full accordance with the details shown on drawing 279-03-15-6202A.

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).

05 The 280 cycle parking spaces shall be permanently retained at the site and made available for use solely for occupiers of the residential units hereby approved and visitors to the site in full accordance with drawing 279-03-15-6202A.

Reason: To ensure that satisfactory cycle parking facilities are provided at the site in the interest of sustainability and amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP3, Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

06 The refuse and recycling stores as shown on plan reference 279-03-15-6202A shall be retained in perpetuity for use solely for the storage of refuse and recycling for the occupiers of the site. Refuse Management at the site shall be carried out in full accordance with the Beaumont and Richmond Waste Management Plan by B&R Property Management Ltd in perpetuity.

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

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 16 (or any other revoking and re-enacting that Order with or without modification), no telecommunications equipment shall be installed above the highest part of the roof of either building.

Reason: In the interests of aircraft safety and 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).

08 No dust or fume or filtration equipment or air conditioning, ventilation or refrigeration equipment shall be installed at the site until details of its design, siting, discharge points and predicted acoustic performance and any odour and noise mitigation to be installed as part of this equipment have been submitted to and approved in writing by the local planning authority. The equipment shall be installed in full accordance with the approved details and thereafter be retained as such.

Reason: To safeguard the amenities of residents and the 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).

09 The ground floor areas marked as 'shop use class A1' (2 units), 'professional services office use class A2' and 'café use class A3' hereby approved, as identified on plan reference 279-03-15-6202A, shall only be occupied for purposes falling within Use Classes A1, A2 and A3 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. These units shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea 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 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.

02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing, public access areas, public art, highway works, residents community facility, management strategy and a Travel Plan.

03 The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

#### **414 20/01146/FUL - 15 Aylesbeare, Shoeburyness (West Shoebury Ward)**

Proposal: Erect dwellinghouse adjacent to existing dwellinghouse; install two vehicular accesses onto Aylesbeare, associated layout parking to front and rear (Amended Proposal).

Applicant: Mr Thompson

Agent: BGA Architects

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development by reason of its size, design and siting would conflict with the grain of the local area and would be out of keeping with and detract from the character and appearance of the site and wider locale. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; 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).

02 The proposed development would, by reason of the height of the proposed boundary treatments and relationship to the proposed vehicular crossovers create conditions detrimental to highway and pedestrian safety. The proposal would also require the relocation of a light column which has not been justified. The proposed development is therefore unacceptable and contrary to policy CP3 of the Core Strategy (2007), policies DM3 and DM15 of the Development Management Document (2015) and the advice contained in the Vehicle Crossing Policy and Application Guidance (2014).

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. 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.

#### 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 might also be CIL liable.

#### **415 20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward)**

Proposal: Raise roof height and erect roof extension, erect front and rear extension at first floor level, convert loft into habitable accommodation with dormer windows to front and side, install balconies to rear at first floor level and second floor level with bi-fold doors, rooflights to side elevation, alterations to front and rear elevations and alter bay window to first floor at rear (Amended Proposal) (Part Retrospective).

Applicant: Mr J Moore

Agent: N/A

Cllr Mulroneu withdrew from the meeting for this agenda item.

J Pullen spoke as an objector to the application. A written submission from the applicant was read to the committee by an officer to respond.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1200 010 Revision E & 1200 012 Revision J.

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance.

This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

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

04 Prior to first use of the balcony shown on the plans hereby approved obscure glazed privacy screens shall be installed to the north and south sides of the balcony at a height of 1.7 metres above the balcony finished floor level in accordance with details that have previously been submitted to the local planning authority and approved in writing and these screens shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy). The screens shall be permanently retained thereafter.

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

05 Notwithstanding the details shown on the drawings submitted and otherwise hereby approved within 4 months of the date of his decision details of a scheme requiring the new second floor north-facing rooflight window to be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and that no part of that window which is less than 1.7 metres above the finished floor level in the room in which it is installed shall be capable of being opened, shall be submitted to in writing to the local planning authority for approval. The approved scheme shall be implemented within 3 months of the local planning authority's approval, shall be retained thereafter in accordance with the approved details in perpetuity.

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

06 The extensions hereby permitted shall not be occupied until the new second floor north-facing dormer window has been fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy), and no part that window which is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter in accordance with the approved details in perpetuity.

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

07 The roof of the first floor bay window hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by 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 (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).

