

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

2 December 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 10th December 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 29th October 2020 (Pages 1 - 18)**
Minutes attached
- 7 Minutes of the meeting of Audit Committee held on Wednesday, 21 October 2020 (Pages 19 - 22)**
Minutes attached
- 8 Minutes of the meeting of Appeals Committee B held on Thursday 22nd October 2020 (Pages 23 - 24)**
Minutes attached
- 9 Minutes of the meeting of Cabinet Committee held on Monday, 2 November 2020 (Pages 25 - 32)**
Minutes attached

- 10 Minutes of the meeting of Cabinet held on Tuesday, 3 November 2020 (Pages 33 - 44)**
Minutes attached
- 11 Minutes of the meeting of Development Control Committee held on Wednesday, 4 November 2020 (Pages 45 - 70)**
Minutes attached
- 12 Minutes of the meeting of Standards Committee held on Wednesday 11th November 2020 (Pages 71 - 72)**
Minutes attached
- 13 Minutes of the meeting of Appeals Committee A held on Tuesday 17th November 2020 (Pages 73 - 76)**
Minutes attached
- 14 Minutes of the meeting of General Purposes Committee held on Thursday 19th November 2020 (Pages 77 - 78)**
Minutes attached
- 15 Minutes of the meeting of Place Scrutiny Committee held on Monday, 23 November 2020 (Pages 79 - 84)**
Minutes attached
- 16 Minutes of the meeting of Special Cabinet held on Tuesday, 24 November 2020 (Pages 85 - 88)**
Minutes attached
- 17 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 24 November 2020 (Pages 89 - 92)**
Minutes attached
- 18 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 26 November 2020 (Pages 93 - 100)**
Minutes attached
- 19 Minutes of the meeting of Special Cabinet held on Wednesday 2nd December 2020**
Minutes (to follow)
- 20 Minutes of the meeting of Special People Scrutiny Committee held on Monday 7th December 2020**
Minutes attached
- 21 Minutes of the meeting of Special Place Scrutiny Committee held on Tuesday 8th December 2020**
Minutes (to follow)
- 22 Notice of Motion - Food Justice (Pages 101 - 102)**
Notice of Motion attached

- 23 Local Council Tax Support Scheme 2021/22 (Pages 103 - 108)**
Report of the Executive Director (Finance and Resources) attached
- 24 Roots Hall and Fossetts Farm - Trust Matters**
Report of the Executive Director (Finance and Resources) (to follow)
- 25 Appointments and Amendments to Committees etc**
- 26 Calendar of meetings 2020/21 - Revised Date for March Council meeting 2021**

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Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 29th October, 2020

Place: Virtual Meeting via MS Teams

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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, 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 - 9.44 pm

454 Apologies for Absence

Apologies for absence were received from Councillor Cox.

455 Declarations of Interest

- **Councillor Ayles**

- **Development Control Committee 7th October 2020**

- Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor Beck**

- **Development Control Committee – 9th September 2020**

- Minute 358 (Land Rear of 26-30 Lime Avenue) – Non-pecuniary interest: Has received an email from the applicant;

- **Development Control Committee 7th October 2020**

- Minute 413 (Beaumont Court and Richmond House – 71 Victoria Avenue) – Non-Pecuniary Interest: Has been in correspondence with residents for months regarding this application

- Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- Minute 417 (159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Friend lives close to the application site.

- **Councillor Borton;**

- **Health and Wellbeing Board – 8th September 2020**

- Minute 340 (Covid-19 Pandemic Updates) – Non-pecuniary interest: EPUT mentioned – daughter is a ward manager of one of the mental health units at Basildon Hospital;

Development Control Committee – 9th September 2020

Minute 358 (Land Rear of 26-30 Lime Avenue) – Non-pecuniary interest: Has received an email from the applicant;
Minute 359 (8 Richmond Avenue, Westcliff-on-Sea) – Non-pecuniary interest: has been in correspondence with the objector;
Minute 341 (Airport Parking, Southend Airport, Eastwoodbury Crescent) and Minute 342 (Airport Surface Access Strategy) – Non-pecuniary interest: Niece works at Southend Airport;

Cabinet – 15th September 2020

Minute 379 (Fire Safety Report) – Non-pecuniary interest: Non-Executive Director South Essex Homes;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Place Scrutiny Committee – 12th October 2020

Minute 427 (SO46 Report) – Pecuniary interest (withdrew);

People Scrutiny Committee – 13th October 2020

Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Pecuniary interest: daughter is a ward manager of one of one of the mental health units affected (withdrew);

- **Councillor Boyd**

Cabinet – 15th September 2020

Minute 384 (Potential amalgamation of Chalkwell Infant and Chalkwell Junior Schools – Consultation) – Non-pecuniary interest: Knows some of the Governors and former governors at the schools mentioned;

- **Councillor Burzotta**

Council – 29th October 2020

Minute 457 (Public Questions: Hamlet Court Road Conservation Area Designation) – Non-pecuniary interest: family has business in the area and is a resident in Hamlet Court Road;

People Scrutiny Committee – 13th October 2020

Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Family member works in care home setting - Non-pecuniary interest;

- **Councillor Chalk**

Development Control Committee – 9th September 2020

Minute 358 (Land Rear of 26-30 Lime Avenue) – Non-pecuniary interest: Has received an email from the applicant;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor Collins**

Council – 29th October 2020

Item 7 – Petition – Non -Pecuniary Interest – Has met with the Petitioners and advised them on the process;

Development Control Committee – 9th September 2020

Minute 353 (Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest : Applicant is known to him;

Cabinet – 15th September 2020

Minute 379 (Planning White Paper) – Non-pecuniary interest: Lloyds referred to in discussions which is his place of work;

- **Councillor Cowan**

Development Control Committee – 9th September 2020

Minute 361 (Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-pecuniary interest: Objectors have been in contact with him regarding this application;

Minute 362 (Airport Surface Access Strategy) – Non-pecuniary interest: The supplementary report mentions the Airport Consultancy Committee of which he is a member;

Cabinet Committee – 14th September 2020

Minute 370 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with the issue for some time and is mentioned in the report;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor Davidson**

Health and Wellbeing Board – 8th September 2020

Minute 336 (Annual Public Health Report) – Non-pecuniary interest: Volunteer for Southend Food Bank;

Cabinet – 15th September 2020

Minute 379 (Fire Safety Report) – Non-pecuniary interest: Non-Executive Director South Essex Homes;

- **Councillor Dear**

Development Control Committee – 9th September 2020

Minute 358 (Land Rear of 26-30 Lime Avenue) – Non-pecuniary interest: Has received an email from the applicant;

Minute 360 (88 Woodside, Leigh-on-Sea) – Non-pecuniary interest: Has been in contact with the objector;

Minute 361 (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;

Development Control Committee 7th October 2020

Minute 415 (115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is known to him;

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor and Disqualifying Non-Pecuniary interest: The applicant is a close colleague and friend;

- **Councillor Dent**

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Council – 29th October 2020

Minute (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO;

- **Councillor F Evans**

Development Control Committee – 9th September 2020

Minute 358 (Land Rear of 26-30 Lime Avenue) – Non-pecuniary interest: Has been involved in discussions about this application;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor K Evans**

Policy and Resources Scrutiny Committee – 15th October 2020

Minute 450 (ASELA Update) – Non-pecuniary interest: undertakes work for Essex County Council;

- **Councillor Flewitt**

Health and Wellbeing Board – 8th September 2020

Minute 341 (Improving SEN and Disabilities Progress Update Report) – Non-pecuniary interest: Has attended presentation by two parents (SEND);

Development Control Committee – 9th September 2020

Minute 353 (Cockethurst, Eastwoodbury Lane), Minute 361 (Airport Parking, Southend Airport, Eastwoodbury Crescent) and 362 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Non-Pecuniary Interest: Has publicly spoken and written about the applications in the St. Laurence Ward.

Minute 352 (Garages Rear of 187 Saxon Gardens) - Non-Pecuniary Interest: Knows someone who lives on Saxon Gardens;

Minute 356 (200 Priory Crescentk, Southend-on-Sea) – Non-pecuniary interest: Has met with management of ALDI;

Cabinet Committee – 14th September 2020

Minute 370 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with parking issues in St Laurence Ward for some time;

Cabinet – 15th September 2020

Minute 387 (Housing and Development Pipeline Update) – Non-pecuniary interest: Any implication relating to Lundy Close – has written and spoken about this matter;

Minute 389 (HRA Land Review Phase 4 (Lundy Close) Update) – Non-pecuniary interest: has written and spoken on Lundy Close issue;

People Scrutiny Committee – 13th October 2020

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:

Council – 29th October 2020

Minute 457 (Public Questions: Hamlet Court Road Conservation Area Designation) – Non-pecuniary interest: has written and spoken on this matter;

Minute 460 – Petition (Wren Avenue) – Non-pecuniary interest: has a friend who lives in Wren Avenue;

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: friends and family are tenants of South Essex Homes;

- **Councillor Folkard**

People Scrutiny Committee – 13th October 2020

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;

- **Councillor Garston**

Development Control Committee – 9th September 2020

Minute 353 (Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to him;

Minute 358 (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;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Cabinet Committee – 22nd September 2020

Minute 404 (PVX Application Ref No. 20/00181) – Non-pecuniary interest: The applicant's agent is known to him;

- **Councillor George**

Cabinet – 15th September 2020

Minute 386 (The Forum 2) – Non-pecuniary interest: Council appointed Director of The Forum;

- **Councillor Gilbert**

Cabinet – 15th September 2020

Minute 390 (Declaration of Air Quality Management Area) – Non-pecuniary interest: Know residents in the affected area;

- **Councillor Habermel**

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor Harp**

Health and Wellbeing Board – 8th September 2020

Minute 336 (Annual Public Health Report) – Non-pecuniary interest: friend employed by 'A Better Start Southend'

Minute 339 (Flu Planning and Marketing Campaign) – Non-pecuniary interest: Volunteer with SAVS and wife is an employee of SAVS;

Cabinet – 15th September 2020

Minute 384 (Potential amalgamation of Chalkwell Infant and Chalkwell Junior Schools – Consultation) – Non-pecuniary interest: The Chair of the Board of Governors is known to him;

Special Cabinet – 6th October 2020

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;

- **Councillor Hooper**

Cabinet – 15th September 2020

Minute 384 (Potential amalgamation of Chalkwell Infant and Chalkwell Junior Schools – Consultation) – Non-pecuniary interest: Director of Blade Education and son attends Southend High School for Boys;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/RHE and customer of British Gas;

- **Councillor Jarvis**

Cabinet Committee – 22nd September 2020

Minute 404 (PVX Application Ref No. 20/00181) – Non-pecuniary interest: The applicant's agent is known to him;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Minute 417 (159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: The applicant is known to him;

- **Councillor Jones**

Development Control Committee – 9th September 2020

Minute 352 (Garages Rear of 187 Saxon Gardens) - Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Jones is a Cabinet Member;

Minute 359 (8 Richmond Avenue, Westcliff-on-Sea) – Disqualifying Non-Pecuniary Interest: Knows two families that live in close proximity to the application site;

Cabinet – 15th September 2020

Minute 390 (Declaration of Air Quality Management Area) – Non-pecuniary interest: Know residents in the affected area;

Minute 393 (School Admission Arrangements for Community Schools 2022/23) – Non-pecuniary interest: Has a child still at school age;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: son works for one of the railway companies mentioned during the debate;

- **Councillor Kelly**

- **Place Scrutiny Committee – 12th October 2020**

- Minute 427 (SO46 Report) – Pecuniary interest (withdrew);

- **People Scrutiny Committee – 13th October 2020**

- Minute 439 (Changes to Acute Mental Health Beds in South Essex) - Employed by Essex Partnership University NHS Foundation Trust - Non-pecuniary personal interest (withdrew);

- **Councillor McDonald**

- **Council – 29th October 2020**

- Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/ Southend Energy;

- **Councillor McGlone**

- **Cabinet Committee – 14th September 2020**

- Minute 370 (Airport Parking Scheme) – Non-pecuniary interest: Has been involved with parking issues in St Laurence Ward for some time;

- **Policy and Resources Scrutiny Committee – 15th October 2020**

- Minute 446 (Questions from Members of the Public) – Non-pecuniary interest: Previous involvement with residents of Lundy Close;

- **Councillor Mitchell**

- **People Scrutiny Committee – 13th October 2020**

- Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Works with adults with complex needs, including mental health issues - Non-pecuniary interest;
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;

- **Policy and Resources Scrutiny Committee – 15th October 2020**

- Minute 450 (ASELA Update) – Non-pecuniary interest: Employed by Essex County Council;

- **Council – 29th October 2020**

- Minute 457 (Public Questions: Hamlet Court Road Conservation Area Designation) – Non-pecuniary interest: Chair of Hamlet Court Road in Harmony);

- **Councillor Mulroney**

Development Control Committee – 9th September 2020

Minute 352 (Garages Rear of 187 Saxon Gardens) Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Mulroney is a Cabinet Member.

