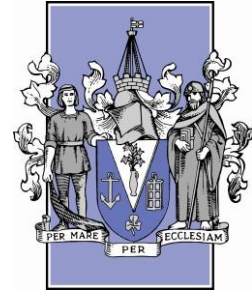


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Southend-on-Sea City Council

Civic Centre
Southend-on-Sea

5 July 2022



I hereby summon you to attend the meeting of the Southend-on-Sea City Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, Thursday, 14th July, 2022 **at 6.30pm** for the transaction of the following business.

A Lewis
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 of Council held on Thursday, 24 March 2022 (Pages 1 - 10)**
Minutes attached
- 7 Minutes of the meeting of Annual Council held on Thursday, 12 May 2022 (Pages 11 - 12)**
Minutes attached
- 8 Minutes of the meeting of Council held on Thursday, 19 May 2022 (Pages 13 - 16)**
Minutes attached
- 9 Appointment of Chief Executive**
- 10 Petition - Safe movement of Traffic and Pedestrians in Walters Close (Pages 17 - 18)**
Prayer of Petition attached

- 11 **Minutes of the meeting of Licensing Committee held on Wednesday, 23 March 2022 (Pages 19 - 22)**
Minutes attached
- 12 **Minutes of the meeting of Licensing Sub-Committee B held on Tuesday, 29 March 2022 (Pages 23 - 26)**
Minutes attached
- 13 **Minutes of the meeting of Audit Committee held on Wednesday, 23 March 2022 (Pages 27 - 28)**
Minutes attached
- 14 **Minutes of the meeting of Standards Committee held on Wednesday, 23 March 2022 (Pages 29 - 32)**
Minutes attached
- 15 **Minutes of the meeting of Appeals Committee B held on Wednesday, 30 March 2022 (Pages 33 - 34)**
Minutes attached
- 16 **Minutes of the meeting of Development Control Committee held on Wednesday, 6 April 2022 (Pages 35 - 46)**
Minutes attached
- 17 **Minutes of the meeting of Special People Scrutiny Committee held on Wednesday, 20 April 2022 (Pages 47 - 50)**
Minutes attached
- 18 **Minutes of the meeting of Appointments and Disciplinary Committee held on Tuesday, 26 April 2022 (Pages 51 - 52)**
Minutes attached
- 19 **Minutes of the meeting of Audit Committee held on Wednesday, 27 April 2022 (Pages 53 - 56)**
Minutes attached
- 20 **Minutes of the meeting of Development Control Committee held on Wednesday, 1 June 2022 (Pages 57 - 74)**
Minutes attached
- 21 **Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 8 June 2022 (Pages 75 - 78)**
Minutes attached
- 22 **Minutes of the meeting of Appointments and Disciplinary Committee held on Friday, 24 June 2022 (Pages 79 - 80)**
Minutes attached
- 23 **Minutes of the meeting of Cabinet held on Tuesday, 14 June 2022 (Pages 81 - 88)**
Minutes attached

- 24 Minutes of the meeting of Licensing Sub-Committee A held on Monday, 27 June 2022 (Pages 89 - 92)**
Minutes attached
- 25 Minutes of the meeting of Special Cabinet held on Friday, 1 July 2022**
Minutes to follow
- 26 Minutes of the meeting of Place Scrutiny Committee held on Monday, 4 July 2022**
Minutes to follow
- 27 Minutes of the meeting of Appointments and Disciplinary Committee held on Tuesday, 5 July 2022**
Minutes to follow
- 28 Minutes of the meeting of People Scrutiny Committee held on Wednesday, 6 July 2022**
Minutes to follow
- 29 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 7 July 2022**
Minutes to follow
- 30 Minutes of the meeting of Appointments and Disciplinary Committee held on Wednesday, 13 July 2022**
Minutes to follow
- 31 Appointments to Committees, Working Parties, etc**
To follow
- 32 Notice of Motion - Environmental Crime and Fly-tipping (Pages 93 - 94)**
Notice of Motion attached

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 24th March, 2022
Place: Council Chamber - Civic Suite

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Present: Councillor M Borton (Chair)
Councillors K Robinson (Vice-Chair), B Beggs, M Berry, H Boyd, K Buck, S Buckley, L Burton, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, I Gilbert, S Habermel, T Harp, B Hooper, A Jones, D Jones, M Kelly, J Lamb, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulrone, D Nelson, C Nevin, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 10.55 pm

861 Apologies for Absence

Apologies for absence were received from Councillors Collins, Courtenay, George and Jarvis.

862 Declarations of Interest

The following declarations of interest were made:

- **Councillor Beggs**

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) - Family member has special educational needs and disabilities - non-pecuniary interest.

- **Councillor Buck**

- **Place Scrutiny Committee – 14th March 2022**

- Minute 786 (Waste Collection Contract) and 789 (Waste Collection Contract – Confidential Appendix) – Non-pecuniary interest: A client of his is a waste contractor within Rochford.

- **Councillor Burton**

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) - Employed as a teacher at a school outside Southend-on-Sea - non-pecuniary interest.

- **Councillor Collins**

Cabinet – 22nd February 2022

Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: Son is a blue badge holder and could be impacted by a future strategy;

Development Control Committee – 2nd March 2022

Application Ref. No. 21/92459/FUL (366 Rayleigh Road, Eastwood) – Non-pecuniary interest: Received representations and spoke about the application with residents;

- **Councillor Cowan**

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 801 (PSPO Consultation) - Family members live within the area of designation of the existing Public Spaces Protection Order - non-pecuniary interest.

- **Councillor Cowdrey**

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) – Is qualified social worker by profession; Has regular contact with local SEND Parent Carer Forum - non-pecuniary interests.

- **Councillor Cox**

Cabinet – 22nd February 2022

Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: wife is a blue badge holder;

Standards Committee – 7th March 2022

Minute 770 (Complaint Against a Councillor – Reference 20/012) - disqualifying non-pecuniary interest (withdrew);

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) - Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan - non-pecuniary interest.

- **Councillor Dent**

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 801 (PSPO Consultation) - Lives within the area of designation of the existing Public Spaces Protection Order - non-pecuniary interest.