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.

10 Informative

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

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission, that the 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.

**416 20/01048/FULH - 1 Highwood Close, Leigh-on-Sea (Blenheim Park Ward)**

Proposal: Erect dormers to front.

Applicant: Mr K Buck

Agent: Mr P Seager

Cllr Garston withdrew from the meeting for this agenda item.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development shall be undertaken solely in accordance with the approved plans: Drawing number 01 Revision D, Drawing number 02, Drawing number 03 Revision D.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (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

01 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.

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.

**417      20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea  
(Thorpe Ward)**

Proposal: Erect single storey front extension, install balcony to front

Applicant: Mr R Humphrey  
Agent: N/A

Cllr Walker withdrew from the meeting for this agenda item.

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, Site Plan, 01.

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

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

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

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

#### Informatives

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

2. 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.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee B**

**Date: Thursday, 8th October, 2020**  
**Place: Virtual Meeting via MS Teams**

**18**

**Present:** Councillor H McDonald (Chair)  
Councillors N Folkard and D McGlone

**In Attendance:** A Brown, T Row and A Penn

**Start/End Time:** 9.30 am - 11.30 am

**418 Apologies for Absence**

There were no apologies for absence.

**419 Declarations of Interest**

The sub-committee noted that Mr Penn (Regulatory Services Manager) had been involved in the discussions with the applicant on behalf of the Licensing Authority in respect of potential conditions to be applied to the licence to address the Licensing Authority's concerns in respect of the application. Under normal circumstances and in accordance with the statutory guidance, he would not therefore usually attend the meeting on behalf of the Licensing Authority. However, due to exceptional circumstances, there was no other officer available. All parties to the hearing had no objections to Mr Penn's attendance and involvement at the hearing.

**420 34-36 Elm Road, Leigh-on-Sea, SS9 1SN - Application for the Grant of Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Rococo (Leigh) Ltd for the grant of a Premises Licence at Fellini, 34-36 Elm Road, Leigh-on-Sea, SS9 1SN.

The application was presented by Mr R Sutherland (Applicant's Agent) on behalf of the applicant. The applicant and owner of the premises, Mr M Hassan, was also in attendance.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between Essex Police, the Licensing Authority and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment). One letter of representation had however, been received from Leigh Town Council. Councillor D Cracknell attended the meeting and gave evidence on behalf of Leigh Town Council.

The objections/representations related to concerns of public safety and public nuisance, particularly the increase in the number of patrons permitted at the

premises resulting in overcrowding, noise of patrons attending and leaving the premises, notably when the doors at the premises were open and the disturbance caused by customers using the external areas, which would be detrimental to residents living in close proximity to the premises.

Prior to the hearing, the applicant's agent submitted some additional information to support the application. This comprised a report and findings from a noise impact assessment of patrons using the outside terrace dining area that had been produced by Richard Vivien, Principal Consultant at Big Sky Acoustic Ltd., together with letters from two taxi companies regarding the provision of pre-booking and priority venue services to and from the premises.

During the hearing, the applicant's agent explained that he had experienced difficulties in completing the online application form during the lockdown period. He had been unable to complete the form correctly when entering times after midnight and that in some instances he had been unable to enter numerical information so had had therefore only been able to enter the information in text. He explained that the information set out in the original application and report of the Executive Director (Neighbourhoods and Environment) may therefore be inaccurate. He confirmed that the applicant was not seeking any changes to the currently permitted hours for the opening of the premises nor the permitted hours for licensable activities for the premises, in this application. In the event that the application is granted, the applicant's agent confirmed that the current licence would be surrendered.

The applicant's agent also offered an additional condition, limiting the number of persons in the external terrace area to a maximum of 16 people at any one time, for the purposes of dining and drinking only, which may assist in addressing the concerns of the objector. Additionally, the applicant's agent agreed to remove condition 3 on Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment) regarding the number of special days when tables and chairs could be removed for pre-booked events.

Whilst the sub-committee acknowledged the concerns expressed by the objector, it noted that there had been no incidents or complaints regarding the current operation of the premises nor had there been any representations received to the application from any neighbouring residents.