Minute 353 (Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to her;

Minute 357 (20 Berkeley Gardens, Leigh-on-Sea) and 358 (Land Rear of 26-30 Lime Avenue, Leigh-on-Sea) – Non-Pecuniary Interest: Is a non-planning member of Leigh Town Council;

Minute 362 (Airport Surface Access Strategy - Airport Surface Access Strategy) – Disqualifying Non-Pecuniary Interest: The item relates to her Cabinet portfolio;

Cabinet – 15th September 2020

Minute 391 (Mid and South Essex Health and Care Partnership MOU) – Non-pecuniary interest: Niece works for Mid Essex NHS);

Development Control Committee 7th October 2020

Minute 415 (115 Tattersall Gardens, Leigh-on-Sea – Disqualifying Non-Pecuniary Interest: The applicant is known to her;

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/Southend Energy;

- **Councillor Nevin**

People Scrutiny Committee – 13th October 2020

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:

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 employee;

Minute 441 (Annual Public Health Report) – Friend responsible for delivery of flu immunisation programme outside the Borough - Non-pecuniary interest:

Council – 29th October 2020

Minute 457 (Public Questions: Hamlet Court Road Conservation Area Designation) – Non-pecuniary interest: member of Hamlet Court Road in Harmony);

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/Southend Energy;

- **Councillor Robinson**

Cabinet – 15th September 2020

Minute 390 (Declaration of Air Quality Management Area) – Non-pecuniary interest: Know residents in the affected area;

Minute 391 (Mid and South Essex Health and Care Partnership MOU) – Non-pecuniary interest: Employer is mentioned in the MoU;

Place Scrutiny Committee – 12th October 2020

Minute 427 (SO46 Report) – Pecuniary interest (withdrew);

People Scrutiny Committee – 13th October 2020

Minute 439 (Changes to Acute Mental Health Beds in South Essex) – Disqualifying Non-Pecuniary Interest: employer provides mental health beds (withdrew);

- **Councillor Salter**

Health and Wellbeing Board – 8th September 2020

Minute 336 (Annual Public Health Report), Minute 337 (Teenage Pregnancy Implementation Plan), Minute 338 (Mid and South Essex Health and Care Partnership Diabetes Framework), Minute 339 (Flu Planning and Marketing Campaign) and Minute 340 (COVID-19 Pandemic Updates) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is general practitioner in the Borough;

People Scrutiny Committee – 13th October 2020

Minute 439 (Changes to Acute Mental Health Beds in South Essex) and Minute 441 (Annual Public Health Report) - Non-pecuniary interest: 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;

- **Councillor Stafford**

Council – 29th October 2020

Minute *** (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/Southend Energy;

- **Councillor Terry**

Cabinet Committee – 14th September 2020

Minute 370 (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;

Cabinet – 15th September 2020

Minute 390 (Declaration of Air Quality Management Area) – Non-pecuniary interest: Season ticket holder, Southend United Football Club;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: customer of British Gas;

- **Councillor Thompson**

- **Development Control Committee – 9th September 2020**

- Minute 353 (Cockethurst, Eastwoodbury Lane) – Non-Pecuniary Interest: Applicant is known to him;

- **Development Control Committee 7th October 2020**

- Minute 415 (115 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward) – Non-Pecuniary Interest: Has been heavily canvassed by supporters and objectors;

- Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- Minute 417 (159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Is a trustee with the Southend boys' and girls' choir;

- **Council – 29th October 2020**

- Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non-Pecuniary Interest: former customer of OVO/Southend Energy and customer of British Gas;

- **Councillor Walker**

- **Council – 10th September 2020**

- Correction to the declarations of interest:

- Agenda Item 7 (Questions from Councillors regarding Garrons Leisure Centre/Fusion Lifestyle) – Non-pecuniary interest: grand-daughter is member of swimming squad and Elite Swimming Squad;

- **Development Control Committee 7th October 2020**

- Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- Minute 417 (159 Burges Road, Thorpe Bay, Southend-on-Sea) – Disqualifying Non-Pecuniary Interest: Chair of the Southend Boys' and Girls' Choir Trust;

- **Councillor Ward**

- **Development Control Committee – 9th September 2020**

- Minute 361 (Airport Parking, Southend Airport, Eastwoodbury Crescent) – Non-Pecuniary Interest: A hotel was mentioned in discussion and he owns a B&B;

- **Development Control Committee 7th October 2020**

- Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Development Control Committee 7th October 2020**

- Minute 415 (115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: Owner of a B&B;

- **Councillor Wakefield**

Development Control Committee – 9th September 2020

Minute 353 (Cockethurst, Eastwoodbury Lane) – Disqualifying Non-Pecuniary Interest: The applicant is known to him;

Cabinet – 15th September 2020

Minute 379 (Fire Safety Report) – Non-pecuniary interest: sub-contractor and carried out work for South Essex Homes;

Development Control Committee 7th October 2020

Minute 416 (1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor;

- **Councillor Wexham**

Cabinet – 15th September 2020

Minute 379 (Fire Safety Report) – Non-pecuniary interest: Non-Executive Director South Essex Homes;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Non Pecuniary Interest: former customer of OVO/Southend Energy;

- **Councillor Woodley**

Cabinet Committee – 14th September 2020

Minute 370 (Airport Parking Scheme) – Non-pecuniary interest: Daughter is a pilot for EasyJet at the airport;

Cabinet – 15th September 2020

Minute 392 (Planning White Paper) – Non-pecuniary interest: Chairman of Burges Estate Residents Association;

Council – 29th October 2020

Minute 477 (Opposition Business: Collapse of Robin Hood Energy (RHE)) - Pecuniary Interest: customer of OVO/RHE (withdrew);

Officer Interests

Place Scrutiny Committee – 12th October 2020

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) and Minute 428 (Porters Place LLP – Additional 100 homes) – Non-pecuniary interest: Member of the Porters Place LLP Board;

456 Communications

David Elf – Minutes Silence

The Council held a one minute's silence as a mark of respect to former Southend-on-Sea Borough Councillor, Mr David Elf, who sadly passed away recently.

Simon Leftley MBE

The Worshipful the Mayor informed the Council 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.

On behalf of the Council the Mayor extended its congratulations to Simon Leftley for his well-deserved award.

457 Questions from Members of the Public

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

458 Questions from Members of the Council

The relevant Executive Councillors responded to questions received from Councillors.

459 Minutes of the Meeting held on Thursday 10th September 2020

Resolved:-

That the Minutes of the Meeting held on Thursday 15th September be confirmed as a correct record and signed.

460 Petition - Wren Avenue Lower Speed Limit and introduce one-way

The Democratic Services Team had received a petition from Ms Ventura containing 19 signatures from local residents calling on the Council to lower the speed limit and introduce a one-way system in Wren Road.

Resolved:

That, in accordance with Council Procedure Rule 15.7, the petition stands referred to the Executive Director (Neighbourhoods and Environment) for consideration.

461 Minutes of the Meeting of Licensing Sub Committee B held on Monday 20th July 2020

Resolved:

That the minutes of this meeting be noted.

462 Minutes of the Meeting of Licensing Sub Committee B held on Friday 4th September 2020

Resolved:

That the minutes of this meeting be noted.

463 Minutes of the Meeting of the Health & Wellbeing Board held on Tuesday 8th September 2020

Resolved:

That the minutes of this meeting be noted.

464 Minutes of the Meeting of Development Control Committee held on Wednesday 9th September 2020

Resolved:

That the minutes of this meeting be noted.

465 Minutes of the Meeting of Licensing Sub Committee A held on Monday 14th September 2020

Resolved:

That the minutes of this meeting be noted.

466 Minutes of the Meeting of Cabinet Committee held on Monday 14th September 2020

Resolved:

That the minutes of this meeting be noted.

467 Minutes of the Meeting of Cabinet held on Tuesday 15th September 2020

Resolved:

That the minutes of this meeting be noted and the recommendations in Minutes 376, 381, 383, 385, 386, 388 and 389, be approved.

468 Minutes of the Meeting of Cabinet Committee held on Tuesday 22nd September 2020

Resolved:

That the minutes of this meeting be noted.

469 Minutes of the Meeting of Special Cabinet Committee held on Tuesday 6th October 2020

Resolved:

That the minutes of this meeting be noted and the recommendations in Minute 407, be approved.

470 Minutes of the Meeting of Development Control Committee held on Wednesday 7th October 2020

Resolved:

That the minutes of this meeting be noted.

471 Minutes of the Meeting of Licensing Sub Committee B held on Thursday 8th October 2020

Resolved:

That the minutes of this meeting be noted.

472 Minutes of the Meeting of Place Scrutiny Committee held on Monday 12th October 2020

Resolved:

That the minutes of this meeting be noted.

473 Minutes of the Meeting of Appeals Committee A held on Tuesday 13th October 2020

Resolved:

That the minutes of this meeting be noted.

474 Minutes of the Meeting of People Scrutiny Committee held on Tuesday 13th October 2020

Resolved:

That the minutes of this meeting be noted.

475 Minutes of the Meeting of Policy and Resources Scrutiny Committee held on Thursday 15th October 2020

Resolved:

That the minutes of this meeting be noted.

476 Notice of Motion - Street Prostitution in Southend

Resolved:

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

‘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

477 Opposition Business - Collapse of Robin Hood Energy

By virtue of Standing Order 19 the Conservative Group requested that the collapse of Robin Hood Energy be placed on the agenda for discussion and accordingly the matter was debated.

478 Appointments and Amendments to Committees etc.

Resolved:

That the change to the membership of the Health and Adult Social Care Working Party as set out on page 153 of the Council book, be approved.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 21st October, 2020

Place: Virtual Meeting via MS Teams

7

Present: Councillor P Collins (Chair)
Councillors L Burton (Vice-Chair), B Ayling, T Cox, M Davidson,
N Folkard, S Habermel, M Kelly, I Shead and Mr K Pandya

In Attendance: C Gamble, A Barnes, E Allen, R Gill, P Bates, J Chesterton,
Czerwinke, C Fozzard and V Smith

Start/End Time: 6.30 - 8.04 pm

479 Apologies for Absence

Apologies for absence were received from C Wisdom (Deloitte)

480 Declarations of Interest

The following interest was declared at the meeting:

Councillor Shead – Agenda Item 5 (Deloitte: Update on Statement of Accounts Audit 2019/20 – Non-pecuniary Interest – In receipt of Pension from Essex County Council

481 Minutes of the Meeting held on Wednesday 12th August 2020

Resolved:-

That the Minutes of the Meeting held on Wednesday, 12th August 2020 be confirmed as a correct record and signed.

On consideration of the minutes, the Head of Internal Audit referred to an email he had sent to members of the Committee addressing two matters raised at the last meeting. Firstly, he explained that the Deprivation of Liberty Safeguards (DoLS) audit had been deferred because of the planned changes to the DoLS arrangements. Secondly, in respect of the Adult Social Care Financial Assessments audit, the officer advised that the outstanding cases had been completed which had been achieved by re-engineering the financial assessment process and making use of the functionality offered by the new financial system.

482 Data Protection Report

The Committee considered a report of the Executive Director (Transformation) on the measures being taken by Southend-on-Sea Borough Council concerning data protection in the context of the coronavirus pandemic.

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

In response to a question on test and trace data collected from visitors to the Council's buildings, the Knowledge and Data Privacy Manager undertook to write to members of the Committee to clarify the arrangements for the recording of data destruction.

Resolved:-

That the measures taken to protect personal data during the coronavirus pandemic, be noted.

483 Deloitte: Update on Statement of Accounts audit 2019/20

The Chair of the Committee agreed to take this item of business in conjunction with the next item on the agenda.

The Committee considered a report of the Executive Director (Finance and Resources) summarising the final results of the work completed for the 2019/20 financial year with regard to:

- the opinion on the Statement of Accounts; and
- the conclusion on the adequacy of the Council's arrangements for securing economy, efficiency and effectiveness in the use of resources (the VFM conclusion).

On behalf, of the External Auditor, the Executive Director explained that the Statement of Accounts had now been signed off. He added that the report before the Committee was substantially the same as the one submitted to the previous meeting but had been updated to reflect the Auditor's conclusions on the remaining work that needed to be undertaken.

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

In noting the position on the Statements of Accounts, the Committee conveyed their thanks and appreciation to the Executive Director and his staff for their sterling work in producing the Accounts which had been compiled to a high standard.

Resolved:-

That the updated report on the audit for the year ended 31st March 2020, be accepted.

484 Deloitte: Update on Annual Audit Letter and Whole of Government Accounts 2019/20 (verbal update)

Resolved:-

That the verbal update provided by the Executive Director (Finance and Resources), be noted.

485 Internal Audit Plan 2020/21 Update

The Committee considered a report of the Executive Director (Finance and Resources) presenting the updated Internal Audit Plan for 2020/21 following further consideration as a result of the impact of the Covid-19 pandemic and the consequent change in risk and priorities.

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

On consideration of Appendix 1 to the submitted report, the Head of Internal Audit undertook to provide an assessment of the items in the Risk Watch List for consideration at the next meeting of the Committee.

Resolved:-

That the updated Internal Audit Plan for 2020/21, be approved.

486 Internal Audit Service Quarterly Performance Report

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the progress made in delivering the Internal Audit Strategy for 2020/21.

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

On consideration of audit review of the arrangements to deliver financial assistance duties under section 17 of the Children's Act, the Head of Internal Audit undertook to report back to the April meeting of the Committee on the progress made on the implementation of the audit recommendations.

Resolved:-

That the progress made in delivering the 2020/21 Internal Audit Strategy, be noted.

487 Counter Fraud & Investigation Team Quarterly Performance Report

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the progress made by the Counter Fraud & investigation Team in delivering the Counter Fraud Strategy and Work Programme/Work Plan for 2020/21.

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

On consideration of the report, the Acting Senior Investigations Officer undertook to consider offering the e-learning fraud awareness course to other appropriate organisations in the Borough.

Resolved:-

That the performance of the Counter Fraud & Investigation Team over the last three months, be noted.

488 Information Item

The Committee noted the following information item:

- Public Sector Audit Appointments (PSAA) Quality of Audit Service feedback Survey.

Chair: _____

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee B

Date: Thursday, 22nd October, 2020

Place: Virtual Meeting - MS Teams

8

Present: Councillor C Nevin (Chair)
Councillors A Thompson, L Burton, F Evans, N Folkard, I Shead and
M Stafford

In Attendance: R Harris

Start/End Time: 6.00 - 6.55 pm

489 Apologies for Absence

There were no apologies for absence at this meeting.

490 Declarations of Interest

There were no declarations of interest at this meeting.

491 Minutes of the Meeting held on Thursday, 13th August, 2020

Resolved:-

That the Minutes of the Meeting held on Thursday, 13th August 2020 be confirmed as a correct record.

492 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.

493 School Transport Appeal - Pupil KM

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil KM, in connection with an application for home to school transport assistance.

Resolved:

That the appeal be upheld and school transport assistance be granted.

494 School Transport Appeal - Pupil JH

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil JH, in connection with an application for home to school transport assistance.

Resolved:

That the appeal be upheld and school transport assistance be granted.

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Monday, 2nd November, 2020

Place: Virtual Meeting via MS Teams

9

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

In Attendance: Councillors B Ayling, K Buck, P Collins, D Cowan, T Cox, D Garston, B Hooper, D Jarvis, A Moring, C Nevin and S Wakefield
L Reed, S Harrington, M Barnes, N Hoskins, M Warren, T Row and E Cook

Start/End Time: 6.30 pm - 10.35 pm

495 Apologies for Absence

There were no apologies for absence.

496 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Collins - Agenda Item No. 5 (Traffic Regulation Order (Waiting Restriction) in The Maze – Non-pecuniary interest: two residents of The Maze have spoken to him regarding the restrictions;

(b) Councillor Collins - Agenda Item No. 6 Traffic Regulation Orders – Objections (Junction Protection) – Non-pecuniary interest in items listed below: Lives in the vicinity and residents have spoken to him about the proposals:

Green Lane/Parkway Close
Green Lane/Roach Vale
Green Lane/Byfield
Green Lane/Wren Avenue
Green Lane/Nobles Green Road
Green Lane/Dandies Drive
Hudson Road/Hudson Crescent/Lambeth Road
Hudson Road/Hudson Road/Pinewood Avenue
Eastwood Rise/Springwater Road.