- **Councillor K Evans**

Cabinet – 22nd February 2022

Minute 723 (20 mph Neighbourhoods) – Non-pecuniary interest: Leigh Town Council Councillor;

Minute 724 (Outcome Success Measures Report) – Non-pecuniary interest: ex-serviceman and benefactor of the Salvation Army;

Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: family member is a blue badge holder;

Minute 728 (Dog Control PSPO Variation) – Non-pecuniary interest: Dog owner;

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) – Employed by Essex County Council in the consideration of school appeals as member of Statutory Appeal Panel - non-pecuniary interest;

- **Councillor Habermel**

Development Control Committee – 2nd March 2022

Enforcement of Planning Control Ref. No. 20/00009/UNAU_B (84-90 The Ridgeway, Westcliff-on-Sea) – Non-pecuniary interest: Rear garden of his property is on the other side of the railway in close proximity to the site (withdrew);

- **Councillor Harp**

Health and Wellbeing Board – 7th March 2022

Minute 775 (A Better Start Southend) – Non-pecuniary interest: family friend employed in senior role at ABSS;

- **Councillor Hooper**

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) - Director of Blade Education, a not-for-profit company that works with local SEND children - non-pecuniary interest;

- **Councillor Jones**

Cabinet – 22nd February 2022

Minute 724 (Outcome Success Measures Report) – Non-pecuniary interest: Son works for SEGA3, HALO and PAVE team;

Council – 24th March 2022

Agenda Item 4 (public questions) – Non-pecuniary: son works in transport team referred to in the questions;

- **Councillor Moring**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: lives in one of the roads affected;

- **Councillor Moyies**

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 802 (City Council Branding) - Employed in the marketing industry - non-pecuniary interest.

- **Councillor Mulroney**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Disqualifying non-pecuniary interest: resident in one of the proposed roads/areas of the scheme (withdrew);

Development Control Committee – 2nd March 2022

Application Ref. No. 21/024/98/FUL (Flat 1 Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council, non-participant in planning;

- **Councillor Nelson**

Cabinet – 22nd February 2022

Minute 723 (20 mph Neighbourhoods) – Non-pecuniary interest: family member lives in an affected road;

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 802 (City Council Branding) - Employed in the marketing industry - non-pecuniary interest;

- **Councillor Nevin**

Cabinet – 22nd February 2022

Minute 727 (Corporate Risk Register) and Minute 732 (Adult Social Care Strategies) – Non-pecuniary interest: NHS Employee in external Trust and 2 sons and stepsister are NHS employees;

- **Councillor Terry**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: lay member of Burges Estate Residents Association (BERA);

Minute 733 (Innovation Resilience Fund Outline Business Case) – Non-pecuniary interest: lives on Eastern Esplanade;

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 801 (PSPO Consultation) - Lives within the area of designation of the existing PSPO - non-pecuniary interest;

Standards Committee – 23rd March 2022

Minute 845 (Complaints against a Councillor – Reference 22/003 – Disqualifying non-pecuniary interest (withdrew))

- **Councillor Wakefield**

Development Control Committee – 2nd March 2022

Application Ref No. 21/02525/FUL (11 Wesley Road, Eastwood) – Non-pecuniary interest: Owns an HMO;

- **Councillor Walker**

Development Control Committee – 2nd March 2022

Application Ref. No. 21/92459/FUL (366 Rayleigh Road, Eastwood) – Non-pecuniary interest: Has been asked about the application by residents.

- **Councillor Woodley**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: Thorpe Ward Councillor and Chair of Residents Association;

Standards Committee – 23rd March 2022

Minute 845 (Complaints against a Councillor – Reference 22/001 and 22/002 – Disqualifying non-pecuniary interest (withdrew))

Standards Committee – 7th March 2022

All Councillors have a non-pecuniary interest in Minute 770 (Complaint against a Councillor – Reference 20/012) is so far as they know the Councillor subject to the complaint as a fellow Councillor;

Standards Committee – 23rd March 2022

All Councillors have a non-pecuniary interest in Minute 845 (Complaints against a Councillor – Reference 22/001 and 22/002) is so far as they know the Councillor subject to the complaint as a fellow Councillor;

Officer Interests

Cabinet – 22nd March 2022

A Richards – Minutes 835 (Minutes of the meeting of the Shareholder Board) and 836 (Porters Place Southend-on-Sea LLP Budget/Final Reserved Matters Application Extension Request and LLP Final Statements Year End March 2021) – Non-pecuniary interest: Council appointed representative on the Porters Place LLP Board.

Place Scrutiny Committee – 22nd March 2022

A Richards - Minutes 840 (Minutes of the meeting of the Shareholder Board) and 841 (Porters Place LLP Budget/Final Reserved Matters Application Extension Request and LLP Final Statements Year End March 2021) – Non-pecuniary interest: Council appointed representative on the Porters Place LLP Board.

Appointments and Disciplinary Committee – 4th March 2022

G Gilbert – Minute 766 (Director of Legal – Interview) – Pecuniary interest (withdrew).

863 Communications

(a) Mike Grimwade – Minutes Silence

The Council remained silent for one minute as a mark of respect to Mike Grimwade, former Councillor, who sadly passed away recently.

(b) Covid Pandemic and Ukrainian Crisis

The Council took a moment to reflect on the Covid Pandemic over the last two years and the more recent Ukrainian crisis and for those persons who have sadly passed away.

(c) Mayoral Charities

The Council received an update on the Triathlon taking place on Sunday 27th March 2022 and the amounts raised for the Mayor's charities.

The Worshipful the Mayor extended her thanks and appreciation to those that have donated to the mayoral charities and wished Team Chalkwell the best of luck on Sunday.

864 Questions from Members of the Public

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

865 Questions from Members of the Council

The relevant Cabinet members responded to written and supplementary questions received from Councillors.

866 Minutes of the meeting of Council held Thursday, 24 February 2022

Resolved:

That the minutes of the meeting held on Thursday, 24 February 2022 be confirmed as a correct record and signed.

867 Minutes of the meeting of Special Council held Tuesday, 1 March 2022

Resolved:

That the minutes of the meeting held on Tuesday, 1st March 2022 be confirmed as a correct record and signed.

868 Minutes of the meeting of Council held Thursday, 10 March 2022

Resolved:

That the Minutes of the Meeting held on Thursday, 10 March 2022 be confirmed as a correct record and signed.

869 Minutes of the meeting of Cabinet held Tuesday, 22 February 2022

Resolved:

That the minutes of this meeting be noted.

870 Minutes of the meeting of Development Control Committee held Wednesday, 2 March 2022

Resolved:

That the minutes of this meeting be noted.

871 Minutes of the meeting of Appointments and Disciplinary Committee held Friday, 4 March 2022

Resolved:

That the minutes of this meeting be noted.

872 Minutes of the meeting of Standards Committee held Monday, 7 March 2022

Resolved:

That the minutes of this meeting be noted.