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 the application, subject to the conditions it could apply to the licence. The sub-committee therefore:

Resolved:

That the application be granted subject to the following:

(i) The permitted hours for opening and licensable activities being as follows:

(a) To provide the sale of alcohol on and off the premises on Mondays to Wednesdays from 09:00 to 23:30, Thursdays 09:00 until 00:00, Fridays and Saturdays 09:00 until 01:00 and Sundays 09:00 until 23:30. On New Year's Eve from 09:00 until the start of permitted hours the following day;

(b) To provide provision of Films, Recorded Music and Late-Night Refreshment on Mondays to Wednesdays from 23:00 to 23:30, Thursdays from 23:00 until 00:00, Fridays and Saturdays from 23:00 until 01:00 and Sundays 23:00 until 23:30. On New Year's Eve from 09:00 until the start of permitted hours the following day;

(c) The Provision of Live Music daily from 09:00 until 23:00. On New Year's Eve from 09:00 until the start of permitted hours the following day; and

(d) Hours of opening for the premises are Mondays to Wednesdays from 09:00 until 00:00, Thursdays 09:00 until 00:00, Fridays and Sunday 09:00 until 01:30 and Sundays 09:00 to 00:00. On New Year's Eve from 09:00 until the start of permitted hours the following day.

(ii) The Mandatory Conditions set out in Appendix 1 to the amended report of the Executive Director (Neighbourhoods and Environment);

(iii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police, the Licensing Authority and the Applicant as set out in Appendix 2 to the amended report of the Executive Director (Neighbourhoods and Environment), subject to the removal of Condition 3 limiting the number of special days when tables and chairs could be removed for pre-booked events; and

(iv) The following additional condition:

"The external terrace area shall be limited to a maximum of 16 (sixteen) patrons only for the purposes of dining and drinking only"

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

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Place Scrutiny Committee

**Date: Monday, 12th October, 2020**  
**Place: Virtual Meeting via MS Teams**

# 19

**Present:** Councillor A Moring (Chair)  
Councillors B Ayling, J Beck, A Bright, L Burton, D Cowan, T Cox,  
A Dear, M Dent, S George, D Jarvis, S Wakefield, C Walker, N Ward  
and P Wexham

**In Attendance:** Councillors I Gilbert, C Mulroney, K Robinson, M Terry and  
R Woodley (Cabinet Members)  
Councillor K Evans  
A Lewis, J Chesterton, L Reed, T Forster, E Cooney, S Dolling,  
G Halksworth, G Gilbert, N Laver, T Row, A Smyth, and E Cook

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

#### **421 Simon Leftley MBE**

The Committee was informed that Simon Leftley, the Council's former Deputy Chief Executive (People), had received the award of Member of the Order of the British Empire in the Queen's Birthday Honours Lists 2020 in recognition of the outstanding services to People with Learning Disabilities in Southend and Essex. The Leader of the Council and the Committee paid tribute to Mr Leftley and requested that their congratulations be extended to him for his well-deserved award.

#### **422 Apologies for Absence**

Apologies for absence were received from Councillors Buck and Chalk.

#### **423 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillors I Gilbert, A Jones, C Mulroney, K Robinson and R Woodley (Cabinet Members) - Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011; and

(b) Mr A Lewis – Minute 426 (Updated Local Financial Assessment and Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21 – 2024/25) – Non-pecuniary interest: Member of the Porters Place LLP Board.

#### **424 Questions from Members of the Public**

There were no questions from members of the public.

**425 Minutes of the Meeting held on Tuesday, 1st September, 2020**

Resolved:-

That the Minutes of the Meeting held on Tuesday, 1<sup>st</sup> September, 2020 be received, confirmed as a correct record and signed.

**426 Updated Local Financial Assessment and Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21 – 2024/25**

The Committee considered Minute 377 of Cabinet held on 15<sup>th</sup> September, 2020, which had been called-in to all three Scrutiny Committees for consideration, together with the report of the Executive Director (Finance & Resources) providing an updated assessment of the local financial impact of Covid-19 and a range of high level scenarios to illustrate the potential scale of the financial challenge over the short and medium term.

Resolved:-

That the following decisions of Cabinet be noted:

“ 1. That the Council's updated assessment of the local financial impact of the unprecedented challenges that has been caused by the pandemic, be noted.

2. That the scale of the potential financial challenge summarised in the submitted report, be noted.

3. That the Council's Medium-Term Financial Strategy is reviewed and a range of options are developed to ensure continuing financial sustainability.

4. That the Cabinet receive regular reports to future Cabinet meetings, which will provide updated assessments on our financial position and outline any changes to our strategy and range of assumptions.”