(c) Councillor Cowan – Agenda Item No. 5 (Traffic Regulation Order (Waiting Restriction) in The Maze – Non-pecuniary interest: Worked with residents regarding the adoption of the roads in the Ekco Estate which was mentioned in the debate;

(d) Councillors Buck, Cox, D Garston, Jarvis and Moring – Agenda Item No. 10 (Eastern Avenue Safety Scheme) – Non-pecuniary interest: The Notice of Motion to Council was signed by the Councillors in the conservative group;

(e) Councillor D Garston – Agenda Item No. 8 (Traffic Regulation Orders (Waiting Restrictions – Safety Schemes) – Non-pecuniary interest: Has spoken with residents in respect of the proposals in Earls Hall Avenue:

(f) Councillor Nevin – Agenda Item No. 6 (Traffic Regulation Orders – Objections (Junction Protection) – Non-pecuniary interest: Has spoken with residents of her ward regarding the proposals in Hermitage Road and Cavendish Gardens/Holyrood Drive;

(g) Councillor Nevin – Agenda Item No. 8 (Traffic Regulation Orders (Waiting Restrictions – Safety Schemes) – Non-pecuniary interest: Has spoken with residents regarding the proposals in Clifton Road, Manor Road and Seaforth Road; and

(h) Councillor Woodley – Agenda Item No. 11 (Petition – Burges Road Traffic Calming Measures) – Non-pecuniary interest: Presented petition at Council on behalf of residents.

497 Minutes of the Meeting held on Monday, 14th September 2020

Resolved:-

That the Minutes of the meeting held on Monday, 14th September 2020 be received, confirmed as a correct record and signed.

498 Minutes of the Meeting held on Tuesday, 22nd September, 2020

Resolved:-

That the Minutes of the Meeting held on Tuesday, 22nd September 2020 be received, confirmed as a correct record and signed.

499 Traffic Regulation Order (Waiting Restriction) in The Maze

The Cabinet Committee considered the report of the Executive Director (Neighbourhoods and Environment) that presented the representations that had been received in response to the statutory consultation for a traffic regulation order introducing waiting restrictions in The Maze, Eastwood, Leigh on Sea.

The report sought the Cabinet Committee's approval on the way forward in respect of these proposals, after having considered the views of the Traffic Regulations Working Party following consideration of all the representations that had been received in writing and at the meeting. Written submissions from the objector and one of the residents in support of the proposals were read out at the meeting.

The Chair gave his assurances that the double yellow line markings would not be installed until the adoption of the highway had been completed.

Resolved:-

That The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit

Parking Zones)(Consolidation) Order 2016 (Amendment No. 5) Order 2020 be confirmed as advertised and the proposals implemented.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

500 Traffic Regulation Orders - Objections (Junction Protection)

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented the representations that had been received in response to the statutory consultation for a traffic regulation order for the introduction of waiting restrictions in the form of junction protections at the sites listed in Appendix 1 of the submitted report.

The report sought the Cabinet Committee's approval on the way forward in respect of these proposals, after having considered the views of the Traffic Regulations Working Party following consideration of all the representations that had been received in writing and at the meeting.

With reference to the proposals in Thorpe Hall Avenue, the Cabinet Committee noted the request to extend the restrictions to the entrance of the car park to the flats.

With reference to the proposed waiting restrictions at the junction of Hudson Road with Pinewood Avenue, the Cabinet Committee felt that the restrictions could be reduced 10 metres.

Resolved:-

That, subject to the reduction of the waiting restrictions in Hudson Road and Pinewood Avenue to 10 metres, The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones)(Consolidation) Order 2016 (Amendment No. 4) Order 2020 be confirmed and the proposals implemented..

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

501 Traffic Regulation Orders (Junction Protection)

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) regarding the commencement of consultation and implementation of the Traffic Regulation Orders in respect of various Junction Protection schemes across the Borough. The list of proposed schemes was attached at Appendix 1 to the submitted report.

In the light of the request to extend the approved junction protection at Thorpe Hall Avenue, the Cabinet Committee requested that the proposal be included as part of these schemes.

Resolved:-

That subject to the inclusion of the extension of the approved junction protection waiting restrictions in Thorpe Hall Avenue from its junction with the roundabout at Acacia Drive northwards to the entrance of the car park to the flats, the list of no waiting at any time junction protection schemes as set out in Appendix 1 to the submitted report be noted.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

502 Traffic Regulation Orders (Waiting Restrictions - Safety Schemes)

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that sought approval of the commencement of consultation and implementation of a Traffic Regulation Orders to introduce no waiting restrictions in the sections of road set out in Appendix 1 to the submitted report.

Resolved:-

That the Executive Director (Neighbourhoods & Environment) be authorised to undertake the statutory consultation and prepare the requisite traffic regulation order for the introduction of "no waiting at any time" restrictions in the sections of road set out in Appendix 1 to the submitted report and, subject to there being no objections following statutory advertisement to arrange for the order to be confirmed and the proposals implemented. Any unresolved objections will be submitted to the Traffic Regulations Working Party and Cabinet Committee for consideration.

Reason for Decision

As set out in the submitted report

Other Options
As set out in the submitted report

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

503 Traffic Regulation Order (Waiting Restriction) Thames Close

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that provided an update on the implementation of the extension of the junction protection and the informal consultation with residents regarding potential additional restrictions in Thames Close, Leigh on Sea.

Having considered the views of the Traffic Regulations Working Party, it was felt that the statutory consultation for no waiting at any time restrictions in the entire road should be undertaken.

Resolved:-

That the report be noted and that the Executive Director (Neighbourhoods & Environment) be authorised to undertake the statutory consultation and prepare the requisite traffic regulation order for the introduction of “no waiting at any time” restrictions in the entire length of Thames Close, Leigh on Sea, and, subject to there being no objections following statutory advertisement to arrange for the order to be confirmed and the proposals implemented. Any unresolved objections will be submitted to the Traffic Regulations Working Party and Cabinet Committee for consideration.

Reason for Decision
As set out in the submitted report

Other Options
As set out in the submitted report

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

504 Eastern Avenue Safety Scheme

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented the findings of an independent Road Safety Review (RSR) on the westbound carriageway of Eastern Avenue between Weybourne Gardens and Sutton Road.

The report also responded to the Notice of Motion received by Council at its meeting on 10th September 2020 (Minute 320 refers). A copy of the Notice of Motion was attached to the report at Appendix 1.

The Cabinet Committee noted the views of the Traffic Regulations Working Party regarding the possible option and felt that an average speed camera enforcement

scheme on both sides of Eastern Avenue between Hamstel Road and Sutton Road, should be pursued (Option E in the submitted report).

The Cabinet Committee was informed that the support of the Police, as the appropriate enforcement authority for speeding vehicles, would be required for any such camera enforcement scheme. It was therefore recommended that a letter be sent to the Police, Fire and Crime Commissioner and the Chief Constable, signed by the leaders of all four groups on the Council, highlighting the Council's concerns and urging the Police to support the proposals. In the meantime, further data would be collated to support the case for the scheme.

Resolved:-

1. That average speed camera enforcement scheme on both sides of Eastern Avenue between Hamstel Road and Sutton Road, should be pursued (Option E in the submitted report).
2. That the Executive Director (Neighbourhoods and Environment) submit a bid for Capital Funding to finance the scheme.
3. That the Executive Director (Neighbourhoods and Environment) prepare a letter to the Police, Fire and Crime Commissioner for Essex and the Chief Constable, urging them to support the introduction of the average speed camera enforcement scheme in this section of Eastern Avenue, to be signed by the leaders of all four groups on the Council.

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

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

505 Petition - Burges Road Traffic Calming Measures

Pursuant to Minute 296 of the meeting of Council held on 10th September 2020, the Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) on the petition for traffic calming measures and speed restrictions to be introduced in Burges Road.

In response to questions regarding the number of other roads which suffered from significant number of vehicles exceeding the speed limit, the Chair gave his assurances that the list of streets where vehicles are exceeding the speed limit, considered by the Traffic Regulations Working Party and Cabinet Committee at its meeting on 6th January 2020 would be recirculated. He also gave assurances that any petitions that had been received requesting for traffic calming schemes in those roads would be prioritised.

Resolved:-

That further speed monitoring be undertaken in Burges Road, the results of which be reported to the Traffic Regulations Working Party and Cabinet Committee in 6 months.

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

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

506 Eastern Esplanade Speed Cameras

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) concerning the possible extension of the 20mph zone along Eastern Esplanade and the introduction of average speed camera enforcement.

The Cabinet Committee noted the views of the Traffic Regulations Working Party that the scheme should cover the entire seafront eastwards from Marine Parade including Eastern Esplanade, Thorpe Esplanade, B1016 and Ness Road. It should also incorporate the introduction of pedestrian crossing facilities as discussed at its meeting on 24th February 2020 (Minute 851 of Cabinet Committee refers).

Resolved:-

That further monitoring of traffic speeds and accidents in Eastern Esplanade be undertaken and that a feasibility report with recommendations, including the identification of appropriate locations for the introduction of appropriate formalised pedestrian crossings, whether signal controlled or otherwise, be submitted to the Traffic Regulations Working Party and Cabinet Committee for consideration in 6 months.

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

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

507 Traffic Regulation Order (Waiting Restriction, No U-Turn Restriction)

The Chair agreed that this item be considered at this meeting as an urgent additional item on the basis that a decision is required on the progression of the

installation of the traffic controlled junction scheme at this location at the earliest opportunity on the grounds of highway safety.

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that sought approval of the commencement of consultation and implementation of Traffic Regulation Orders at the junction of Bournemouth Park Road and Eastern Avenue in accordance with the statutory processes.

Resolved:-

That the Executive Director (Neighbourhoods and Environment) be authorised to commence the statutory consultation process for the introduction of the no U-Turn restrictions on Eastern Avenue and proposed waiting restrictions as set out in Appendix 1 of the submitted report and, subject to there being no objections received following statutory notice, to implement the proposals. Any unresolved objections will be referred back to the Working Party and Cabinet Committee for consideration.

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

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 3rd November, 2020

Place: Virtual Meeting - MS Teams

10

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

In Attendance: Councillors K Evans
A Griffin, A Lewis, J Chesterton, J Williams, J Ruffle, T Forster,
M Marks, E Cooney, C Gamble, S Dolling, G Halksworth, B Leigh,
N Spencer, K Waters, L Reed and R Parker.

Start/End Time: 2.00 pm - 3.15 pm

508 Apologies for Absence

There were no apologies for absence at this meeting.

509 Declarations of Interest

The following declarations of interest were made:

(a) Councillor Harp (Agenda Item 6: Community Investment Fund) – Disqualifying Non-Pecuniary interest: Wife works for SAVS (withdrew);

(b) Councillor Jones (Agenda Item 13: Future Governance of Southend Adult Community College) – Non-pecuniary interest: Appointed to the Governing Body;

(c) Councillor Mulroney (Agenda Item 9: Destination Southend and Agenda Item 10 (Culture Vision) – Non-pecuniary interest: member of Leigh Town Council and Trustee of the Leigh Heritage Centre.

510 Minutes of the meeting held on Tuesday 15th September 2020

Resolved:

That the minutes of the meeting held on Tuesday, 15th September 2020, be confirmed as a correct record, subject to a minor correction to the Declarations of Interest to replace Councillor Jones with Councillor Woodley, as set out below:

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

511 Minutes of the Meeting held on 6th October 2020

Resolved:-

That the Minutes of the Meeting held on 6th October 2020 be received and confirmed as a correct record.

512 Resourcing Better Outcomes - Financial Performance Report - Period 6

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:

1. That the forecast outturn for the General Fund and the Housing Revenue Account as at September 2020, be noted.
2. That the planned budget transfers (virements) of £296,000 between pay and non-pay budgets, as set out in section 4.13 of the report, be approved.

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

3. That the expenditure to date and the forecast outturn as at September 2020 and its financing, be noted.
4. That the requested changes to the capital investment programme for 2020/21 and future years, as set out in section 3 of 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

Cabinet Members: Cllrs Gilbert and Woodley

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

513 Community Investment Fund (VCS Commissioning)

The Cabinet considered a report of the Executive Director (Adults and Communities) setting out proposals for community investment and support designed to create a stronger and more resilient local voluntary and community sector by creating a £1.5 million community investment fund for local services.

Resolved:

1. That the creation of a £1.5m Community Investment Fund for three years for Southend as outlined in the submitted report, be approved.
2. That the existing grants be extended as set out in appendix 1 to the report to support the process.

Reasons for Decisions:

To create a £1.5m Community Investment Fund for three years in Southend-on-Sea and to extend the existing grants as set out in appendix 1 to the report.

The Implementation of the recommendations will shift the relationship from engagement and consultation towards community ownership and coproduction and support the development of a culture of community ownership and resilience, and build on learning and community energy generated in response to the Covid-19 crisis.

Other Options:

As set out in the submitted report.

Note: This is an Executive Function
Cabinet Member: Cllr Gilbert

514 Southend 2050 Outcomes Success Measures Report up to 31 August 2020 and Transforming Together Roadmap

The Cabinet considered a report of the Chief Executive setting out the progress in the second period of the Southend 2050 Outcome Success Measures for 2020/21, covering the period 1 July – 31 August 2020, and presented the Transforming Together roadmap.

Resolved:

1. That the progress made on delivery of the Southend 2050 outcomes and activity on the roadmap as at 31 August 2020, be noted.
2. That the Transforming Together roadmap, be noted.

Reasons for Decisions:

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

Other options:

None

Note: This is an Executive Function
Cabinet Member: Cllr Gilbert

515 Annual Comments, Compliments and Complaints Report

The Cabinet considered a report of the Chief Executive providing performance information about comments, complaints and compliments received across the Council for 2019/20.

Resolved:

1. That the Council's performance in respect of comments, complaints, and compliments for 2019/20, be noted.
2. That the matter be referred to all three Scrutiny Committees (Appendix B and C to the submitted report referred to the People Scrutiny Committee only).
3. That authority be given to make the changes to the corporate Comments, Complaints and Compliments policy as set out in Section 4.3 and appendix A to the report.

Reason for Decisions:

To ensure the Council continues to have transparent and effective complaint procedures and utilises feedback from customers to good effect.

Other Options:

The Council is required by legislation to produce a report regarding social care statutory complaints and Local Government and Social Care Ombudsman complaint outcomes. Reporting on the efficacy of a complaint processes is best practice. While the content of the reports is not prescribed, reporting itself is obligatory.

Note: This is an Executive Function
Cabinet Members: Cllr Terry (overarching), Cllr Harp (Appendix B) and Cllr Jones (Appendix C)

Referred direct and called into: All three Scrutiny Committees (save that appendices B and C to the report be referred only to People Scrutiny Committee)

516 Destination Southend

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on the refreshed tourism strategy, 'Destination Southend', and outlined progress made to date together with ongoing plans.

Resolved:

That the refreshed 'Destination Southend' Strategy and action plan, with updated content, be noted.

Reasons for Decision:

Progress has been made in the last few months on several objectives that were originally set out. Businesses have been increasingly engaged in the tourism partnership over recent months and in preparation for the period after coronavirus lockdown, the tourism sector will benefit from confidence in a refreshed strategy.