873 Minutes of the meeting of Health and Wellbeing Board held Monday, 7 March 2022

Resolved:

That the minutes of this meeting be noted.

874 Minutes of the meeting of Special Cabinet held Monday, 14 March 2022

Resolved:

That the minutes of this meeting be noted.

875 Minutes of the meeting of Place Scrutiny Committee held Monday, 14 March 2022

During consideration of Minute 786 (Waste Collection Contract)) a requisition for a named vote having been made in accordance with Council Procedure Rule 12 to refer the matter back to Cabinet, the voting was as follows:

For reference back:

Cllrs Beggs, Boyd, Buckley, Cox, Davidson, Dear, F. Evans, K Evans, Folkard, Garne, Garston, Habermel, Lamb, McGlone, Moring, Moyies, Nelson, Salter, Walker, and Warren (20).

Against reference back:

Cllrs Berry, Burton, Cowan, Cowdrey, Dent, Gilbert, Harp, Hooper, A Jones, Kelly, Line, Mitchell, Mulroney, Nevin, Robinson, Shead, Stafford, Terry, Thompson, Wakefield, Ward, Wexham and Woodley (23)

Abstention:

Cllr Borton (Mayor) (1)

Absent:

Cllrs Buck, Collins, Courtenay, George, Jarvis, D Jones (6)

The motion to refer the matter back to Cabinet was not carried.

Resolved:

That the minutes of this meeting be noted.

876 Minutes of the meeting of People Scrutiny Committee held Tuesday, 15 March 2022

Resolved:

That the minutes of this meeting be noted.

877 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 16 March 2022

Resolved:

That the minutes of this meeting be noted

878 Minutes of the meeting of Special Cabinet held Tuesday, 22 March 2022

Resolved:

That the minutes of this meeting be noted

879 Minutes of the meeting of Special Place Scrutiny Committee held Tuesday, 22 March 2022

Resolved:

That the minutes of this meeting be noted.

880 Minutes of the meeting of Standards Committee held Wednesday, 23 March 2022

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 845 (New LGA Model Councillor Code of Conduct), be approved.

881 Changes to the Constitution

The Council considered a report of the Executive Director (Legal & Democratic Services) setting out minor amendments to Standing Orders 26 and 27 of the Constitution concerning the signing and sealing of documents.

Resolved:

That minor amendments be made to Standing Orders 26 and 27 as set out in Appendix 1 to the submitted report and that Part 4(a) of the Constitution be amended accordingly.

882 Draft Calendar of Meetings 2022/23

Resolved:

That the draft Calendar of Meetings for 2022/23, be approved.

883 Departure of John Williams, Executive Director (Legal & Democratic Services)

The Worshipful the Mayor informed Councillors that John Williams, Executive Director (Legal and Democratic Services) will be leaving the Council and this was his last Full Council meeting.

On behalf of the Council, I wish to express my appreciation and thanks to John for his sterling work and excellent service and wish him all the very best for the future.

884 Retiring Councillors

The Worshipful the Mayor extended her thanks and appreciation on behalf of the Council to Councillors Harp, Nevin and Moring who were not standing for re-election on 5th May 2022 and to those Councillors who were standing but may not be returned.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 12th May, 2022
Place: Council Chamber - Civic Suite

7

Present: Councillor M Borton (Chair)
Councillors B Beggs, M Berry, H Boyd, K Buck, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garston, S George, I Gilbert, S Habermel, D Jarvis, A Jones, M Kelly, J Lamb, A Line, K Mitchell, J Moyies, C Mulrone, D Nelson, K Robinson, L Salter, I Shead, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham, J Harland, L Hyde, R McMullan, K Murphy, M O'Connor and M Sadza

Start/End Time: 3.30 pm - 4.50 pm

1 Apologies for Absence

Apologies for absence were received from Councillors Buckley, Hooper, D Jones, Stafford and Woodley.

2 Declarations of Interest

There were no declarations of interest at this meeting.

3 Introduction of New and Returning Councillors

The Worshipful the Mayor welcomed to the meeting newly elected and returned Councillors who were elected at the Local Elections on 5th May 2022.

4 Election of Mayor for Municipal Year 2022/23

On the nomination of Councillor Stephen George, seconded by Councillor Astin Lone and with the unanimous support of the Council:

Resolved:

That Councillor Kevin Robinson be appointed to the Office of Mayor of the City of Southend-on-Sea for the Municipal Year 2022/23.

5 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that he will be supported by Father Clive Hillman during his year of office.

6 The Worshipful the Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charity for his year of office would be the St Vincent's Centre supporting vulnerable people in the City.

7 Appreciation of Outgoing Mayor

Councillor Anne Jones proposed and Councillor Matt Dent seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

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

8 Election of Deputy Mayor for Municipal Year 2022/23

On the nomination of Councillor Nigel Folkard, seconded by Councillor James Courtenay, and with the unanimous support of the Council:

Resolved:

That Councillor Stephen Habermel be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2022/23.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 19th May, 2022
Place: Council Chamber - Civic Suite

8

Present: Councillor K Robinson (Chair)
Councillors B Beggs, M Berry, H Boyd, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garston, S George, I Gilbert, S Habermel (Vice-Chair), J Harland, B Hooper, L Hyde, D Jarvis, A Jones, D Jones, M Kelly, J Lamb, A Line, K Mitchell, J Moyies, C Mulrone, K Murphy, D Nelson, M O'Connor, M Sadza, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 6.50 pm

9 Apologies for Absence

Apologies for absence were received from Councillors Borton, Cox and McMullan.

10 Declarations of Interest

There were no declarations of interest at this meeting.

11 Leader of the Council - Election

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

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

For Councillor George:

Cllrs Berry, Burton, Collins, Cowan, Cowdrey, Dent, George, Gilbert, Hooper, Hyde, A Jones, Kelly, Line, Mitchell, Mulrone, Murphy, O'Connor, Sadza, Shead, Stafford, Terry, Thompson, Wakefield, Ward, Wexham and Robinson (26).

Against:

Cllr Moyies (1)

Abstained:

Cllrs Beggs, Boyd, Buck, Buckley, Courtenay, Davidson, Dear, F Evans, K Eavns, Folkard, Garston, Habermel, Harland, Jarvis, D Jones, Lamb, Nelson, Salter, Walker, Warren and Woodley (21)

Absent:

Cllrs Borton, Cox and McMullan (3)

Resolved:

That Councillor George be appointed Leader of the Council.

12 Administration for 2022/23 following May 2022 Local Authority Elections and associated matters

The Council considered a report of the Executive Director (Strategy, Change and Governance) on the above matter.