Note: This is an Executive Function

Executive Member: Councillor Gilbert

**427 SO46 Report**

The Committee considered Minute 398 of the meeting of Cabinet held on 15<sup>th</sup> September 2019 which had been called in to Scrutiny, in connection with the action taken regarding the re-opening the Borough's Leisure Centres following the Covid-19 lockdown.

In response to questions and comments regarding concerns of the service provided at the leisure centres during and after the lockdown period, the Cabinet Member for Business, Tourism and Culture gave an undertaking to raise the issues with the local management team from Fusion at a review meeting taking place in November. The outcome of that meeting would be shared with the Scrutiny Committee.

Resolved:

That the following decision of Cabinet be noted:

“That the report be noted”

Note: This is an Executive Function  
Cabinet Member: Councillor Robinson

**428 Porters Place Southend-on-Sea LLP: Additional 100 Homes Update**

The Committee considered Minute 407 of Cabinet held on 6th October, 2020, which had been referred to the Scrutiny Committee for consideration. The Committee also had before it the report of the Executive Director (Finance & Resources) providing an update on the provision of an additional 100 affordable homes for social rent and sought approval to enter into and execute the legal agreement to secure the homes.

Resolved:-

That the following decisions and recommendation of Cabinet be noted:

“1. That it be noted that the Legal Agreement (“the Agreement”) that has been negotiated by the Council, Swan Housing Association and Porters Place Southend on Sea LLP as set out in the submitted report is now completed to secure the additional 100 affordable homes for social rent.

2. That authority be delegated to the Executive Director (Finance & Resources) and Director of Housing in consultation with the Leader to:

a) Review and, if applicable, approve any offer made under the Agreement to acquire or gap fund with nomination rights any of the 100 additional affordable homes;

b) Settle and complete the value for money terms of each acquisition or gap funding with nomination rights, within the approved capital investment programme budget; and

c) In the event of an acquisition option being selected, to agree and procure the management arrangements for these units.

Recommended:-

3. That an initial budget addition to the Housing Revenue Account Capital Investment Programme of £10m for this project, to be funded by the HRA capital investment reserve, be approved.”

Note: The decisions in 1 and 2 above constitute an Executive Function. The decision in 3 above constitutes a Council Function.

Cabinet Member: Councillor Gilbert

**429 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.

**430 SO46 - Confidential Sheet**

The Committee considered Minute 400 of the meeting of Cabinet held on 15<sup>th</sup> September 2020 which had been called in to Scrutiny, regarding the confidential sheet in connection with the action taken under Council Procedure Rule 46 in respect of the re-opening of the Borough's Leisure Centres following the Covid-19 lockdown.

The Cabinet Member for Business, Culture and Tourism undertook to provide a written response in response to a question regarding why the Council could not have stepped in to take temporary management of the leisure contract.

Resolved:

That the following decision of Cabinet be noted:

"That the report be noted"

Note: This is an Executive Function  
Cabinet Member: Councillor Robinson

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



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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Appeals Committee A**

**Date: Tuesday, 13th October, 2020**

**Place: Virtual Meeting - MS Teams**

**20**

**Present:** Councillor M Stafford (Chair)  
Councillors D Cowan (Vice-Chair), D Garne and C Walker

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

**Start/End Time:** 10.00 am - 2.05 pm

**431 Apologies for Absence**

Apologies for absence were received from Councillors Ayling, Borton D Garston (no substitutes).

**432 Declarations of Interest**

There were no declarations of interest at this meeting.

**433 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.

**434 Appeal Against Dismissal - Employee DT**

The Committee considered an appeal against dismissal submitted by employee DT. The Council's case was presented by EC, supported by ND. Two witnesses were called by the Council and responded to questions.

The appellant, DT was in attendance, supported by SJ (union representative), and presented their case. The appellant did not call any witnesses.

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

Resolved:

1. That allegation 1 was not substantiated and therefore the appeal in respect to allegation 1 be upheld.

2. That allegation 2 was substantiated and the appeal not be upheld in respect of allegation 2. However, it fell short of behaviour which justified dismissal on the

grounds of Gross Misconduct and therefore the Committee imposed dismissal with search for alternative employment in line with the disciplinary sanctions available.