Other Options:

The existing strategy could remain in place. This is not recommended as progress has been made and some conditions have changed and will benefit from alignment to 2050 outcomes.

Note: This is an Executive Function
Cabinet Member: Councillor Kevin Robinson
***Called-in to Place Scrutiny Committee**

517 Culture Vision

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on progress with community engagement towards developing the Culture Vision to meet the 2050 objectives and shape the cultural offer in Southend.

Resolved:

1. That the engagement with the Borough's residents and local practitioners on the cultural offer, be noted.
2. That the key themes identified through engagement so far, be noted and that the Culture Vision be further coproduced in partnership with the Southend creative sector, residents and businesses.

Reasons for Recommendations

The Culture Vision aligns the 2050 outcomes with an overarching cultural theme and has been developed with the community and practitioners in the sector.

Other Options

None

Note: This is an Executive Function
Cabinet Member: Cllr Robinson

518 Southend Pier

The Cabinet considered a report of Executive Director (Adults and Communities) outlining some significant improvements to the Pier visitor offer to be in place for the 2021 season.

Resolved:

- 1 That the proposed improvements to the Pier Head visitor offer as set out in the submitted report, be approved
2. That the medium and longer term plans for the Pier, be noted.

Recommended:

3. That £1.2m be included in the capital investment programme to fund the new Pier Head development (Phase 1).

Reasons for Decisions:

A programmed and proactive approach to maintenance and management of the structure will reduce the possibility of unplanned closures and higher costs. Co-designing the visitor offer with users will increase participation and income opportunities.

Other Options:

Investment is needed to increase the Pier's visitor appeal. The timing could be extended but this is not recommended as these proposals are already a phased approach.

Note: The decisions in 1 and 2 above constitute an Executive Function. The decision in 3 above constitutes a Council Function.

Cabinet Member: Cllr Robinson

519 The Beecroft Trust - Council Options

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on the current position with regards the Beecroft Art Gallery ("the Trust") and with the proposed renovations to the building to create artist's studios.

Resolved:

That it be noted that the proposal to convert the former Beecroft Art Gallery into artist's studios is no longer feasible.

Reasons for Decision:

The proposal to convert the Former Gallery into artist's studios is no longer financially viable.

Other Options:

None.

Note: This is an Executive Function

Cabinet Member: Cllr Robinson

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

520 Future Governance of Southend Adult Community College

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth & Housing) setting out the current governance arrangements of Southend Adult Community College for review, its status within the Council and proposed a future direction that maximises resources for skills and community learning that will benefit local residents and support economic recovery.

Resolved:

1. That the transfer from the Southend Adult Community College current governance structure with a Governing Body operating under a Scheme of Delegation to a more flexible model in direct relationship with Council governance to swiftly mobilise employability skills and learning aligned to the priorities of the Council for recovery and prosperity, be approved.
2. That an Advisory Board (AB) be established to support recovery, growth, innovation and sustainable future for employability skills and learning in Southend and that the appointment of the AB be delegated to the Director of Regeneration and Growth in consultation with the Cabinet member for Children and Learning.

Reasons for Decisions:

As set out in the submitted report.

Other Options:

1. To retain College governance as it is and recruit to vacant governor posts, elect a chair and continue to operate within the scheme of delegation with limited decision making powers in relation to finance. The college could continue to work at arms-length from the Council and governors would agree the strategic direction and priorities for the delivery of skills and learning across Southend. Governors would continue to approve College policy and strategy. The Council would continue to have one representative on the Governing body.
2. While this could offer the autonomy a separate governance structure can bring it would not bring the College closer to the Council thereby unlocking the potential around skills, learning and growth in the local community. It is also a challenging climate in which to recruit governors with the poor financial position and impending Ofsted inspection. Moreover the Council would continue to be ultimately responsible for the College.

Note: This is an Executive Function

Cabinet Member: Cllr Jones

521 Hamlet Court Road draft Conservation Area Designation

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth and Housing) concerning the draft Conservation Area Appraisal produced on behalf of the Council by independent heritage experts, Purcell, assessing the potential of Hamlet Court Road for Conservation Area status and set out the proposed approach to public consultation.

Resolved:

1. That the draft Conservation Area Appraisal from Purcell, as set out in Appendix A to the submitted report, setting out a potential area for Conservation Area designation at Hamlet Court Road, be noted and that the draft Appraisal be approved for public consultation.

Reasons for Decision:

To facilitate public consultation on the draft appraisal from independent heritage experts Purcell, and to seek the views of local residents and businesses on the proposal to consider Hamlet Court Road for designation as a Conservation Area.

Other Options:

Not to publicly consult on the draft Appraisal, and not to progress further work on the potential for a Conservation Area designation at Hamlet Court Road. This would be contrary to the recommendations of Purcell based on the initial work undertaken to date and the outcome of the public consultation and would not allow for public consultation on the appraisal. By moving forward with public consultation, it will be possible to collate the views of interested parties to determine whether a Conservation Area should be adopted at Hamlet Court Road.

Note: This is an Executive Function

Cabinet Member: Cllr Mulroney

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

522 Petition - Old Leigh Alcohol Free Zones

The Cabinet considered a report of Executive Director (Neighbourhoods and Environment) providing a response to the petition (referred by Council) proposing alcohol free zones in Old Leigh.

Resolved:

That a full Public Spaces Protection Order (PSPO) consultation process be undertaken, which includes stakeholder and public consultation as well as collation of crime and anti-social behaviour evidence, to inform a decision regarding a potential PSPO for Old Leigh in relation to no drinking of alcohol in public areas (excluding licensed premises), and other relevant anti-social behaviour issues in this area.

Reasons for Decision:

As a specific location, Old Leigh is a popular visitor area, with a number of public houses, cafes and restaurants, as well as the picturesque harbour front and wharves, and its renowned local seafood industry. Visitor numbers are high and in particular during the past summer season, a growing number of anti-social behaviour issues have been evident, including drinking in public areas, and it could therefore benefit from the introduction of a PSPO.

Other options:

As set out in the submitted report.

Note: This is an Executive Function

Cabinet Member: Cllr Terry

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

523 Census

The Cabinet considered a report of Chief Executive providing an update on Southend-on-Sea's preparations for the national 2021 Census which is due to take place in England and Wales on 21st March 2021.

Resolved:

That the work that the Council is doing to ensure a robust and accurate census for Southend-on-Sea, be noted and that Councillors help promote the benefits of the 2021 Census throughout the Council and the Borough.

Reasons for Decision:

To ensure the Council supports the Office for National Statistics to deliver an accurate population count for Southend-on-Sea in 2021.

Other Options:

The Council could choose not to locally support the delivery of the census. The potential implication of this would be that we do not get the necessary local support for it and the population count is not accurate and does not meet our needs. This would affect confidence in results.

Note: This is an Executive Function

Executive Member: Cllr Gilbert

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

524 EU Exit

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth and Housing) providing an update on the Council's preparations for the end of the EU Exit Transition Period on 31st December 2020.

Resolved:

That the work undertaken by the Council to date in preparing for the end of the Transition Period, be noted.

Reasons for Decision:

To enable the Council to respond to EU Exit and the end of the Transition Period in the services it delivers and give due consideration to the potential cumulative impact of the end of the Transition Period alongside any possible further waves of the Coronavirus.

Other Options:

1. To reduce or cease the Council's preparations for the end of the Transition Period. The result of this would significantly compromise the Council's ability to respond as the consequences of EU Exit are realised which in turn can destabilise community engagement and cohesion. Failure to engage in EU Exit preparations could potentially result in legal challenge or affect future funding opportunities for the Council.

2. To dedicate further staff time and resources to preparations for Brexit. The result of this would have an impact on the day to day delivery of services as resources are diverted to focus on Brexit preparations, and also, potentially, away from Covid-19 work.

Note: This is an Executive Function

Cabinet Member: Cllr Gilbert

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

525 Treasury Management Report - Mid Year 2020/21

The Cabinet considered a report of Executive Director (Finance and Resources) presenting the Mid-Year Treasury Management Report covering the treasury management activity and compliance with the treasury management strategy for both quarter two and the period from April to September 2020.

Resolved:

1. That the Treasury Management Mid Year Position report for 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 September 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 £0.842m of interest and income distributions for all investments were earned during this six month period at an average rate of

1.08%. This is 1.14% over the average 7 day LIBID (London Interbank Bid Rate) and 0.98% over the average bank rate. Also the value of the externally managed funds decreased by a net of £0.767m due to changes in the unit price, giving a combined overall return of 0.10%.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £310.3m (Housing Revenue Account (HRA): £75.0m, General Fund: £235.3m) during the period from April to September 2020.

5. That it be noted that the level of financing for 'invest to save' schemes decreased from £8.64m to £8.59m during the period from April to September 2020.

Reasons for Decisions:

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
Cabinet Member: Cllr Woodley

526 Notice of Motions (Referred by Council, 10th September 2020)

The Cabinet considered a report of Executive Director (Legal & Democratic Services) requesting the Cabinet to determine how to respond to each of the Notices of Motion referred by Council on 10th September 2020.

Resolved:

That the Notices of Motion be referred to the relevant Cabinet Working Parties.

Reasons for Decision:

To respond to the Notices of Motion referred by Council on 10th September 2020.

Other options:

To ask officers to prepare a report on each Notice of Motion for submission to the next meeting of Cabinet.

Note: This is an Executive Function
Cabinet Member: As appropriate to each Notice of Motion
***Called-in to Place Scrutiny Committee and Policy and Resources Scrutiny Committee**

527 SO46 Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function
Cabinet Member: As appropriate to the item

528 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.

529 SO46 Report -Confidential Sheet

Resolved:

That the confidential sheet, be noted.

Note: This is an Executive Function
Cabinet Member: As appropriate to the item

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 4th November, 2020

Place: Virtual Meeting via MS Teams

11

Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), B Ayling, J Beck, K Buck*,
A Chalk, D Cowan, A Dear, M Dent, M Flewitt*, S Habermel,
D Jarvis, A Jones, C Mulrone, S Wakefield and C Walker

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: K Waters, C Galforg, P Keyes, C White, M Warren, T Row, T Hartley,
E Cook, A Smyth and G Gilbert

Start/End Time: 5.00 - 7.30 pm

530 Apologies for Absence

Apologies for absence were received from Cllr Evans (Substitute: Cllr Flewitt) and Cllr Garston (Substitute: Cllr Buck).

531 Declarations of Interest

The following declarations of interest were declared at the meeting:

- (a) All Committee Members – Agenda Item Nos. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Non-Pecuniary Interest: The architect is known to them.
- (b) Cllr Ayling – Agenda Item No. 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – None Pecuniary Interest: Has been in contact with the applicant regarding this matter
- (c) Cllr Buck – Agenda Item No. 8 (20/01294/FUL - 271 Southbourne Grove, Westcliff-on-Sea) – Non-Pecuniary Interest: Has been in contact with the neighbour regarding the application.
- (d) Cllr Buck – Agenda Item No. 9 (20/01309/FUL - Development Land Underwood Square) – A close friend lives near the application site
- (e) Cllr Buck – Agenda Item No. 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Disqualifying Non-Pecuniary Interest: Many seafront traders are good friends with him.
- (f) Cllr Chalk – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Non-Pecuniary Interest: Has been involved in an application on this site previously.
- (g) Cllr Chalk – Agenda Item No. 11 (20/01368/FUL - Second and Third Floors, 23 High Street) – Non-Pecuniary Interest: Lives in close proximity to the application site.

- (h) Cllr Dear – Agenda Item No 7 (20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive) – Non-Pecuniary Interest: Has had several conversations with the neighbour to the application site.
- (i) Cllr Jarvis – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Non-Pecuniary Interest: Lives close to the application site.
- (j) Cllr Jones – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Jones is a Cabinet Member of the Council.
- (k) Cllr Mulroney – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Mulroney is a Cabinet Member of the Council.
- (l) Cllr Mulroney – Agenda Item Nos. 7 (20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive), 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 12 (20/01395/FUL - 1335 London Road) – Non-Pecuniary Interest: Non-Planning Member of Leigh Town Council.
- (m) Cllr Walker – Agenda Item No. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) – Non-Pecuniary Interest: A friend lives close to the application site.
- (n) Cllr Ward – Agenda Item Nos. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Non-Pecuniary Interest: The company he works for has done some work on these addresses in the past.

532 Minutes of the meeting held on Wednesday 9th September 2020

Resolved:-

That the Minutes of the Meeting held on Wednesday 9th September 2020 be confirmed as a correct record and signed.

533 Minutes of the Meeting held on Wednesday 7th October 2020

Resolved:-

That the Minutes of the Meeting held on Wednesday 7th October be confirmed as a correct record and signed.

534 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.

535 20/00823/BC3M - Land South of Campfield Road, Shoeburyness

Proposal: Temporary storage of soil at New Barge Pier Road
 Applicant: Southend Borough Council
 Agent: Mr Neil Hoskins

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

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be for a limited period of 3 years from the date of this decision. At the end of this period the development hereby permitted shall cease and all material and equipment brought on to, or erected on the land, or works undertaken to it in connection with the development hereby approved, shall be removed and the land restored to its condition before the development took place. Details of the use of the material following its removal from the site shall be submitted to and approved in writing by the local planning authority before the end of the 3 year period.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP1 and KP2 of the Core Strategy (2007).

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Spoil Retention Plan, Site Location Plan

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

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

Informatives:

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

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

03 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as

amended) and the noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER'.

04 In terms of waste permitting, the Environment Agency require further information. An exemption might cover the process, depending on tonnages and timescales. Alternatively a permit might be required for deposit or recover unless you can comply with the conditions listed at: <https://www.gov.uk/government/collections/waste-exemptions-using-waste> and <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

536 20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive

Proposal: Erect single storey rear extension and form side doorway.
Applicant: Gill Pedler
Agent: Gill Pedler of Church Growth Trust

A written submission from Mr Lowes was read to the committee.
A written response from Mr Heaney was read to the committee.

Cllr Dent joined the meeting at 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: S168-01, S168-02, S168-03, S168-04, S168-05, S168-06.

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 advice contained within the Design and Townscape Guide (2009).

04 The roof of the single storey 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 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.

Informative

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 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.

537 20/01294/FUL - 271 Southbourne Grove, Westcliff-on-Sea

Proposal: Demolish existing side extension to 271 Southbourne Grove and erect two storey dwellinghouse with associated parking and amenity space (Amended Proposal)

Applicant: Mark Harding of Harding Group

Agent: Jack Baron DAP Architecture Ltd

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the following conditions and following the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation to secure the provision of a financial contribution of £125.58 (index linked) to mitigate the potential disturbance to European designated sites in accordance with the Essex Coast

Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means.

(b) That the Interim Director of Planning or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above requirement, so long as planning permission when granted and, where it is used, the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: 001_00, 00_00, 200_02 201_01, 202_01 & Transport Technical Note

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details before it is occupied.

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

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

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

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3.