Resolved:

1. That it be noted that, following the Local Elections on 5th May 2022, the make-up of the Council is as follows:

Conservative Group – 21

Labour Group – 16

Independent Group – 6

Liberal Democrat Group – 6

Non-aligned Independent – 2

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

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

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

5. That a new Armed Forces Working Party be established with the terms of reference set out in Appendix 1 to the submitted report and that Part 3, Schedule 2 to the Constitution be amended accordingly.

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

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

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2022/23.

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

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as Chairs and Vice-Chairs of Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee for the Municipal Year 2022/23.

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

Resolved:

That the Councillors set out in List D, as appended to the Minutes, be appointed as members and substitutes of Working Parties, Panels, Forums, etc for the Municipal Year 2022/23.

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

Resolved:

That the Councillors set out in List D, as appended to the Minutes, be appointed as Chairs and Vice-Chairs of Working Parties, Panels, Forums, etc.

17 Appointments to Outside Bodies

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

Resolved:

That the Councillors indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2022/23 with the exception of the Homeless Action Resource Project (HARP) to which Councillor K Evans be appointed.

18 Calendar of Meetings 2022/23

Resolved:

That the calendar of meetings for the Municipal Year 2022/23, approved.

Chair: _____

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PETITION TO SOUTHEND-ON-SEA CITY COUNCIL

We the undersigned, petition the City Council on behalf of residents of WALTERS CLOSE, Eastwood, Leigh-on-Sea to take action to prevent the obstruction of the safe movement of traffic and pedestrians in our Close. This includes safe access by emergency services and large service vehicles, such as waste collection trucks. It is common to see these vehicles having to park at the Walter Close entrance and operatives having run down the Close.

It is also common to see these vehicles knock down telegraph poles and street lights in WALTERS CLOSE as the drivers cannot navigate properly due to the parked vehicles in the street.

Further, a safety issue is that a number of residents are having to walk on the highway as the footpaths are completely blocked in the Close by badly parked vehicles.

Please consider the following actions to improve safety of the residents and to protect the Council's property: -

Review and install double yellow line restrictions in the Close in the appropriate places;

Consider preventive physical measures to keep the pavements fully accessible;

Any other matters that may be commented on by Petitioners herein.

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Licensing Committee

Date: Wednesday, 23rd March, 2022
Place: Committee Room 1 - Civic Suite

11

Present: Councillor A Thompson (Chair)
Councillors K Mitchell (Vice-Chair), M Berry, S Buckley, T Cowdrey,
K Evans, N Folkard, T Harp, J Lamb, A Line, D McGlone, A Moring
and I Shead

In Attendance: A Penn, E Anakwue and T Row

Start/End Time: 10.00 am - 10.35 am

848 Apologies for Absence

There were no apologies for absence.

849 Declarations of Interest

Councillor Lamb declared a non-pecuniary interest in respect of Agenda Item No. 5 (Temporary Increase to Taxi Fares) on the basis that he was on the board of trustees of SAVS, which was mentioned in the debate.

850 Minutes of the Meeting held on Monday, 16th August, 2021

Resolved:-

That the Minutes of the Meeting held on Monday, 16th August 2021 be received, confirmed as a correct record and signed.

851 Age of Hackney Carriage and Private Hire Vehicle Licence Conditions

The Committee received a report of the Executive Director (Neighbourhoods and Environment) which sought approval to the temporary, one year amendment of the licensing conditions relating to the age of Hackney Carriages (HC) Private Hire Vehicles (PHV) at the stage of first licensing (from the date of amendment), whereby the 5-year age limit (6-year age limit for wheelchair accessible vehicles) is disapplied, and, to permanently require the application of compliance with Euro 6 emission standards that reduces harmful emissions from vehicles within the conditions.

The intention of these changes is to increase the number of vehicles available to the public by enabling more vehicles to be licensable, and to protect air quality and assist to the climate change agenda.

Resolved:-

1. That the amended age-related conditions as set out below be approved for a 1-year period from the date of this decision, after which time the conditions will

automatically revert to their former wording, or until adoption of any new conditions relating to vehicles are introduced, whichever is the sooner:

Proposed Conditions for Hackney Carriages

2.1.1(a) Where a vehicle is more than 5 years old when first licenced (Wheelchair Accessible Vehicles 6 years), the vehicle must be Euro 6 emission rating (petrol or diesel vehicles) or capable of achieving zero emissions (hybrid or electric vehicles). All vehicles should not be more than 10-years old when subsequently licenced (Wheelchair Accessible Vehicles 20 years). The 10-year maximum is based on the condition of the vehicle which is considered at 8 years and can be extended by 6-month intervals to a maximum of 10 years. Any limousine or specially approved vehicle shall have no specific age limit and will be reviewed annually.

Proposed Conditions for Private Hire Vehicles

1.1.2 Where a vehicle is more than 5 years old when first licenced (Wheelchair Accessible Vehicles 6 years), the vehicle must be Euro 6 emission rating (petrol or diesel vehicles) or capable of achieving zero emissions (hybrid or electric vehicles). All vehicles should not be more than 10-years old when subsequently licenced (Wheelchair Accessible Vehicles 20 years). The 10-year maximum is based on the condition of the vehicle which is considered at 8 years and can be extended by 6-month intervals to a maximum of 10 years. Any limousine or specially approved vehicle shall have no specific age limit and will be reviewed annually.

2. That the additional requirement relating to emission standards as set out in the amended conditions be permanently adopted.

852 Temporary Increase to Taxi Fares

The Committee received a report of the Executive Director (Neighbourhoods and Environment) that sought approval of the temporary amendment of the fare structure of Hackney Carriages (HC) Private Hire Vehicles (PHV) for a period of one year (from the date of amendment) after which it will be reviewed, or until the review of all licensing conditions is completed, in response the current fuel price emergency.

It was noted that the intention of these changes was to maintain the number of vehicles available to the public by ensuring drivers vehicles are financially viable.

In response to questions regarding the consultation process, the Council's Regulatory Services Manager confirmed that in addition to the statutory requirement to place a public notice in the local paper, a copy of the notice would be placed on the notice board in the reception area of the Civic Centre and placed on the Council's website. He also undertook to inform SAVS (Southend Association of Voluntary Services) and the Citizens Advice Bureau of the outcome of the consultation.

Resolved:-

1. That the fare structure of Hackney Carriages (HC) Private Hire Vehicles (PHV) be temporarily amended to allow a temporary additional fare of 40p per trip.