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

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of People Scrutiny Committee

Date: Tuesday, 13th October, 2020

Place: Virtual Meeting via Microsoft Teams

# 21

Present: Councillor L Salter (Chair)  
Councillors N Folkard (Vice-Chair), H Boyd, A Chalk, D Cowan, M Dent, F Evans, M Flewitt, D Garne, B Hooper, M Kelly, H McDonald\*, K Mitchell, C Nevin, I Shead, M Stafford, A Thompson  
O Richards (Healthwatch Southend), T Watts (Southend Carers Forum) (co-opted members)  
M Faulkner-Hatt (Southend Youth Council (observer))

\*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors T Harp, A Jones and M Terry (Cabinet Members), Councillor K Evans, S Baker, E Cook, T Forster, R Harris, B Leigh, M Marks, K Ramkhalawon, D Simon, A Smyth and S Tautz  
Also in attendance: S Waterhouse (Essex Partnership University NHS Trust)

Start/End Time: 6.30 pm - 7.25 pm

#### 435 Apologies for Absence

Apologies for absence were received from Councillor M Borton (substitute Councillor H McDonald), J Collis and K Jackson (co-opted members).

#### 436 Declarations of Interest

The following councillors declared interests as indicated:

- (a) Councillors T Harp, A Jones and M Terry (Cabinet Members) - Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor L Salter - Minute 439 (Changes to Acute Mental Health Beds in South Essex) and Minute 441 (Annual Public Health Report) - Husband is a consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is a general practitioner in the Borough - Non-pecuniary interest;
- (c) Councillor M Kelly - Minute 439 (Changes to Acute Mental Health Beds in South Essex) - Employed by Essex Partnership University NHS Foundation Trust - Non-pecuniary personal interest. Councillor Kelly left the meeting for this item;
- (d) Councillor K Mitchell - Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Works with adults with complex needs, including mental health issues - Non-pecuniary interest;
- (e) Councillor K Mitchell - Minute 440 (Updated Local Financial Assessment and Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21-2024/25) – Family friend is employed as a Finance Officer by the Council - Non-pecuniary interest;

- (f) Councillor M Flewitt - Minute 439 (Changes to Acute Mental Health Beds in South Essex) and Minute 441 (Annual Public Health Report) - Family member employed at an NHS Trust outside the Borough - Non-pecuniary interest:
- (g) Councillor C Nevin - Minute 439 (Changes to Acute Mental Health Beds in South Essex) - Family members employed at Mid and South-Essex NHS Trust hospitals, previous association with the Trust and currently employed at an NHS Trust outside the Borough - Non-pecuniary interest:
- (h) Councillor C Nevin - Minute 440 (Updated Local Financial Assessment and Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21-2024/25) - Previous association with local care homes as an NHS employee;
- (i) Councillor C Nevin - Minute 441 (Annual Public Health Report) – Friend responsible for delivery of flu immunisation programme outside the Borough - Non-pecuniary interest:
- (j) Councillor H Boyd - Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Family member works in care home setting - Non-pecuniary interest; and
- (k) Councillor N Folkard - Minute 441 (Annual Public Health Report) - Ambassador for Fund Raising Team at Southend Hospital; relative works at Broomfield Hospital; on the Reading Panel at Southend Hospital - Non-pecuniary interest.

#### **437 Questions from Members of the Public**

There were no questions from members of the public relating to the responsibilities of the Committee.

#### **438 Minutes of the Meeting held on 2 September 2020**

Resolved:

That the minutes of the meeting of the Committee held on 2 September 2020 be confirmed as a correct record and signed.

#### **439 Changes to Acute Mental Health Beds in South Essex**

The Committee considered a report of the Director of Mental Health for Mid and South Essex, outlining changes to acute mental health bed provision in South Essex by Essex Partnership University NHS Trust (EPUT), in response to previous recommendations of the Care Quality Commission.

Councillors were advised that EPUT had recently moved an adult inpatient ward back to Rochford Hospital, which had accommodated two adult acute inpatient wards until Willow Ward at Rochford had been temporarily moved to Basildon. The Director of Mental Health reported that the Trust was now in a position to move patients back to Rochford and to re-open Willow Ward on a single-sex basis, to prevent patients from South East Essex having to leave the locality for treatment. The Committee was advised that all inpatient accommodation at Rochford Hospital was provided in single bedrooms and that the changes had provided the Trust with an opportunity to improve the accommodation at Basildon from outdated dormitory provision in which social distancing requirements could not be maintained, to single bedrooms with ensuite facilities.