05 Prior to the first occupation of the dwelling hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include, but not limited to:-

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification including 'pollinator friendly' plant species
- vi. Details of measures to enhance biodiversity within the site including the installation of a bird box.

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

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

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

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

07 Prior to the first occupation of the development hereby approved full details of refuse, recycling and secure, covered bicycle storage facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse, recycling and bicycle storage facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.

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

08 Prior to the occupation of the dwelling hereby approved the garages and car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 200_02. The garages and car parking spaces shall be kept available solely for the parking of motor vehicles of occupiers of the dwelling hereby approved and their visitors and shall be permanently retained as such thereafter.

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

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

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

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

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

11 Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.

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

12 Notwithstanding the provisions of Classes A, B and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or detached buildings shall be

erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality and in order to protect the amenities of surrounding occupiers in accordance with the National Planning Policy Framework, (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

13 Notwithstanding the details shown on the approved plans, the proposed south facing windows in the flank elevation at first floor level and the first floor window in the north facing elevation at first floor level 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 fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level of the room they serve and shall be retained as such in perpetuity thereafter.

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).

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 5th November 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to National and Local planning policy.

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

Informatives

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (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.

(planningportal.co.uk/info/200136/policy_and_legislation/70/community_in_frastructure_levy) or the Council's website (www.southend.gov.uk/cil).

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

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

538 20/01309/FUL - Development Land Underwood Square, Leigh-on-Sea

Proposal: Erect No.1 5 bedroom detached dwellinghouse, layout parking to front with associated crossover onto Underwood Square (Amended Proposal)

Applicant: Mr G Newton

Agent: Steven Kearney of SKArchitects

Mr Moore spoke as an objector.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the following conditions and following the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation to secure the provision of

- a financial contribution of £125.58 (index linked) to mitigate the potential disturbance to European designated sites in accordance with the Essex Coast Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means.

(b) That the Interim Director of Planning or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above requirement, so long as planning permission when granted and, where it is used, the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall 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 385-P800A, 385-P801, 385-P802, 385-P803, 385-P804
Reason: To ensure that the development is carried out in accordance with the Development Plan.

03 Prior to its occupation the materials for the external surfaces of the dwellings hereby approved shall be as set out on plan reference 385-P801 or any other details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor and second floor windows in the north and south elevations of the approved dwelling 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 that has been previously submitted to and agreed in writing by the local planning authority) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

05 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P801 and 385-P802 prior to occupation of the dwelling hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06 No drainage infrastructure associated with this development shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating

Sustainable Urban Drainage (SuDs) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity.

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 the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

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

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

08 The two car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 385-P801 shall be provided and made available for use at the site prior to the first occupation of the dwelling hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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

09 The tree and tree root protection measures as set out in Sections 3 and 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated Tree Protection Plan reference 1974-02-P1 dated 20/09/20, Ground Protection Plan reference 1953-02-P1 dated 21/09/20, Cellular Confinement Plan reference 1953-02-P2 dated 25/05/20 and Tree Works Plan reference 1935-02-P3 dated 25/05/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10, shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the

development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist. The tree works to trees identified as T8 and T9 shall be restricted to that set out in Section 3.4 of the above report.

Reason: A condition is justified to ensure the trees on and close to 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).

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

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

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

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

Reason: To ensure the residential unit 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).

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P803 showing proposed habitat measures.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

14 The construction management of the site shall be carried out in full accordance with the submitted Construction Method Statement by SKArchitects reference 385-08-16 Rev A and plan reference 385-P805 showing the proposed site layout plan during construction.

Reason: A condition is justified in the interests of visual amenity and the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 Before it is occupied the finished levels at the site shall be as set out on plan reference 385-P804.

Reason: A 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).

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).

17 No external lighting shall be installed on the rear elevations of the dwellings hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 5th November 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to National and Local planning policy.

Informatives:

01 Please note that the development 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).

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

03 The applicant is reminded that they are required to adhere to the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

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.

539 20/01324/FUL - Development Land Underwood Square, Leigh-on-Sea

Proposal: Erect 2No. two storey semi-detached dwellings and 2No. two and a half storey semi-detached dwellings, layout boundary planting and landscaping to front and layout parking spaces to front with associated vehicle accesses on to Underwood Square (Amended Proposal)

Applicant: Mr G Newton

Agent: Steven Kearney of SKArchitects

Mr Moore spoke as an objector.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the following conditions following the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation to secure the provision of

- a financial contribution of £502.32 (index linked) to mitigate the potential for disturbance to European designated sites in accordance with the Essex Coast Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means

(b) That the Interim Director of Planning or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and, where it is used, the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall 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 385-P702A, 385-P704A, 385-P900A, 385-P901A, 385-P903A, 385-P905, 385-P906, 385-P907, 385-P908A, GBU 2113A

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

03 Before they are occupied the materials for the external surfaces of the dwellings hereby approved shall be as set out on plan reference 385-P704A and email from SKArchitects dated 14.09.20 or any other details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor windows in the north and south elevations of the approved dwellings shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in proposed and neighbouring residential properties, in accordance with the National Planning

Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

05 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P903A and GBU 2113A prior to occupation of the dwellings hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

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

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

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 the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

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

08 The eight car parking spaces and the associated vehicular accesses for the spaces to access the public highway, shown on approved plan 385-P903A shall

be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwellings hereby approved and their visitors.

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

09 The tree and tree root protection measures as set out in Section 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated tree protection plan reference 1974-02-P1 dated 20/09/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10 shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

Reason: A condition is justified to ensure the trees on and close to 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).

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

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

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

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

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P907 showing proposed habitat measures.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

14 The construction management of the site shall be carried out in full accordance with the submitted Construction Method Statement by SKArchitects reference 385-08-16 rev A and plan reference 385-P908A showing the proposed site layout plan during construction.

Reason: A condition is justified in the interests of visual amenity and the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 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).

16 The finished levels at the site shall be as set out on plan reference 385-P906 before the dwellings are occupied.

Reason: A 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).

17 No external lighting shall be installed on the rear elevations of the dwellings hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 5th November 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to National and Local planning policy.

Informatives:

01 Please note that the development 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).

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

03 The applicant is reminded that they are required to adhere to the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

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.

540 20/01368/FUL - Second and Third Floors, 23 High Street, Southend-on-Sea

Proposal: Replace windows, french doors and timber balcony to rear second and third floors (retrospective)

Applicant: Mr M Guler

Agent: Mr T Ay of Delta Tech Ltd

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the following approved plans: 23b/P/02, 23b/P/03.

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

02 Within 4 months of the date of this permission a privacy screen of not less than 1.7m high above the balcony floor level shall be installed on the south side of the second floor balcony hereby approved, in accordance with details which have been submitted and previously agreed in writing with the local planning authority. The screen shall be retained for the lifetime of the development in accordance with the approved details.

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).

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

Informatives:

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

02 The applicant is informed that that the residential use of the upper floors of the building does not benefit from planning consent and therefore it is advised that a

planning application or certificate of lawful use (existing) is submitted to the Council for consideration. For the avoidance of any doubt this permission relates solely to the works set out in the description of development. It does not grant permission for any change of use at the site.

541 20/01395/FUL - 1335 London Road, Leigh-on-Sea

Proposal: Erect single storey rear extension to form additional floor space to existing commercial unit, use of ground floor commercial space as use class A2, erect rear extensions at first floor and roof level, and erect roof extension to front, in association with the conversion of the first floor and loft space into one self-contained flat (Class C3), install balconies to front, lay out garden space with associated bin and cycle stores (Amended Proposal)

Applicant: Property Point - Mr M Saunders

Agent: iArch Consulting

Cllr Wakefield withdrew from the rest of the meeting

A written objection from Mrs Bailey was read out to the committee
A written response from Mr Whitten was read out to the committee.

A written submission from Councillor Ayles was read out to the committee.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the following conditions and following the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation to secure the provision of:

- a financial contribution of £125.58 (index linked) to mitigate the potential disturbance to European designated sites, in accordance with the Essex Coast Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means.

(b) That the Interim Director of Planning or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above requirement, so long as planning permission when granted and, where it is used, the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

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

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

2 The development shall be carried out solely in accordance with the approved plans:

001 Option D, 002 Option D, 003 Option D, 004 Option D 005 Option D

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

3 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until appropriately sized samples of the materials on the external elevations 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 before the development hereby approved is first occupied.

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

4 Prior to the first occupation of the development hereby approved water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be installed in the development hereby approved and be retained in perpetuity thereafter.

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

5 Prior to the first occupation of the dwellings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority identifying the provision of covered and secure cycle parking and refuse and recycling storage for the existing and proposed commercial and proposed residential unit on the site.

6 The approved cycle parking and refuse and recycling storage shall be provided in full and made available for use by the occupiers of the ground floor development prior to the first use of the ground floor unit and made available for use by the occupiers of the first development prior to the first occupation of the dwelling hereby approved and shall be retained as such in perpetuity.

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

7 Hours of works associated with this consent shall be only between 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development

Management Document (2015) Policies DM1 and DM3 and advice in the Design and Townscape Guide (2009).

8 The ground floor areas shall only be occupied for purposes falling within Use Classes A1 and A2 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. The ground floor area must not be used for a Class A3 use or Class E (b) use, 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: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and advice in the Design and Townscape Guide (2009).

9 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).

10 Prior to the first occupation of the proposed flat hereby approved, glazing to specification RW35 with adequate ventilation shall be provided for all habitable rooms so as to meet BS 8233 :2014 internal noise levels.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and advice in the Design and Townscape Guide (2009).

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 5th November 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to National and Local planning policy.

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 (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).

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.

542 19/00207/BRCN-B - Britannia Public House, Eastern Esplanade

Breaches of Control: Unauthorised development in respect of the widening of the main front door, the installation of glass doors and metal shutters, the application of gold coloured cladding to the parapet and unauthorised signage affixed to the south elevation.

Cllr Buck withdrew from the meeting for this item.

Resolved: -

That ENFORCEMENT ACTION be AUTHORISED to:

- a) secure the removal of the unauthorised steel shutters
- b) secure removal of the gold cladding to the parapet
- c) secure the removal of unauthorised signage to the south elevation
- d) remove from site all materials resulting from compliance with a) above

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is considered reasonable for the removal of the shutter, cladding and signage.

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

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Wednesday, 11th November, 2020

Place: Virtual Meeting - MS Teams

12

Present: Councillor I Shead (Chair)
Councillors I Shead, B Ayling, D Burzotta, D Cowan, A Dear,
M Flewitt, D Garne, B Hooper, C Nevin, J Healey and J Morgan
(Independent member)

In Attendance: R Harris, S Brown and J Williams
Also in attendance C. Tredget (LGA)

Start/End Time: 6.00 - 6.50 pm

543 Apologies for Absence

Apologies for absence were received from Councillor Cowell (LTC) and J.Tetley (independent member).

544 Declarations of Interest

There were no declarations of interest at this meeting.

545 Minutes of the Meeting held on Tuesday 28th July 2020

Resolved:-

That the Minutes of the Meeting held on Tuesday 28th July 2020 be confirmed as a correct record.

546 Refresh of Protocol on Councillor / Officer Relations

The Committee considered a report of the Chief Executive presenting progress to date on the refresh of the Protocol on Councillor/Officer Relations work, following the Standards Committee meeting held on 28th July 2020, and presented a new Protocol and related Action Plan to support implementation for consideration.

The Committee welcomed the views from Cecilia Tredget (LGA) who provided the following comments:

- Pleased to see the inclusion of the Action Plan in the Council's Transforming Together programme which was an extremely positive step and is good practice;
- Pleased to see that this Committee had a champion role to take the Protocol forward;
- Pleased to see that some key issues raised by Councillors have been incorporated into the Protocol and Action Plan, such as the audit of Councillors skills and experience.

The Committee had a detailed discussion and in general were very supportive of the new Protocol and Action Plan. Although there were concerns about the time it sometimes took for Councillors to receive a response to a query, the Committee was pleased to note that the new system for dealing with Councillor queries via the Members Support Hub (as set out in the Protocol) was leading to a substantial improvement.

During the debate, the Committee:-

- Agreed the two minor changes to Section 9.1 of the Protocol, as proposed by Sarah Brown and set out in resolution 1, below;
- Agreed that the action referred to in Section 6.3 of the report should be adjusted, as set out in resolution 2 below;
- Noted that paragraphs 5.7 and 9.3.3 of the Protocol are clear about the provision of information to Councillors.

The Committee also extended their thanks and appreciation to Sarah Brown and Cecilia Tredget for their input and work.

Resolved:

1. That the new Protocol on Councillor/Officer Relations set out at Appendix 1 and the associated Action Plan to support implementation at Appendix 2 to the submitted report be referred to the Policy and Resources Scrutiny Committee on 26th November 2020, prior to consideration of the new Protocol at Council on 10th December 2020, with the following amendment to Section 9.1 of the Protocol:

- To change the wording 'enquiries' to 'queries' and add the contact email address for the relevant team.

2. That the approach described in section 6 of the submitted report, be adopted and the Committee uses its role to champion the actions and key messages in order to promote this work, subject to an adjustment of the action proposed in the final bullet point of section 6.3 of the report so that it reads:

'Political groups and Leaders to explore ways to support Officers and Councillors in resolving low level inappropriate and unprofessional behaviour, before it escalates to a formal complaint.'

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Tuesday, 17th November, 2020

Place: Virtual Meeting - MS Teams

13

Present: Councillor M Stafford (Chair)
Councillors D Cowan (Vice-Chair), B Ayling, M Borton, D Garne and
*A Moring

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and A Smith

Start/End Time: 9.30 am - 2.00 pm

547 Apologies for Absence

Apologies for absence were received from Councillors D Garston (substitute: Cllr Moring) and Walker (no substitute).

548 Declarations of Interest

The following Councillor declared an interest as indicated:

Councillor Stafford – Minute 552 (School Transport Appeal – Pupil AD) – Disclosable Non-Pecuniary Interest – Knows the family (withdrew).

549 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.

550 School Transport Appeal - Pupil AL

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupils AL and EL, in connection with applications for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That the appeal be upheld and home to school transport assistance be granted for pupils AL and EL.

551 School Transport Appeal - Pupil EL

This matter was considered in conjunction with Minute 550 above.

552 School Transport Appeal - Pupil AD

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil AD, in connection with an application for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That the appeal be upheld and home to school transport assistance be granted.

553 School Transport Appeal - Pupil JK

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil JK, in connection with an application for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

554 School Transport Appeal - Pupil GIN

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil GIN, in connection with an application for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That the appeal be upheld and home to school transport assistance be granted.