2. That the revised fare chart set out at Appendix 1 be approved.

3. That any changes to the fare and extra charges' structure be duly advertised, implementing the public consultation process. Any appeals will be heard by the Licensing Committee. In the eventuality that no objections are received, the amendment be deemed as approved without the need to return to the Committee for consideration. To avoid the requirement not to consult during the local election purdah period, the consultation will commence on 6th May 2022 or later.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Licensing Sub-Committee B

Date: Tuesday, 29th March, 2022
Place: Committee Room 1 - Civic Suite

12

Present: Councillor K Mitchell (Chair)
Councillors T Cowdrey and T Harp

In Attendance: E Anakwue, T Row, A Byrne and P Richards

Start/End Time: 10.15 am - 10.50 am

853 Apologies for Absence

There were no apologies for absence.

854 Declarations of Interest

No interests were declared at the meeting.

855 Elsewhere Spaces Ltd, 1 Grove End, Rectory Grove, Leigh-on-Sea, SS9 2HB - Application for a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Elsewhere Spaces Ltd for the grant of a Premises Licence at Elsewhere Spaces Ltd, 1 Grove End, Rectory Grove, Leigh-on-Sea, SS9 2HB. The application sought the provisions of live & recorded music, the supply of alcohol for the consumption on & off the premises and the provision of late-night refreshment on and off the premises from Mondays to Sundays (inclusive) from 10:00hrs – 00:00hrs.

The application was presented by the Mr Peter Conisbee, the Applicants' Licensing Consultant. Ms Jane Whiting (Owner) and Mr Oliver Barnes (Designated Premises Supervisor and Manager) were also in attendance.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although several amendments to the licence conditions which formed part of the licence application had been agreed between the Applicant and the Licensing Authority should the application be granted. These conditions were set out in Appendix 2 to the report of the Council's Executive Director (Neighbourhoods and Environment).

Four (4) valid representations had however, been received from residents, objecting to the application. The sub-committee noted that the applicant had written to the residents to addressing their concerns. As a result, one (1) resident withdrew their representation but wished that his concerns remained on file in case there were future issues. Two (2) residents had responded stating that their representation objecting to the proposal remained. No response had, however, been received from the remaining objector to this application.

None of the objectors attended the hearing. The sub-committee was informed, however, that Mrs Heyburn had wanted to attend the meeting to present her objection, but due to the re-arrangement of her daughter's graduation, had been prevented from doing so. A representative appointed to speak on her behalf was also unable to attend the meeting. Copies of all the representations were provided and considered in full by the sub-committee.

The objections/representations essentially related to the prevention of crime and disorder, public safety and the prevention of public nuisance. In particular, the concerns related to the potential increase of noise and disturbance by loud music and patrons of the premises to residents in the residential streets behind the premises and in the vicinity later into the night, every day. Residents had experienced such disturbance from the premises under the previous licence holders and from other premises in the vicinity. The hours sought should be restricted to 22.00 hrs on weekdays and perhaps to 23.00 hrs on Thursdays to Sundays only. The need for such another premises at this location was also raised, with a suggestion that a daytime café be authorised instead.

The need for licensed premises is not a matter for the sub-committee to consider. In accordance with the guidance issued under the Licensing Act 2003, the premises are not responsible for the management of the behaviour of customers once they are beyond the direct management of the licence holder and their staff. The behaviour is the responsibility of the individuals themselves under the law. An individual who engages in antisocial behaviour is accountable in their own right. They are therefore not matters that the sub-committee can take into account in respect of this application.

The sub-committee listened to all the evidence and submissions and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. It also considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm as they related to this application. Each contested application is decided on its merits.

The sub-committee noted that there had been no complaints of noise, disturbance, public nuisance or anti-social behaviour made to any of the Responsible Authorities nor the premises themselves in the past three years. No complaints had been received from the neighbours immediately adjacent to the premises. Additionally, the premises had not yet been operating under the new management.

The sub-committee heard that the premises had been in the ownership of the same family for approximately 15 years. The premises had enjoyed the benefit of a premises licence previously under the previous tenants. The owner of the premises had originally sought a transfer of the existing licence to herself to enable her to take control of the premises to open a restaurant. Due to a number of legal issues, and following the termination of the premises, the owner decided to seek a new premises licence. The purpose of the application was not to become a live music venue/disco/bar but to open a high-class restaurant with aspirations to serve Michelin quality food with music at background levels. The standing capacity at the bar was primarily for pre and post meal drinks.

The sub-committee also heard that four staff would be personal licence holders and that there was approximately 40 years of hospitality experience between them. The premises had undergone some refurbishment with the upstairs terrace now being enclosed and soundproofing had been installed. There is currently the capacity for 34 covers on the first floor and 12 covers downstairs. The alley was now regularly cleaned by the applicants. The premises would be a benefit to the area.

In response to a question regarding the application for off-sales, the Applicants' Licensing Consultant explained that this would allow a delivery service to be provided in the future. There were currently no plans to provide this service at the moment. He also clarified that there would be no sale of alcohol with the delivery service.

The sub-committee concluded that, on the basis of the evidence presented to it, the problems of noise, disturbance and anti-social behaviour could not be attributed to the premises. The Police and Environmental Health Service were both experts in their respective fields (paragraph 9.12 of the Revised Guidance issued under section 182 of the Licensing Act 2003 refers) and neither had objected to the application. Furthermore, a key protection for the community where problems associated with the licensing objectives occur, was the possibility of reviewing the licence.

The sub-committee therefore did not consider that the promotion of the licensing objectives would be undermined by the granting of the application, subject to the imposition of appropriate conditions. It was therefore:

Resolved:-

That the application be granted subject to:

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

(ii) The additional and amended conditions drawn from the Operating Schedule, agreed with the Licensing Authority, as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Condition 4 (as reflected in Appendix 2 of the report) to now read:

“Condition 4.

The provision of off-sales is strictly limited to customers who have been served food or drinks on the premises already, ensuring that the points within this operating schedule in relation to such is followed.”

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Audit Committee

Date: Wednesday, 23rd March, 2022
Place: Council Chamber - Civic Suite

13

Present: Councillor M Dent (Chair)
Councillors I Shead (Vice-Chair), H Boyd, K Evans, S Habermel,
P Wexham,* K Buck, *T Cox, *K Robinson
K Pandya (Coopted Member)

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors
A Barnes, R Harris, J Burr and J Chesterton

Start/End Time: 6.30 pm - 9.25 pm

857 Apologies for Absence

Apologies for absence were received from Councillors Dear (substitute: Cllr Cox), Folkard (substitute: Cllr Buck) and George (substitute: Cllr Robinson).