The Director of Mental Health reported that options for the project had been limited within the existing fabric of the building at Basildon Mental Health Unit, although it had been possible to maximise the available space to create sixteen ensuite bedrooms at each of the two refurbished wards on the site. The Committee noted that this had meant that there was an overall reduction of six inpatient beds for South Essex and that, whilst the Trust would have preferred to maintain the existing number of inpatient beds, this had not proved possible.

The Director of Mental Health reported that during the COVID-19 pandemic, EPUT had been operating with reduced capacity on all inpatient wards and that the staffing ratio for patients would improve as a result of the changes being implemented to bed provision. The Committee was advised that out-of-area placement arrangements would be utilised by EPU only as a last resort.

Resolved:

That the report be noted.

**440 Updated Local Financial Assessment and Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21-2024/25**

The Committee considered Minute 375 of the meeting of the Cabinet held on 15 September 2020, which had been called in to each of the three scrutiny committees, together with a report of the Executive Director (Finance and Resources) providing an updated assessment of the local financial impact of the COVID-19 pandemic and a range of high-level scenarios to illustrate the potential scale of the financial challenge over the short and medium-term.

The Committee requested that the Leader of the Council consider the referral of future reports made to the Cabinet on the financial position of the authority arising from the response to the pandemic, directly to the relevant scrutiny committee.

At the request of the Committee, the Cabinet Member for Health and Adult Social Care agreed to circulate to all members of the Council a presentation that was currently being developed with regard to the impact of the pandemic on the adult social care provider market.

Resolved:

That the following decisions of the Cabinet be noted:

- “1. That the Council's updated assessment of the local financial impact of the unprecedented challenges that has been caused by the pandemic, be noted.
2. That the scale of the potential financial challenge summarised in the submitted report, be noted.
3. That the Council's Medium-Term Financial Strategy is reviewed and a range of options are developed to ensure continuing financial sustainability.
4. That the Cabinet receive regular reports to future Cabinet meetings, which will provide updated assessments on our financial position and outline any changes to our strategy and range of assumptions.”

Note: This is an Executive Function  
Cabinet Member: Councillor I Gilbert

**441 Annual Public Health Report**

The Committee considered Minute 378 of the meeting of the Cabinet held on 15 September 2020, which had been called in to the People Scrutiny Committee, together with a report of the Executive Director (Children and Public Health) presenting the annual report of the Director of Public Health for 2019.

In response to a question concerning the level of referrals for mental health services during the period of the COVID-19 pandemic, the Director of Public Health agreed to circulate details to all members of the Committee following the meeting.

Resolved:

That the following decision of the Cabinet be noted:

“That the content and recommendations of the 2019 Annual Report of the Director of Public Health and progress made to-date in regards to the recommendations from the previous report in 2018, be noted.”

Note: This is an Executive Function  
Cabinet Member: Councillor T Harp

**442 In-Depth Scrutiny Project 2019/20-2020/21**

The Democratic Services Officer reported that the final report for the current in-depth scrutiny project for the Committee would be available for consideration at the meeting to be held in November 2020.

Resolved:

That the report be noted.

Note: This is a Scrutiny Function

**443 Simon Leftley MBE**

The Committee was informed that Simon Leftley, the Council’s former Deputy Chief Executive (People), had received the award of Member of the Order of the British Empire in the Queen’s Birthday Honours Lists for 2020 in recognition of his outstanding services to people with learning disabilities in Southend and Essex. On behalf of the Committee, the Chair paid tribute to Mr Leftley and requested that its congratulations be extended to him for his well-deserved award.

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

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 15th October, 2020

Place: Virtual Meeting via Microsoft Teams

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**Present:** Councillor D Garston (Chair)  
Councillors D Nelson (Vice-Chair), B Ayling, D Burzotta, D Cowan, T Cox, P Collins, M Davidson, M Dent, S George, S Habermel, H McDonald, D McGlone, I Shead, M Stafford, S Wakefield and P Wexham

**In Attendance:** Councillors I Gilbert, C Mulroney, M Terry and R Woodley (Cabinet Members), Councillor K Evans, A Griffin, A Lewis, J Chesterton, L Reed, J Ruffle, J Williams, E Cook, G Halksworth, S Meah-Sims, S Newman, T Row, M Sargood and S Tautz

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

#### **444 Apologies for Absence**

There were no apologies for absence for the meeting.