555 School Transport Appeal - Pupil GA

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil GA, in connection with an application for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of General Purposes Committee

Date: Thursday, 19th November, 2020

Place: Virtual Meeting - MS Teams

14

- Present:** Councillor M Dent (Chair)
Councillors N Ward (Vice-Chair), A Chalk, T Cox, N Folkard, M Kelly, M Stafford and A Thompson
- In Attendance:** Councillors K Robinson
J Williams, L Gibbins, G Gilbert, R Harris, A Richards, R Pennington, S Dolling, E Anslow, S Newman and S Wheeler
- Start/End Time:** 6.00 - 7.00 pm

556 Apologies for Absence

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

557 Declarations of Interest

There were no declarations of interest at this meeting.

558 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.

559 Report to the Trustees of the Beecroft Trust

The Committee considered a report of Steve Newman, Interim Team Leader Corporate Property & Asset Management, Rosemary Pennington, Head of Arts and Cultural Wellbeing and Laurie Gibbins, Solicitor and introduced by the Executive Director (Legal and Democratic Services) so that the Committee can make recommendations to Full Council in its capacity as the sole trustee of The Beecroft Art Trust ("The Trust):

The Committee asked a number of questions which were responded to by officers. The Committee also noted that the report and the Committee's recommendations would be submitted to Place Scrutiny Committee on 23rd November 2020 for its consideration.

Resolved:

1. That it be noted that the scheme to provide affordable artist studios in the Former Gallery was unachievable and unviable.
2. That the Council as Trustee of the Beecroft Art Trust be recommended to sell the Former Gallery and the Council should be offered first refusal to purchase at full market value, subject to charity law requirements.
3. That the Council as Trustee of the Beecroft Art Trust be recommended to retain the Beecroft art collection in the former library building on an ad hoc basis, pending a more permanent solution which should be possible once the proceeds of sale from the Former Gallery have been received.
4. That the Council as Trustee agrees that all reasonable and proper costs expended by the Council on behalf of the Trust, associated with the sale of the Former Gallery and the acquisition of an alternative property, will be met from the proceeds of sale of the Former Gallery, subject to the Charity Commission's consent.
5. That the Council as Trustee seeks to amend the Commission Scheme dated the 18th February 1980 to remove the Former Gallery from the Commission Scheme and ensure the Trust continues to adhere to the Objects of the Trust.

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 23rd November, 2020

Place: Virtual Meeting via MS Teams

15

Present: Councillor A Moring (Chair)
Councillors K Buck (Vice-Chair), B Ayling, J Beck, A Bright, L Burton,
A Chalk, D Cowan, T Cox, A Dear, M Dent, S George, D Jarvis,
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, T Forster, L Reed, J Williams, S Dolling, A Richards,
S Newman, S Wheeler, L Gibbins, K Waters, S Meah-Sims,
E Anslow, R Pennington, A Wate, T Row, E Cook and A Smyth

Start/End Time: 6.30 pm - 9.10 pm

560 Apologies for Absence

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

561 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors I Gilbert, C Mulroney, K Robinson, M Terry 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) Councillor Ward – Minute No. 565 (Destination Southend) – Non-pecuniary interest: Owner of a B & B.

562 Questions from Members of the Public

The Committee noted the responses to two questions that had been submitted by Mr Grubb to the Cabinet Member for Environment & Planning. Copies will be forwarded to him as he was not present at the meeting.

563 Minutes of the Meeting held on Monday 12th October 2020

Resolved:-

That the Minutes of the Meeting held on Monday, 12th October 2020 be received, confirmed as a correct record and signed.

564 Annual Comments, Compliments and Complaints Report

The Committee considered Minute 515 of Cabinet held on 3rd November 2020, which had been called-in and referred direct to Scrutiny, together with the report of the Chief Executive that provided performance information about comments, complaints and compliments received across the Council for 2019/20.

Resolved:

That the following decision of Cabinet be noted:

“1. That the Council’s performance in respect of comments, complaints, and compliments for 2019/20, be noted.

2. That the matter be referred to all three Scrutiny Committees (Appendix B and C to the submitted report referred to the People Scrutiny Committee only).

3. That authority be given to make the changes to the corporate Comments, Complaints and Compliments policy as set out in Section 4.3 and appendix A to the report.”

Note: This is an Executive Function

Cabinet Members: Cllr Terry (overarching), Cllr Harp (Appendix B) and Cllr Jones (Appendix C).

565 Destination Southend

The Committee considered Minute 516 of Cabinet held on 3rd November 2020, which had been called-in for Scrutiny, together with the report of the Executive Director (Adults and Communities) that provided an update on the refreshed tourism strategy, ‘Destination Southend’, and outlined progress made to date together with ongoing plans.

The Cabinet Member for Business, Culture & Tourism undertook to provide written response to the following matters:

- The legalities of producing a Council published newsletter/magazine;
- The funding levels for improvements in Shoeburyness as a tourism venue as part of the budget process; and
- The consideration of potential specific areas, particularly Shoeburyness and Leigh as tourism locations by the Business, Culture & Tourism Working Party.

Resolved:-

That the following decision of Cabinet be noted:

“That the refreshed ‘Destination Southend’ Strategy and action plan, with updated content, be noted.”

Note: This is an Executive Function

Cabinet Member: Councillor Kevin Robinson

566 The Beecroft Trust - Council Options

The Committee considered Minute 519 of Cabinet held on 3rd November 2020, together with the report of the Executive Director (Adults and Communities) which provided an update on the current position with regards to the former Beecroft Art Gallery and with the proposed renovations to the building to create artist's studios.

Resolved:-

1. That the following decision of Cabinet be noted:

"That it be noted that the proposal to convert the former Beecroft Art Gallery into artist's studios is no longer feasible."

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration

Note: This is an Executive Function
Cabinet Member: Cllr Robinson

567 Hamlet Court Road Draft Conservation Area Designation

The Committee considered Minute 521 of Cabinet held on 3rd November 2020, together with the report of the Deputy Chief Executive and Executive Director (Growth and Housing) concerning the draft Conservation Area Appraisal produced on behalf of the Council by independent heritage experts, Purcell, assessing the potential of Hamlet Court Road for Conservation Area status and set out the proposed approach to public consultation.

Resolved:-

1. That the matter be referred back to Cabinet for reconsideration, as the Committee felt that consultation should refer to the whole length of Hamlet Court Road and adjoining roads such as Ditton Court Road and Preston Road.

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive Function
Cabinet Member: Cllr Mulronee

568 Notice of Motions (Referred by Council, 10th September 2020)

The Cabinet considered Minute 526 of Cabinet held on 3rd November 2020, which had been called-in to Scrutiny, together with the report of the Executive Director (Legal & Democratic Services) requesting the Cabinet to determine how to respond to each of the Notices of Motion referred by Council on 10th September 2020.

In response to questions, the Cabinet Member Business, Culture and Tourism gave assurances that invitations would be sent to all Councillors for the meetings of the Working Parties when the Motions were being discussed

Resolved:

1. That the following decision of Cabinet be noted:

“That the Notices of Motion be referred to the relevant Cabinet Working Parties.”

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration. ||

Note: This is an Executive Function

Cabinet Member: As appropriate to each Notice of Motion

569 In-depth Scrutiny Project - Update

The Committee noted an oral update on the progress that had been made in respect of the in-depth Scrutiny study, entitled “To review the level of domestic waste recycling in the Borough, in order to examine what influences residents in terms of their recycling habits and the barriers to achieving a higher rate of recycling and to consider ways of working with residents to improve domestic waste recycling”.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

570 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.

571 Report to the Trustees of the Beecroft Trust

The Committee considered a report by Steve Newman the (Council’s Interim Team Leader, Corporate Property & Asset Management), Rosemary Pennington (Head of Arts and Cultural Wellbeing) and Laurie Gibbins (Solicitor) which was introduced by the Executive Director (Legal and Democratic Services).

The report, along with the Minutes of the meeting of the General Purposes Committee (19 November 2020), afforded the Place Scrutiny Committee the opportunity to make recommendations to full Council (in its capacity as sole trustee of the Beecroft Art Trust) on several key issues.

Recommended:-

That the report be noted and that the following recommendations of the General Purposes Committee, from its meeting held on 19th November 2020 (Minute 559 refers), be endorsed:

“1. That it be noted that the scheme to provide affordable artist studios in the Former Gallery was unachievable and unviable.

2. That the Council as Trustee of the Beecroft Art Trust be recommended to sell the Former Gallery and the Council should be offered first refusal to purchase at full market value, subject to charity law requirements.

3. That the Council as Trustee of the Beecroft Art Trust be recommended to retain the Beecroft art collection in the former library building on an ad hoc basis, pending a more permanent solution which should be possible once the proceeds of sale from the Former Gallery have been received.

4. That the Council as Trustee agrees that all reasonable and proper costs expended by the Council on behalf of the Trust, associated with the sale of the Former Gallery and the acquisition of an alternative property, will be met from the proceeds of sale of the Former Gallery, subject to the Charity Commission’s consent.

5. That the Council as Trustee seeks to amend the Commission Scheme dated 18th February 1980 to remove the Former Gallery from the Commission Scheme and ensure the Trust continues to adhere to the Objects of the Trust.”

Note: This is Council function.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 24th November, 2020

Place: Virtual Meeting via 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: Councillors K Buck and K Evans
A Griffin, J Williams, A Lewis, J Chesterton, C Gamble, A Keating
and A Richards, R Harris and E Cook

Start/End Time: 2.00 - 2.42 pm

572 Apologies for Absence

There were no apologies for absence at this meeting.

573 Declarations of Interest

The following Councillors declared interests, as indicated:

(a) Councillor Harp – Agenda Items 3 and 5 (Roots Hall and Fossetts Farm) – Disqualifying Pecuniary Interest – Season ticket holder at Southend United Football Club (withdrew);

(b) Councillor Jones – Agenda items 3 and 5 (Roots Hall and Fossetts Farm) – Non-pecuniary interest – member of Development Control Committee;

(c) Councillor Mulroney – Agenda items 3 and 5 (Roots Hall and Fossetts Farm) – Non-pecuniary interest – member of Development Control Committee;

(d) Councillor Terry - Agenda Items 3 and 5 (Roots Hall and Fossetts Farm) – Disqualifying Pecuniary Interest – Season ticket holder at Southend United Football Club (withdrew);

574 Roots Hall and Fossetts Farm

The Cabinet considered a report of the Executive Director (Finance and Resources) providing an update on the proposed development of housing for rent at both Roots Hall and Fossetts Farm.

The report highlighted that in order for the developments to proceed, decisions would also separately need to be made by all members of the Council in their capacity as Trustees of the Jones Memorial Trust, Youth Commemoration Ground Trust and the Victory Sports Ground Trust. A separate report on the Trust matters would be submitted to the next meeting of Council on 10th December 2020.

Resolved:

1. That authority be given to enter into all necessary transactions to facilitate the developments at Roots Hall and Fossetts Farm, as set out in the submitted report, subject to the following pre-conditions:

(a) The submission of due diligence reports on the following matters which are satisfactory to the Executive Director of Finance and Resources in consultation with the Leader of the Council:

- i) Independent financial review;
- ii) Review by the Council's external auditors;
- iii) Property report by Cushman Wakefield;
- iv) Legal report by Gowling WLG; and

(b) The developer reimbursing the Council the sum of £100,000 in respect of certain costs incurred to date (further costs will be reimbursed to the Council as development costs as the developments progress).

2. That the transactions referred to in resolution 1 above will not become unconditional until:

i) Planning Permission (including 30% affordable housing and the resolution of any required highway matters) has been granted for the developments at both Roots Hall and Fossetts Farm; and

ii) The necessary Charity Commission consents have been obtained in respect of the matters involving Jones Memorial Trust, Youth Commemoration Ground Trust and the Victory Sports Ground Trust

3. That the income strip leases for the Roots Hall and Fossetts Farm developments (each comprising a series of land transactions) be granted directly to the Council with the options to acquire the freehold reversions for £1 being granted to the Council's Housing Investment Company to ensure that the transaction is tax effective fundable at the optimal rate and the reversionary interests are suitably protected.

4. That authority be granted to the Executive Director of Finance and Resources in consultation with the Leader of the Council to:

(a) Agree any final adjustments to the terms of the transactions, or the final documentation, including any adjustments required as a consequence of the due diligence reviews;

(b) Authorise the completion of all necessary agreements to progress the transaction including but not limited to the sale of the Council's land at both Roots Hall and Fossetts Farm, the leases in and the options to acquire the freeholds at the end of the leases;

(c) Authorise any necessary management and contracting arrangements for the new affordable and private rented accommodation. (Note: long-term property management has been considered but does not need to be concluded at this stage); and

(d) Agree the use of all capital and revenue income from the developments and in particular the holding of reserves to ensure that the Council's long-term position is protected.

5. That it be noted that the authority to complete the following Trust matters will be separately considered by Full Council (acting as sole trustee of the three relevant trusts) and any necessary Charity Commission consents will also need to be obtained:

- a) the proposed easement over Jones Memorial Ground Trust land relating to the 'Supporters' Way' access from Sutton Road and ancillary access to Fossetts Farm residential development;
- b) the lease agreement required in relation to replacement parking for Jones Memorial Ground;
- c) the minor boundary adjustment to Victory Sports Ground to accommodate the required highways changes on the Sutton Road/Eastern Avenue roundabout; and
- d) a shared use agreement between the Youth Commemoration Ground Trust and the Loxford Trust to enable the release of the former Cecil Jones Junior School playing field land to the north of the Jones Memorial Ground (subject to the agreement of the Secretary of State for Education and the Charity Commission which the Loxford Trust may require).

(The decisions for the Council as Trustee, set out above, need to be taken in the best interests of each Trust. This requirement should be met as the arrangements will enable the development and generation of capital and long-term income for the Trusts to help support their objectives).

Reasons for Decisions:

To enable the Roots Hall and Fossetts Farm development proposals to be progressed with Citizen Housing, Homes England (if/as required) and SUFC so that the following objectives can be achieved:

- 502 homes at Roots Hall in partnership with the Council (subject to planning)
- 850 homes at Fossetts Farm in partnership with the Council (subject to planning)
- Affordable housing which is policy compliant (30%) for both sites
- The construction and longer term job creation and wider economic benefits arising from £500m of private investment in the developments
- The opportunity for the Council to become a major player in the Southend Private Rent market and to drive quality and safety standards.
- The potential for further additional homes at Fossetts Farm under a separate joint venture partnership between other parties.
- The opportunity to deliver a profit rent as commercial income/dividend for the long term and to benefit from the full value of the reversion.
- A new football stadium and new training ground for SUFC at Fossetts Farm to replace the current stadium at Roots Hall, which is nearing obsolescence and presents a significant risk to the future of SUFC, and current training ground at Boots & Laces
- The Council will receive profit rent, capital contributions and profit share and the combined developments will deliver substantial additional council tax income to the Council.

Other Options

As set out in the submitted report.

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

575 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 involves 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.

576 Roots Hall and Fossets Farm - Confidential Appendix

The Cabinet considered a confidential appendix in relation to agenda item 3 above.