858 Declarations of Interest

There were no declarations of interests at this meeting.

859 Vecteo Update

The Committee considered a report of the Executive Director (Finance and Resources) presenting an update on the progress made in delivering the work required in respect of the special educational needs and disability (SEND) passenger transport provision provided by Vecteo and a summary overview of the findings of the work that has been undertaken, including the main themes and the key actions planned to improve the current service and to ensure improvements for any such service delivery vehicles used in the future.

During consideration of the matter, the Committee resolved to exclude the public and press from the meeting (confidential session) to enable questions and comments to be raised on the financial and commercial aspects of the matter, including an overview of a range of options.

The Committee came back into the public session for general questions, comments and the decision.

Resolved:

1. That the following matters be noted:

- (i) The progress made in delivering the review work required in respect of the SEND passenger transport contract;
- (ii) The overview of the findings of the work that has been undertaken; and
- (iii) The progress that has been made with the Council's arrangements for working with Vecteo.

2. That the Audit Committee Chair writes to the Chair of the People Scrutiny Committee to arrange a special meeting to undertake an in-depth examination and scrutiny of the service provision and where failures have occurred within this.

3. That the Audit Committee Chair writes to the Leader of the Council to arrange a special meeting of the Shareholder Board to undertake a full contractual review of the Vecteo contract.

860 Vote of Thanks

The Committee thanked the Chair for the able way in which he had conducted the business of the meetings over the municipal year. The Chair took the opportunity to thank the Committee and officers for their support.

Chair: _____

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Standards Committee

Date: Wednesday, 23rd March, 2022
Place: Council Chamber - Civic Suite

14

Present: Councillor I Shead (Chair)
Councillors B Hooper (Vice-Chair), K Buck (Minutes 843-846),
T Cowdrey, T Cox (Minutes 843-846), A Moring (Minutes 843-846)
and J Moyies (Minutes 843-846)*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor J Healey (Leigh Town Council), J Morgan, J Tetley
(Independent Persons)
S Tautz and J Williams

Start/End Time: 5.00 pm - 6.25 pm

843 Apologies for Absence

Apologies for absence were received from Councillor D Cowan (no substitute) and Councillor D Nelson (Substitute: Councillor J Moyies).

844 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor I Shead - Minute 847 (Complaints Against a Councillor – References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.
- (b) Councillor B Hooper - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.
- (c) Councillor Cowdrey - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.
- (d) Councillor T Cox - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.
- (e) Councillor K Buck - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.
- (f) Councillor A Moring - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.

(g) Councillor J Moyies - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints as fellow councillors.

(h) Councillor J Healey (Leigh Town Council) - Minute 847 (Complaints Against a Councillor - References 22/001, 22/002 and 22/003) - Non-pecuniary interest: Knows the councillors subject of the complaints.

845 The New LGA Model Councillor Code of Conduct

The Committee considered a report of the Executive Director (Legal and Democratic Services) presenting a new Model Councillor Code of Conduct produced by the Local Government Association (LGA), with a view to making a recommendation to Council to adopt the same Code.

The Committee asked a number of questions which were responded to by the Executive Director (Legal and Democratic Services).

Resolved:

1. That the Council be recommended to adopt the Model Councillor Code of Conduct (May 2021 version) produced by the Local Government Association (LGA) as attached at appendix 1 to the submitted report, with effect from the commencement of the 2022/23 municipal year, to replace the existing Members' Code of Conduct in Part 5a of the Constitution.
2. That, if the new Code of Conduct is adopted, appropriate training be provided for all councillors.
3. That a review of the current Complaints against Members Rules set out in Part 4(i) of the Constitution should commence without delay, overseen by the Standards Committee.

846 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 paragraphs 1 and 2 of 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.

847 Complaints Against a Councillor - Reference 22/001, 22/002 and 22/003

The Committee considered a report of the Executive Director (Legal and Democratic Services) and Monitoring Officer requesting that it undertake an initial review and assessment of standards complaints reference 22/001, 22/002 and 22/003 and determine the next steps with regard to each complaint.

The Committee received additional information submitted by the complainant in respect of complaint reference 22/002, which had been received by the Monitoring Officer since the publication of the agenda for the meeting.

Councillors asked a number of questions which were responded to by the Monitoring Officer. The Committee also sought and took into consideration the views of the Independent Persons.

Resolved:

1. That standards complaints reference 22/001 and 22/002 be referred for formal investigation.
2. That standards complaint reference 22/003 does not require any further steps or investigation.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Appeals Committee B

Date: Wednesday, 30th March, 2022
Place: Committee Room 1 - Civic Suite

15

Present: Councillor T Cowdrey (Chair)
Councillors N Folkard (Vice-Chair), K Evans, K Robinson, C Walker
and *B Beggs

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and A Smith (Agenda Item 4 only)

Start/End Time: 9.30 am - 12.00 pm

885 Apologies for Absence

Apologies for absence were received from Councillors Stafford and Warren (substitute: Cllr Beggs).

886 Declarations of Interest

There were no declarations of interest at this meeting.

887 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.

888 School Transport Appeal - HCS

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil HCS, 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 for pupil HCS.

889 School Transport Appeal - NI

The home-to-school transport appeal for pupil NI was DEFERRED.

890 School Transport Appeal - LR

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

The parent was unable to attend to present their case and therefore the Committee considered the submitted written evidence and information.

Resolved:

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

891 School Transport Appeal - FK

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

The parent was unable to attend to present their case and therefore the Committee considered the submitted written evidence and information.

Resolved:

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

Chair: _____

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th April, 2022
Place: Council Chamber - Civic Suite

16

Present: Councillor N Ward (Chair)
Councillors A Dear (Vice-Chair), D Cowan, M Dent, F Evans,
D Garne, S Habermel, D Jarvis, A Jones, D McGlone, K Mitchell,
C Mulroney, A Thompson, S Wakefield and C Walker
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillor A Line
K Waters, P Keyes, S Mouratidis, M Warren and T Row

Start/End Time: 2.00 - 3.30 pm

892 Apologies for Absence

Apologies for absence were received from Councillors D Garston (substitute: Councillor McGlone) and Buck (no substitute).