#### **445 Declarations of Interest**

The following councillors declared interests as indicated:

- (a) Councillors I Gilbert, C Mulroney, M Terry and R Woodley (Cabinet Members) - Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011; and
- (b) Councillor D McGlone - Minute 446 (Questions from Members of the Public) - Previous involvement with residents of Lundy Close - Non-pecuniary interest.

#### **446 Questions from Members of the Public**

The Committee noted the responses of the relevant cabinet members to questions submitted by Ms. L Newman, which would be sent to the questioner as she was not able to be present at the meeting.

#### **447 Minutes of the Meeting held on 3 September 2020**

Resolved:

That the minutes of the meeting of the Committee held on 3 September 2020 be confirmed as a correct record and signed.

#### **448 Updated Local Financial Assessment & Illustration of the Potential Impact of Covid-19 on the Council's Medium-Term Financial Strategy 2020/21-2024/25**

The Committee considered Minute 375 of the meeting of the Cabinet held on 15 September 2020, which had been called in to each of the three scrutiny committees, together with a report of the Executive Director (Finance and Resources) providing an updated assessment of the local financial impact of the COVID-19 pandemic and a range of high-level scenarios to illustrate the potential scale of the financial challenge over the short and medium-term.

The Leader of the Council undertook to provide a written response to a question with regard to the level of support provided to local authorities by the Government, as part of the current three-tier COVID-19 alert system.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That the Council’s updated assessment of the local financial impact of the unprecedented challenges that has been caused by the pandemic, be noted.

2. That the scale of the potential financial challenge summarised in the submitted report, be noted.

3. That the Council’s Medium-Term Financial Strategy is reviewed and a range of options are developed to ensure continuing financial sustainability.

4. That the Cabinet receive regular reports to future Cabinet meetings, which will provide updated assessments on our financial position and outline any changes to our strategy and range of assumptions.”

Note: This is an Executive Function  
Cabinet Member: Councillor I Gilbert

#### **449 Southend 2050 Milestones & Measures: Refresh in response to Covid-19**

The Committee considered Minute 377 of the meeting of the Cabinet held on 15 September 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Chief Executive presenting the second stage of the review and refresh of the Southend 2050 milestones and measures in response to the COVID-19 pandemic.

At the request of the Committee, the Leader of the Council agreed to consider options for the circulation of the monthly Corporate Performance Dashboard to all members of the Council.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That the new format of the outcome success measures report, which presents insight at an outcome level, be noted.

2. That it be noted that the associated measures and insight against each of the outcomes will be used to manage performance against the delivery of Southend 2050.

3. That the Quarter 1 performance (April-June 2020), be noted.

4. That the Southend 2050 roadmap milestones will form part of future reports that update on Southend’s recovery journey in order for responsive developments.

5. That the detailed Transforming Together programme of work, be noted.

6. That it be noted that Covid-19 is presenting lots of unknowns, as a result 2050 needs to be flexible to deal with the challenges therefore our outcomes will need to be responsive to the changing situations.



7. That the performance and measures of success and progress to achieve 2050 continue to be reported through the quarterly Outcome Success Measures Report, reported 4 times a year to Cabinet.

8. That the creation of a Covid-19 recovery fund with an initial value of £500,000 to be funded by the Business Transformation Reserve, be approved.”

Note: This is an Executive Function  
Cabinet Member: Councillor I Gilbert

#### **450 Association of South Essex Local Authorities (ASELA) Update**

The Committee considered Minute 382 of the meeting of the Cabinet held on 15 September 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Chief Executive providing a general update on the Association of South Essex Local Authorities (ASELA), as well as wider developments including the establishment of the new ASELA and Local Government Reform Working Party.

At the request of the Committee, the Leader of the Council agreed that a link to the publication of minutes of meetings of ASLEA be provided to all councillors on an ongoing basis, that such minutes be received by the new Working Party as a standing item and that options to enable the minutes to be available for scrutiny be considered.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That updates provided in the submitted report be noted, in particular that the ASELA prospectus has now been submitted to the government and the stated position of Essex County Council in relation to Local Government Reform (LGR).

2. That the ongoing programme of work to explore and develop local government reform options with neighbouring councils, be supported.

3. That it be noted that specialist advice will continue to be obtained, under officer delegations and within approved budgets, to support the exploration of options, assess and validate data and help ensure the best outcomes for Southend-on-Sea.”