Resolved:

That the confidential appendix, be noted.

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

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 24th November, 2020

Place: Virtual Meeting via Microsoft Teams

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Present: Councillor L Salter (Chair)
Councillors N Folkard (Vice-Chair), M Borton, H Boyd, A Chalk, D Cowan, M Dent, F Evans, M Flewitt, D Garne, B Hooper, M Kelly, K Mitchell, C Nevin, I Shead, M Stafford and A Thompson
O Richards (Healthwatch Southend), K Jackson (Southend Association of Voluntary Services), T Watts (Southend Carers Forum) (co-opted members)
M Faulkner-Hatt, N Biju (Southend Youth Council (observers)

In Attendance: Councillors T Harp, A Jones and M Terry (Cabinet Members), Councillor K Evans, R Baker, E Cook, T Forster, N Laver, B Leigh, M Marks, L Scott, D Simon, S Tautz and J Williams

Start/End Time: 6.30 pm - 7.20 pm

577 Apologies for Absence

There were no apologies for absence from the meeting.

578 Declarations of Interest

The following councillors declared interests as indicated:

- (a) Councillors T Harp, A Jones and M Terry (Cabinet Members) - Interest in the referred/called-in item; 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 582 (In-Depth Scrutiny Project 2019/20) - Husband is a consultant surgeon at Southend Hospital - Non-pecuniary interest;
- (c) Councillor M Flewitt – Minute 581 (Annual Comments, Compliments and Complaints Report) - Has assisted in the procurement of a presentation on care homes - Non-pecuniary interest;
- (d) Councillor C Nevin – Minute 582 (In-Depth Scrutiny Project 2019/20) – Has previously been employed at Southend Hospital and previous association with local care homes as an employee - Non-pecuniary interest;
- (e) Councillor H Boyd - Minute 582 (In-Depth Scrutiny Project 2019/20) – Family member works in care home setting - Non-pecuniary interest;
- (f) Councillor T Harp - Minute 582 (In-Depth Scrutiny Project 2019/20) – Volunteer with Southend Association of Voluntary Services (SAVS) and wife is an employee of SAVS – Non-pecuniary interest;
- (g) Councillor N Folkard - Minute 582 (In-Depth Scrutiny Project 2019/20) - Is ambassador for Fund Raising Team at Southend Hospital; relative works at Broomfield Hospital; is on the Reading Panel at Southend Hospital - Non-pecuniary interests;

- (h) K Jackson (Southend Association of Voluntary Services (SAVS)) - Minute 582 (In-Depth Scrutiny Project 2019/20) – SAVS manage Pathway '0' discharge project - Non-pecuniary interest;
- (i) Councillor B Hooper - Minute 582 (In-Depth Scrutiny Project 2019/20) - Director of Blade Education (a not-for-profit company) and parent of child attending secondary school in Borough - Non-pecuniary interest;
- (j) Councillor K Mitchell - Minute 581 (Annual Comments, Compliments and Complaints Report) - Links to local health services through employment as a family worker - Non-pecuniary interest; and
- (k) Councillor K Mitchell - Minute 582 (In-Depth Scrutiny Project 2019/20) – family member lives in supported living accommodation – Non-pecuniary interest.

579 Questions from Members of the Public

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

580 Minutes of the Meeting held on 13 October 2020

Resolved:

That, subject to the amendment of Minute 436(h) (Declarations of Interest) to reflect that the non-pecuniary interest declared by Councillor C Nevin related to employment in a care home setting rather than as an employee of the NHS, the minutes of the meeting of the Committee held on 13 October 2020 be confirmed as a correct record and signed.

581 Annual Comments, Compliments and Complaints Report

The Committee considered Minute 515 of the meeting of the Cabinet held on 3 November 2020, which had been referred directly to each of the three scrutiny committees and called-in, together with a report of the Chief Executive that provided performance information about comments, complaints and compliments received across the Council for 2019/20.

In response to a question concerning the number of COVID-19 positive individuals currently resident at care homes within the Borough, the Cabinet Member for Health and Adult Social Care agreed to liaise with the Director of Public Health to ascertain whether it would be possible for such information to be provided to members of the Committee.

The Cabinet Member for Health and Adult Social Care advised the Committee that a presentation on the impact of the COVID-19 pandemic on the local care home and residential learning disability sectors, was to be made to the Health and Adult Social Care Working Party in January 2021, which would subsequently be made available to all members of the Council.

Resolved:

That the following decisions of the Cabinet be noted:

"1. That the Council's performance in respect of comments, complaints, and compliments for 2019/20, be noted.

2. That the matter be referred to all three Scrutiny Committees (Appendix B and C to the submitted report referred to the People Scrutiny Committee only).

3. That authority be given to make the changes to the corporate Comments, Complaints and Compliments policy as set out in Section 4.3 and appendix A to the report.”

Note: This is an Executive Function

Cabinet Member: Councillor M Terry (overarching), Councillor T Harp (Appendix B) and Councillor A Jones (Appendix C)

582 In-Depth Scrutiny Project 2019/20

The Committee considered the draft final report arising from its in-depth scrutiny project for 2019/20.

The Chair of the Project Team that led the review, Councillor F Evans, expressed thanks to all councillors, co-opted members, officers and external organisations that contributed to the project.

Resolved:

1. That the report and conclusions from the in-depth scrutiny project, detailed at Section 9 of the report, be agreed.
2. That the Council’s monthly performance against the national performance indicator (ASCOF2B2) that measures the proportion of older people (65 and over) offered reablement services following discharge from hospital, be reported to the Committee on an ongoing basis.
3. That the Cabinet Member for Health and Adult Social Care be requested to seek the continuation of the funding previously provided by the Clinical Commissioning Group on a pilot basis, for the package of follow-up support provided by Southend Association of Voluntary Services as part of the discharge to assess arrangements, in order to maintain contact with patients discharged into Pathway 0 and the provision of relevant assistance and guidance.
4. That, in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the Chair of the Committee present the report to a future Cabinet meeting.

Note: This is a Scrutiny Function.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 26th November, 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, S Brown, J Chesterton, E Cook, E Cooney, G Halksworth, B Huggins, S La Roche, A Lewis, S Newman, L Reed, A Richards, C Robinson, J Ruffle, A Smyth, S Tautz and J Williams
Also in attendance: C Tredget (former Managing Director - East of England Local Government Association)

Start/End Time: 6.30 pm - 10.25 pm

583 Apologies for Absence

There were no apologies for absence from the meeting.

584 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.
- (b) Councillors I Gilbert, C Mulroney, M Terry and R Woodley (Cabinet Members) - Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (c) Councillors M Dent, D Garston, C Mulroney and S Wakefield - Minutes 588 and 590 (Roots Hall and Fossetts Farm) - Members of the Development Control Committee - Non-pecuniary interest.
- (d) Councillor D Cowan - Minute 596 (Notice of Motions (Appendix E - EasyJet)) - Has been involved in meetings with Southend Airport and local residents with regard to EasyJet and other carriers - Non-pecuniary interest.
- (e) Councillor B Ayling - Minutes 588 and 590 (Roots Hall and Fossetts Farm) - Has been involved in meetings with local residents with regard to development at Fossetts Farm - Non-pecuniary interest.
- (f) Councillor M Terry - Minutes 588 and 590 (Roots Hall and Fossetts Farm) - Season ticket holder at Southend United Football Club - Disqualifying Pecuniary Interest (withdrew).
- (g) Councillor K Evans - Minute 596 (Notice of Motions (Appendix E - EasyJet)) - Member of Leigh Town Council and has been involved in meetings with Southend Airport and local residents with regard to EasyJet - Non-pecuniary interest.

- (h) Councillor C Mulroney - Minute 593 (Petition - Old Leigh Alcohol Free Zones) - Trustee of Leigh Heritage Centre - Non-pecuniary interest.
- (i) Councillor R Woodley - Minute 596 (Notice of Motions (Appendix E – EasyJet)) - Family member employed by EasyJet - Non-pecuniary interest.

585 Questions from Members of the Public

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

586 Minutes of the Meeting held on 15 October 2020

Resolved:

That the minutes of the meeting of the Committee held on 15 October 2020 be confirmed as a correct record and signed.

587 Refresh of Protocol on Councillor/Officer Relations

The Committee considered a report of the Chief Executive with regard to the refresh of the Protocol on Councillor/Officer Relations and the recommendations of the Standards Committee arising from its meeting held on 11 November 2020, that were to be made to full Council for the adoption of the Protocol.

The Chair of Standards Committee, Councillor I Shead, outlined the key points of the proposed new Protocol. Councillor Shead and Cecilia Tredget, the former Managing Director of the East of England Local Government Association who had supported the refresh of the Protocol, responded to a number of questions raised by members.

The Committee extended its thanks and appreciation to Cecilia Tredget for her input and work with regard to the refresh of the Protocol.

Recommended:

1. That the report be noted and that the following recommendations of the Standards Committee to the full Council arising from its meeting held on 11 November 2020 (Minute 546 refers), be endorsed:

“1. That the new Protocol on Councillor/Officer Relations set out at Appendix 1 and the associated Action Plan to support implementation at Appendix 2 to the submitted report be referred to the Policy and Resources Scrutiny Committee on 26th November 2020, prior to consideration of the new Protocol at Council on 10th December 2020, with the following amendment to Section 9.1 of the Protocol:

- To change the wording ‘enquiries’ to ‘queries’ and add the contact email address for the relevant team.

2. That the approach described in section 6 of the submitted report, be adopted and the Committee uses its role to champion the actions and key messages in order to promote this work, subject to an adjustment of the action proposed in the final bullet point of section 6.3 of the report so that it reads:

‘Political groups and Leaders to explore ways to support Officers and Councillors in resolving low level inappropriate and unprofessional behaviour, before it escalates to a formal complaint.’

2. That the words 'or officer' be inserted after the words 'the Councillor' in the third bullet point of Section 10.1.5 (Relations with the Media) of the new Protocol.
3. That the Standards Committee be requested to consider the addition of references to appropriate appeals procedures in Section 12.2 (Submitting a formal complaint alleging a breach of this Protocol) of the new Protocol.

Note: This is a Council Function

588 Roots Hall and Fossetts Farm

The Committee considered Minute 574 of the meeting of the Cabinet held on 24 November 2020, which had been referred direct to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Finance and Resources) providing an update on the proposed development of housing for rent at Roots Hall and at Fossetts Farm.

The Leader of the Council undertook to provide a written response to a question with regard to discussions that had previously been held with Rochford District Council and/or Essex County Council in relation to any proposed housing development at Fossetts Farm.

Resolved:

1. That the following decisions of the Cabinet be noted:

"1. That authority be given to enter into all necessary transactions to facilitate the developments at Roots Hall and Fossetts Farm, as set out in the submitted report, subject to the following pre-conditions:

(a) The submission of due diligence reports on the following matters which are satisfactory to the Executive Director of Finance and Resources in consultation with the Leader of the Council:

- i) Independent financial review;
- ii) Review by the Council's external auditors;
- iii) Property report by Cushman Wakefield;
- iv) Legal report by Gowling WLG; and

(b) The developer reimbursing the Council the sum of £100,000 in respect of certain costs incurred to date (further costs will be reimbursed to the Council as development costs as the developments progress).

2. That the transactions referred to in resolution 1 above will not become unconditional until:

i) Planning Permission (including 30% affordable housing and the resolution of any required highway matters) has been granted for the developments at both Roots Hall and Fossetts Farm; and

ii) The necessary Charity Commission consents have been obtained in respect of the matters involving Jones Memorial Trust, Youth Commemoration Ground Trust and the Victory Sports Ground Trust

3. That the income strip leases for the Roots Hall and Fossetts Farm developments (each comprising a series of land transactions) be granted directly to the Council with the options to acquire the freehold reversions for £1 being granted to the Council's Housing Investment Company to ensure that the transaction is tax effective fundable at the optimal rate and the reversionary interests are suitably protected.

4. That authority be granted to the Executive Director of Finance and Resources in consultation with the Leader of the Council to:

- (a) Agree any final adjustments to the terms of the transactions, or the final documentation, including any adjustments required as a consequence of the due diligence reviews;
- (b) Authorise the completion of all necessary agreements to progress the transaction including but not limited to the sale of the Council's land at both Roots Hall and Fossetts Farm, the leases in and the options to acquire the freeholds at the end of the leases;
- (c) Authorise any necessary management and contracting arrangements for the new affordable and private rented accommodation. (Note: long-term property management has been considered but does not need to be concluded at this stage); and
- (d) Agree the use of all capital and revenue income from the developments and in particular the holding of reserves to ensure that the Council's long-term position is protected.

5. That it be noted that the authority to complete the following Trust matters will be separately considered by Full Council (acting as sole trustee of the three relevant trusts) and any necessary Charity Commission consents will also need to be obtained:

- a) the proposed easement over Jones Memorial Ground Trust land relating to the 'Supporters' Way' access from Sutton Road and ancillary access to Fossetts Farm residential development;
- b) the lease agreement required in relation to replacement parking for Jones Memorial Ground;
- c) the minor boundary adjustment to Victory Sports Ground to accommodate the required highways changes on the Sutton Road/Eastern Avenue roundabout; and
- d) a shared use agreement between the Youth Commemoration Ground Trust and the Loxford Trust to enable the release of the former Cecil Jones Junior School playing field land to the north of the Jones Memorial Ground (subject to the agreement of the Secretary of State for Education and the Charity Commission which the Loxford Trust may require).

(The decisions for the Council as Trustee, set out above, need to be taken in the best interests of each Trust. This requirement should be met as the arrangements will enable the development and generation of capital and long-term income for the Trusts to help support their objectives)."

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive Function
Cabinet Member: Councillor I Gilbert

589 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 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.

590 Roots Hall and Fossetts Farm - Confidential Appendix

The Committee considered a confidential appendix in relation to Minute 589 above.

The Committee moved into Part 2 business in order that the confidential matters concerning the proposed development of housing for rent at Roots Hall and Fossetts Farm could be discussed. The Committee moved back into Part 1 for the decision on these matters.

Resolved:

That the confidential appendix be noted.

Note: This is an Executive Function
Cabinet Member: Councillor I Gilbert

591 Resourcing Better Outcomes - Financial Performance Report - Period 6

The Committee considered Minute 512 of the meeting of the Cabinet held on 3 November 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Finance and Resources), reviewing the Council's financial performance.

Resolved:

That the following recommendations of the Cabinet be noted:

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

1. That the forecast outturn for the General Fund and the Housing Revenue Account as at September 2020, be noted.
2. That the planned budget transfers (virements) of £296,000 between pay and non-pay budgets, as set out in section 4.13 of the report, be approved.