893 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Cowan – Minute No. 863 (Application Ref. No. 21/02034/OUT – Land Adjacent, 1 Smallholdings, Eastwoodbury Lane) – Non-pecuniary interest: Has been in extensive correspondence with residents about the application;

(ii) Councillor Line – Minute No. 865 (Application Ref. No. 20/00098/UNAU_B – 369 Westborough Road, Westcliff on Sea) – Non-pecuniary interest: Has spoken with the applicant about the matter;

(iii) Councillor McGlone – Minute No. 863 (Application Ref. No. 21/02034/OUT – Land Adjacent, 1 Smallholdings, Eastwoodbury Lane) – Non-pecuniary interest: Has been in correspondence with residents about the application;

(iv) Councillor Mulroney – Minute No. 864 (Application Ref. No. 22/00236/FULH – 11B New Road, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and the Leigh Society, non-participant in planning; and

(v) Councillor Thompson – Minute No. 864 (Application Ref. No. 22/00236/FULH – 11B New Road, Leigh on Sea) – Non-pecuniary interest: Had been lobbied by residents.

894 Minutes of the meeting held on Wednesday 1st December 2021

Resolved:-

That the Minutes of the meeting held on Wednesday, 1st December 2021 be received, confirmed as a correct record and signed.

895 Minutes of the meeting held on Wednesday 5th January 2022

Resolved:-

That the Minutes of the meeting held on Wednesday, 5th January 2022 be received, confirmed as a correct record and signed.

896 Minutes of the meeting held on Wednesday 9th February 2022

Resolved:-

That the Minutes of the meeting held on Wednesday, 9th February 2022 be received, confirmed as a correct record and signed.

897 Minutes of the Meeting held on Wednesday, 2nd March, 2022

Resolved:-

That the Minutes of the meeting held on Wednesday, 2nd March 2022 be received, confirmed as a correct record and signed.

898 Supplementary Report

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

899 21/02034/OUT - Land Adjacent, 1 Smallholdings, Eastwoodbury Lane (St Laurence Ward)

Proposal: Erect nine dwellinghouses with associated landscaping and car parking (Outline)

Applicant: Millen

Agent: N/A

Mr Peck, a local resident, attended the meeting and spoke as an objector to the application. Mr Lowry attended the meeting remotely via MS Teams and responded on behalf of the applicants.

Resolved:-

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

General conditions

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

shall begin not later than 2 (two) years from the date of approval of the last of the reserved matters to be approved.

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

02 The development shall be carried out in accordance with the approved plans: Location Plan; SEOS001 Rev 1; SEOS004.

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

Design related conditions

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until full details of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows, doors, balustrading, fascia and balconies 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 details before the dwellings hereby approved are first occupied.

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

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the dwellinghouses hereby permitted shall not exceed 8.2m in height.

Reason: To safeguard the character and appearance of the area and the visual amenities of neighbouring occupiers plus aviation safety in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

Construction related conditions

05 No development shall take place, including any site preparation works, unless and until a Construction Management Plan to include Noise and Dust Mitigation Strategies has been submitted to, and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to in full throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust, dirt and noise during construction

- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- viii) details of the duration and location of any noisy activities.

Reason: This pre-commencement condition is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

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

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

Landscaping related conditions

07 No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and completed at the levels shown on the approved drawing and shall not exceed the highest level of land adjacent to the application site.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

08 Notwithstanding the details shown on the plans hereby approved, no development shall take place, other than ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site.

The submitted hard and soft landscaping schemes shall include full details of the number, size and location of the trees and shrubs to be planted together with measures for their protection whilst being established and a planting specification, details of the treatment of all hard and soft surfaces, including any earthworks to be carried and all means of enclosing the site, including boundaries within the site.

Prior to first occupation of the dwellings hereby approved, the approved hard landscaping scheme shall be implemented and completed in full accordance with the details approved pursuant to this condition. Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, the approved soft landscaping scheme shall be implemented and completed in full accordance with the details approved under the provisions of this condition.

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

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

Ecological related conditions

09 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not commence unless and until the biodiversity mitigation measures outlined within the Reptile Survey (by Hybrid Ecology Ltd. dated September 2021) which includes mitigation in relation to reptiles, badgers and their habitats have been carried out in full. A timescale for the implementation of these measures shall first be submitted to the Local Planning Authority and approved in writing pursuant to this condition. The measures shall be implemented in accordance with the approved timescale and retained as approved thereafter.

Reason: This pre-commencement condition is required in the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

10 Prior to first occupation of the dwellings hereby approved, the biodiversity enhancement measures outlined within the Design and Access Statement (or alternative details which have previously been submitted and approved in writing by the Local Planning Authority under the provisions of this condition) shall be implemented and completed in full. These measures shall be retained for the lifetime of the development.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

11 Tree removal works shall not take place between March and August and shall only be carried out (including which trees will be removed) in accordance with the recommendations contained in the Tree Survey and Arboricultural Impact Assessment V1.1 (ref no. 22_5837_02_42) by ROAVR Environmental Ltd.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12 No development shall take place on site unless and until details of tree protection measures for the trees to be retained on site, have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out in full accordance with the approved tree protection measures throughout the construction phase of the development.

Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

Highways related conditions

13 The development hereby approved shall not be first occupied unless and until 18 on site car parking spaces (2no. for each dwelling) have been provided and made available for use at the site in full accordance with drawing SEOS001 Rev 1, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. At least one of the parking spaces for each approved residential unit, shall be fitted with an active electric vehicle charging point. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

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 (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the guidance in the Southend Design and Townscape Guide (2009) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021).

14 The development hereby approved shall not be first occupied or brought into first use unless and until full details (including elevations) of the covered and secure cycle parking to serve the new dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved cycle storage details and the cycle storage shall be provided and made available for use prior to the first occupation of the dwellings hereby approved.

Reason: To ensure that adequate cycle parking is provided to serve the residential development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

Waste storage related conditions

15 The residential dwellings hereby approved shall not be first occupied unless and until full details (including elevations) of the refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling stores shall be provided in accordance with the approved plans and details and shall be made available for use prior to the first occupation of the dwelling to which they relate and shall be retained as such for the lifetime of the development.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

Drainage related conditions

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

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

Sustainability related conditions

17 Prior to construction of the development hereby approved above ground floor slab level 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. No building in the scheme shall be occupied until and unless it has been implemented in accordance with the details approved under this condition. This provision shall be made for the lifetime of the development.

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

18 Prior to occupation of the development hereby approved water efficiency 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 for the lifetime of the development.

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

19 The development hereby approved shall be carried out in a manner to ensure that the dwellings fully comply with the Technical Housing Standards – Nationally

Described Space Standards (2015) and with Building Regulation M4(2) 'accessible and adaptable dwellings' before they are brought into use and first occupied.

Reason: To ensure provision of high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM8 and Design and Townscape Guide (2009).