Note: This is an Executive Function  
Cabinet Member: Councillor I Gilbert

#### **451 Enabling Major Projects and Recovery**

The Committee considered Minute 385 of the meeting of the Cabinet held on 15 September 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Finance and Resources) seeking to reconfigure existing and secure additional resources to enable the delivery of the Council’s major projects and recovery journey to support the 2050 Ambition, refreshed roadmap, outcomes and administration recovery priorities, and to support the financial challenge faced by the Council to ensure that it’s corporate support was appropriately resourced for the future.

Resolved:

That the following recommendations and decisions of the Cabinet be noted:

“1. That the additional permanent resources required for this increased staffing capacity of 10 FTE at a revenue impact of £497,000 pa and to be included as part of the budget setting for 2021/22 onwards, be approved.

2. That the estimated requirement to establish the new arrangements and any part year effect of recruitment up to £150,000 in 2020/21 is to be funded from the Business Transformation Reserve.

3. That it be noted that a consultation will be undertaken with the officers affected in line with employment law and the Council’s HR Policies.

4. That it be noted that a combination of internal and external recruitment will be arranged to fill the posts required.”

Note: The decisions in 1-2 above constitute a Council Function. The decisions in 3-4 above constitute an Executive Function

Cabinet Members: Councillors I Gilbert and R Woodley

#### **452 SO46 Report**

The Committee considered Minute 398 of the meeting of the Cabinet held on 15 September 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report setting out action with regard to applications made to the Government for funding to provide permanent accommodation for rough sleepers, that had been taken in accordance with Council Procedure Rule 46.

Resolved:

That the following decision of the Cabinet be noted:

“That the submitted report be noted.”

Note: This is an Executive Function

Cabinet Member: Councillor I Gilbert

#### **453 In-Depth Scrutiny Project 2019/20-2020/21**

The Democratic Services Officer reported that a meeting of the Project Team leading the current in-depth scrutiny project for the Committee was to be held on 9 November 2020.

Resolved:

That the report be noted.

Note: This is a Scrutiny Function

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

## Street Prostitution in Southend-on-Sea

Street prostitution has existed in Southend-on-Sea, especially in the area around York Road and Ambleside Drive for many, many years. Various police operations have succeeded in moving the women selling sex from one road to another and various organisations have tried to support women selling sex but no intervention has had a significant impact on reducing the number of women selling sex or on the numbers of men buying sex.

Women who sell sex are at significant risk of psychological, emotional, physical and sexual harm. The psychological impacts of selling sex are immense and multiply the longer a woman remains in prostitution. Trauma responses make managing everyday life more difficult, so accessing services and agencies is more challenging which, in turn, leads to increased vulnerability and further exploitation. Being in prostitution becomes a cycle that is incredibly difficult to break.

There is also a significant impact on the local community with high levels of anti-social behaviour as a result of the women selling sex and the men in the area who are pimping the women or buying sex, including drug-dealing, hazardous litter and noise nuisance.

Southend-on-Sea needs a long term and coherent approach to street prostitution within the Borough that seeks to end the harms caused by those who purchase sex.

This Council resolves:

- to recognise street prostitution as adult sexual exploitation and a form of violence against women and girls, to acknowledge it as such in the Borough's violence and vulnerability strategy and to consider the specific needs of women who sell sex on the street in the strategy.
- to recognise the public health risks associated with street prostitution and ensure harm reduction measures are in place for women selling sex on the street, including provision of condoms and sexual health testing in a way that is truly accessible to women.
- to enable departments within the Council to work with local third sector organisations to develop exiting pathways that allow women who wish to stop selling sex to do so, including helping to facilitate a forum for services to fast-track women into trauma-informed support, promoting collaborative working and holding organisations to account for the support they offer.
- that, once exiting pathways are in place that are shown to be appropriate and working to enable women to exit street prostitution, the focus moves to ending street prostitution in the Borough and sending a clear message that this town will not tolerate perpetration of sexual harm.

Proposed by: Cllr Helen McDonald

Seconded by: Cllr Dan Nelson

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**APPOINTMENTS AND AMENDMENTS TO COMMITTEES**

**COUNCIL MEETING 29 OCTOBER 2020**

**25**

**Health and Adult Social Care Working Party**

1. Councillor Flewitt to replace Councillor Dear on the Health and Adult Social Care Working Party.

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