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

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

Note: This is an Executive Function
Cabinet Members: Councillor I Gilbert and Councillor R Woodley

592 Annual Comments, Compliments and Complaints Report

The Committee considered Minute 515 of the meeting of the Cabinet held on 3 November 2020, which had been referred directly to each of the three scrutiny committees and called-in, together with a report of the Chief Executive that provided performance information about comments, complaints and compliments received across the Council for 2019/20.

Resolved:

That the following decisions of the Cabinet be noted:

- "1. That the Council's performance in respect of comments, complaints, and compliments for 2019/20, be noted.

2. That the matter be referred to all three Scrutiny Committees (Appendix B and C to the submitted report referred to the People Scrutiny Committee only).

3. That authority be given to make the changes to the corporate Comments, Complaints and Compliments policy as set out in Section 4.3 and appendix A to the report.”

Note: This is an Executive Function
Cabinet Member: Councillor M Terry

593 Petition - Old Leigh Alcohol Free Zones

The Committee considered Minute 522 of the meeting of the Cabinet held on 3 November 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Neighbourhoods and Environment) providing a response to a petition (referred by Council) proposing alcohol free zones in Old Leigh.

In response to a question, the Cabinet Member for Community Safety and Customer Contact confirmed that he would be prepared to extend the scope of the proposed Public Spaces Protection Order consultation process to include the area beyond Chalkwell Station up to the green on the promenade at Chalkwell seafront, on the basis that there was an evidence base of anti-social behaviour issues in the area over recent months, which was confirmed by the Executive Director (Neighbourhoods and Environment).

Resolved:

That the following decision of the Cabinet be noted:

“That a full Public Spaces Protection Order (PSPO) consultation process be undertaken, which includes stakeholder and public consultation as well as collation of crime and anti-social behaviour evidence, to inform a decision regarding a potential PSPO for Old Leigh in relation to no drinking of alcohol in public areas (excluding licensed premises), and other relevant anti-social behaviour issues in this area.”

Note: This is an Executive Function
Cabinet Member: Councillor M Terry

594 Census

The Committee considered Minute 523 of the meeting of the Cabinet held on 3 November 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Chief Executive providing an update on Southend-on-Sea’s preparations for the national 2021 Census which was due to take place in England and Wales on 21 March 2021.

Resolved:

That the following decision of the Cabinet be noted:

“That the work that the Council is doing to ensure a robust and accurate census for Southend-on-Sea, be noted and that Councillors help promote the benefits of the 2021 Census throughout the Council and the Borough.”

Note: This is an Executive Function
Cabinet Member: Councillor I Gilbert

595 EU Exit

The Committee considered Minute 524 of the meeting of the Cabinet held on 3 November 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Deputy Chief Executive and Executive Director (Growth and Housing) providing an update on the Council's preparations for the end of the EU Exit Transition Period on 31 December 2020.

Resolved:

That the following decision of the Cabinet be noted:

"That the work undertaken by the Council to date in preparing for the end of the Transition Period, be noted."

Note: This is an Executive Function
Cabinet Member: Councillor I Gilbert

596 Notice of Motions (Referred by Council, 10th September 2020)

The Committee considered Minute 526 of the meeting of the Cabinet held on 3 November 2020, which had been called-in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Legal and Democratic Services) requesting the Cabinet to determine how to respond to each of the Notices of Motion referred by Council on 10 September 2020.

Resolved:

1. That the following decision of Cabinet be noted:

"That the Notices of Motion be referred to the relevant Cabinet Working Parties."

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive Function
Cabinet Member: As appropriate to each Notice of Motion

597 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 had been held on 9 November 2020 to review the action plan for the project and that Councillor B Ayling had been appointed as Chair of the Project Team. The Committee noted that a further meeting of the Project Team was to be held on 15 December 2020.

Resolved:

That the report be noted.

Note: This is a Scrutiny Function

Chair: _____

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FOOD JUSTICE CHAMPION MOTION

Trussell Trust research shows that three million children are at risk of hunger during the school holidays. Here in Southend, we know that our foodbanks issue thousands of emergency food packages every year and 1 in 5 children live in poverty.

Foodbank use has dramatically increased, and the Independent Food Aid Network recorded a 59% increase in demand for emergency food support between February and March.

The government has also committed to the UN Sustainable Development Goals, which have an international and domestic commitment to ending hunger by 2030.

This council believes:

No-one in Southend or the UK should go hungry, not least children. Food justice is about taking action on the causes of hunger such as affordability and availability of good nutritious food.

Local councils and communities played a key role during the COVID-19 pandemic and continue to do so and that should be recognised.

The council resolves to:

Appoint a food justice champion, who will lead on tackling food poverty locally and support / set up a food partnership to bring together partners to develop a good action plan to address the causes of food poverty.

Proposed by:

Cllr Daniel Cowan

Seconded by:

Cllr Matt Dent

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Southend-on-Sea Borough Council

Report of Executive Director (Finance & Resources)

To
Council
on
10th December 2020

Report prepared by: Tracey Nicola
Benefits Service Manager

Agenda
Item No.

23

Local Council Tax Support Scheme 2021/22

Policy & Resources Scrutiny Committee
Executive Councillor: Councillor Gilbert

1. Purpose of Report

To adopt the Local Council Tax Support Scheme for 2021/22.

2. Recommendations

2.1 That the current Local Council Tax Support Scheme be re-adopted for 2021/22.

3. Background

3.1 For each new financial year, each billing authority must consider whether to revise its Local Council Tax Support Scheme (LCTSS) or to replace it with another scheme. The design of the LCTSS must be finalised by 31 January each year at the very latest. Failure to provide a scheme by this date would trigger the imposition of the Governments default scheme. The Government default scheme would require the Council to revert back to the level of support that would have been provided under the national Council Tax Benefit arrangements. Reverting to this scheme would mean that the Council would have to find in the region of circa £1.6 million from elsewhere in its annual budget.

3.2 The Council designed a scheme for 2013/14 which passed the reduction in funding received onto working age claimants, making it a cost neutral scheme.

3.3 The scheme has been re-adopted each year since. It has proved to be a robust scheme with no legal challenges and good rates of increasing collection. However, Southend has been live with universal credit since July 2017 which has some impacts on the LCTSS around claim dates and treatment of income.

3.4 As the scheme impacts on the Council Tax base, a key component in estimating the resources available to the Council, it is deemed prudent to confirm the scheme in December allowing Cabinet to agree a Council Tax base in January 2021 for the financial year 2021/22.

4. Current Scheme

4.1 Local Council Tax Support replaced Council Tax Benefit with effect from 1 April 2013. People of pension age continue to be protected from adverse changes by the Government but for people of working age, the Council has adopted a scheme which has the following key elements:

- The calculation of support is based on 75% of the Council Tax liability rather than 100%;
- The calculation of support is based on a maximum of a band D property. This means that anyone of working age that lives in a property with a Council Tax band of E, F, G or H, has their support calculated as if their property was a band D;
- The capital limit is £6,000 so those with capital exceeding £6,000 are required to make full payment of their Council Tax liability;
- The introduction of an exceptional hardship scheme which is intended to help people whose individual circumstances mean that the increased Council Tax bill is causing them exceptional hardship.

4.2 In 2018/19 the Scheme was adapted to include 3 assessment changes. A flat rate deduction for Non-dependents in the household. A minimum income floor for Self Employed earners and the Universal Credit Award Notification accepted as a claim for LCTS.

4.3 As Members will be aware people with disabilities that have had their property adapted can apply for a reduction in their Council Tax liability. Within the Council Tax Support Scheme disability benefits are disregarded when calculating the amount of support given and additional allowances for living expenses are applied.

4.4 The scheme was designed to take into account the ability to pay and the collectability of the resultant Council Tax liability. The amount of Council Tax due from working age recipients of LCTSS collected in year has been as follows:-

Year	% collected in year
2013/14	73.6
2014/15	76.2
2015/16	77.8
2016/17	80.2
2017/18	80.2
2018/19	80.8
2019/20	81.0
2020/21	59.18

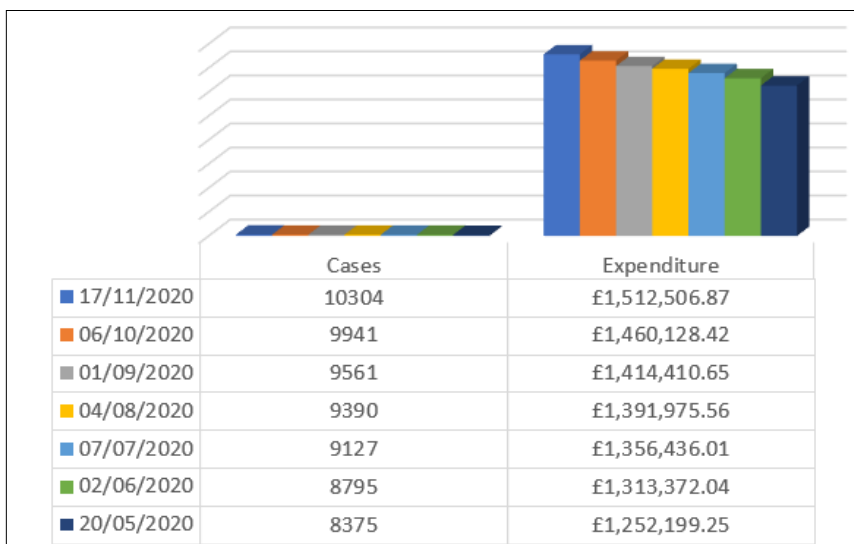
- 4.5 Although pensioners only account for 36% of the caseload, they account for 45% of the total cost. This is a consequence of the Government's requirement that the LCTSS must leave pensioners entitlement to assistance unaltered from the previous Council Tax Benefit arrangements, with any reduction in entitlements only affecting those of working age.
- 4.6 There have been relatively few complaints about the criteria of the scheme and the majority of people affected have accepted that they need to pay something. Council Tax officers continue to offer flexible payment arrangements to those on differential incomes and they can use the exceptional hardship fund for those who absolutely cannot pay.

5. Current developments

- 5.1 The managed migration onto Universal Credit which was originally due to begin in January 2019 and conclude by 2020 has been further postponed. The Government announced a test and learn approach using a pilot of 10,000 cases. This pilot started in Harrogate in June 2019, however, it proved to be a slow process with only 2 cases migrated in a 5 month period. We then had the impact of Covid-19 which placed a hold on all migration projects. A revision of the timetable has still not been set. There is no planned date for national rollout, however, the last suggested start date was 2023/2024. Due to continuing delays, at this stage Southend-on-Sea Council do not know when the managed migration will actually commence or where they will fall in the schedule of that roll out.

6. Impact of Covid-19

- 6.1 The impact of the Covid-19 pandemic has been far reaching since the first lockdown in March 2020. There have been numerous changes to Government Policies and various grant schemes set up to support people affected throughout the year. There is continuing uncertainty about what further changes this pandemic may bring and the toll of its impact on the economy and peoples lives, especially for the Working Age population.
- 6.2 The Government subsidised a £150 Covid-19 Hardship Payment to all working age people who received Council Tax Reduction for this financial year. This has helped us to maintain a reasonable collection rate against those in receipt of Council Tax Reduction, in a year where there has otherwise been a freeze on further recovery enforcement. Without this award the collection rates would not be on par with previous years. Below is a table of the amount we have awarded by month since April. The budget given by the Government for this year was £1,661,945.00, of which we have spent £1,512,506.87 of our allocation up to the 17th November 2020. This means we have spent 91% within the first 9 months.



- 6.3 It should be noted that the % of people making no payments when on Council Tax Reduction has increased. It should also be noted that the overall caseload has seen a circa 23% increase from May to November.
- 6.4 There is an ongoing effect from Covid-19 to our Council Tax base. Since the pandemic started there has been a steady increase in the number of people claiming Council Tax Reduction and this has reflected to an increase of 1,221 Band D equivalent properties into the base, even accounting for the offset of the £150 Covid-19 Hardship Payment. Covid-19 has also impacted the Council Tax Base as the lockdowns had slowed or ceased new builds that were planned, and properties being occupied.
- 6.5 As part of the Spending Review 2020 the Government announced hardship support for Council Tax payers, which is obviously welcomed and will assist Southend-on-Sea Council Tax payers experiencing hardship in 2021/22. The full detail of the announcement is not yet available but will become clearer as part of the Local Government provisional financial settlement.
- 6.6 The pandemic has effected large numbers of Southend's residents. Many have been furloughed during the lockdowns, with reduced incomes bringing financial and mental health stresses. There is also a growing number of unemployed having to seek assistance from the benefits system, possibly for the first time in their lives, and the effect that has on their mental state as well as the ability to cover the remaining charges. The unemployment rate in Southend is at 4.1% compared to a UK average of 3.9%.

7. Reasons for Recommendations

- 7.1 There have been no administrative issues with the existing scheme and residents have responded positively with very few complaints. We are proposing to retain the existing scheme as it stands to give residents consistency in this continuing period of welfare reform and uncertainties to the universal credit timeline and Covid-19 pandemic.

8. Corporate implications

8.1 Contribution to Council's Southend 2050 Ambition

The maintenance of a cost neutral LCTSS will assist with maintaining a robust budget. It will also provide work incentives to residents who have been long term unemployed supporting Opportunity and Prosperity. The scheme will protect pensioners to ensure a decent living standard and it also confirms the disregard of disability benefits supporting Safe and Well.

8.2 Financial Implications

There are no changes to the Scheme therefore there are no additional financial implications.

Were the Council to revert to the default scheme (the old council tax benefit scheme), the financial impact would be in the region of £1.6million.

8.3 Legal Implications

The Local Government Finance Act 2012 provided for the introduction of the localisation of Council Tax support by making changes to the Local Government Finance Act 1992. These require that:

- For each financial year, each billing authority must consider whether to revise its scheme or replace it with another scheme
- The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect

A detailed exceptional hardship discount policy has been written under section 13a of the Council Tax legislation.

8.4 People Implications

There are no changes to the Scheme therefore there are no implications to Residents.

8.5 Property Implications

There are no specific property implications.

8.6 Consultation

Before final approval of local schemes, Councils are required to consult:

- Major precepting authorities (Police and Fire)
- The public
- Relevant stakeholder groups e.g. Citizens Advice Bureau, voluntary bodies

Full consultation was undertaken with these groups in 2012 prior to proposing the current scheme. There have been further consultations in 2015 and 2017.

This year we have not consulted on the scheme as no changes are being proposed.

8.7 Equalities and Diversity Implications

An equality impact assessment was undertaken as part of the adaptations of the scheme from April 2018 and can be found attached to the Council Report in appendix 1

8.8 Risk Assessment

A full risk assessment was carried out as part of the original LCTSS scheme. The risks remain unaltered.

8.9 Value for Money

The recommendations in this report will not contribute to an increase in Council Tax.

8.10 Community Safety Implications

There are no specific community safety issues identified.

8.11 Environmental Impact

There are no specific environmental impacts identified.

9 Background Papers

Latest Equality Impact Assessment Report

10 Appendices

None