Neighbour amenity safeguarding related conditions

20 Prior to the occupation of each dwelling hereby approved, obscure glazing shall be installed in accordance with an obscure glazing strategy for the site which shall have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The submitted strategy shall include details of which plots on site and which windows on each plot require obscure glazing. The openings that are identified as needing to be glazed in obscure glass, shall only be so with the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room or area served by the window. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM8 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

21 No external lighting shall be installed on the site subject of this permission unless it is in accordance with the details and specifications of a Lighting Strategy which has previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. All lighting shall be retained on site in accordance with the approved scheme for the lifetime of the development.

Reason: In the interest of the residential amenity of future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out on the new dwellinghouses within Schedule 2, Part 1, Classes A, AA, B, D, E or F of that Order without the receipt of express planning permission.

Reason: To safeguard the character and appearance of the area and in the interest of the residential amenity of the adjoining residents in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

Informatives:

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of levy due will be calculated at the time a reserved matters application is submitted. Further information about CIL can be found on the [Planning Portal \(www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy\)](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

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 City.

03 Please note that you are required to apply to the Highways Authority for consent to have a vehicular crossover installed on Eastwoodbury Lane and that the private access road for this development will be expected to support the weight of refuse freighters in accordance with the Council's Waste Storage, Collection and Management Guide for New Developments (2019).

04 The applicant is advised that refuse stores should not be prominently located within the development. As such it is recommended that the refuse stores are not located to the front of the dwellings.

05 No waste as part of the development shall be burnt on site.

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

07 The applicant is advised to consider installation of Automatic Water Suppression Systems (AWSS) within the new dwellings.

900 22/00236/FULH - 11B New Road, Leigh-on-sea (Leigh Ward)

Proposal: Replace existing wooden sash windows with UPVC windows to all elevations (retrospective)

Applicant: Mr M Good and Ms C Harper

Agent: Mr Thomas Sharman of Smart Planning Ltd

Resolved:-

1. That planning permission be REFUSED for the following reason:

01. The replacement windows, by reason of their materials and detailed design are considered to be detrimental to the historic character and significance of the existing property and the wider Leigh Conservation Area. The identified harm to the conservation area is less than substantial, albeit significant, and any public benefits arising from the development do not outweigh the identified harm. The development is contrary to the National Planning Policy Framework (2021), Policies KP2 and CP4 of Core Strategy (2007), Policies DM1 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

2. That ENFORCEMENT ACTION be AUTHORISED to require from anyone with an interest in the land (the site) to:

- (a) remove the unauthorised windows UPVC; and
- (b) 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.

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable time for compliance. In this case a compliance period of six (6) months is considered reasonable for the removal of the unauthorised windows, considering that planning permission is required for the installation of new appropriate windows.

**901 20/00098/UCOU_B - 369 Westborough Road, Westcliff-on-Sea
(Westborough Ward)**

Breach of planning control: Use of the rear part of the building as a residential unit

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to Members are recommended to AUTHORISE ENFORCEMENT ACTION to require from anyone with an interest in the land (the site) to:

- (a) cease the residential use of the rear part of the building on site;
- (b) remove all kitchen appliances from the ground floor of the rear part of the building on site;
- (c) remove all bathroom facilities from the first floor of the rear part of the building on site;
- (d) remove all facilities that facilitate the use of the rear part of the building on site as a residential unit; and
- (e) remove from site all materials and debris resulting from compliance with requirements (a), (b), (c) and (d) 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.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 6 months is considered reasonable for the above works.

902 19/00190/UNAU_B - 18 Parkgate, Westcliff-on-Sea (Milton Ward)

Breach of planning control: Replacement of timber windows with UPVC windows in a Conservation Area

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED Members are recommended to AUTHORISE ENFORCEMENT ACTION to require from anyone with an interest in the land (the site) to:

- (a) remove the unauthorised UPVC windows; and
- (b) remove from site all materials and debris 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.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of six (6) months is considered reasonable for the removal of the unauthorised windows, considering that planning permission is required for the installation of new appropriate windows.

903 Vote of Thanks

The Committee thanked the Chair for the kind, yet firm, and reasonable way in which he had chaired the meetings of the municipal year.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Special Meeting of People Scrutiny Committee

Date: Wednesday, 20th April, 2022

Place: Council Chamber - Civic Suite

17

Present: Councillor L Salter (Chair)
Councillors H Boyd (Vice-Chair), M Berry, J Courtenay, T Cowdrey, T Cox*,
A Dear, K Evans, D Garne, B Hooper, A Line, K Mitchell, A Moring*, I Shead,
M Stafford and A Thompson

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors L Burton, P Collins, S Wakefield (Cabinet Members), Councillors
K Buck, S Buckley, M Dent, S George and P Wexham, R Savage (Southend
Association of Voluntary Services (SAVS) (Co-opted Member), A Barnes,
J Burr, G Gilbert, M Marks, B Martin and S Tautz

Start/End Time: 6.30 pm - 9.25 pm

904 Apologies for Absence

Apologies for absence were received from Councillor B Beggs (Substitute: Councillor T Cox), Councillor J Lamb (Substitute: Councillor A Moring), Councillor D Garston (Chair of the Policy and Resources Scrutiny Committee) and T Watts (Southend Carers Forum (Co-opted Member)).

905 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors L Burton, P Collins and S Wakefield (Cabinet Members) - Interest in the referred item; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (b) Councillor M Berry - Minute 907 (Vecteo Update) - Ongoing association with member of Southend SEND Independent Forum (SSIF) around the current provision of special educational needs and disabilities (SEND) home to school transport services by Vecteo, Education Health and Care Plans and other related matters - Non-pecuniary interest.
- (c) Councillor T Cowdrey - Minute 907 (Vecteo Update) - Ongoing association with a number of service users around the current provision of special educational needs and disabilities (SEND) home to school transport services by Vecteo - Non-pecuniary interest.
- (d) Councillor B Hooper - Minute 907 (Vecteo Update) - Director of Blade Education, a not-for-profit company that works with local SEND children - Non-pecuniary interest.
- (e) Councillor A Moring - Minute 907 (Vecteo Update) - Family member was previously in receipt of special educational needs and disabilities (SEND) home to school transport services - Non-pecuniary interest.

906 Questions from Members of the Public

The Committee noted the response of the Cabinet Member for Children and Learning to questions submitted by Philomena Johnson, Liam Slattery, Jo Richardson, Kim Drake, Becky Verrall and Louise Robinson, which had been sent to each questioner as the questions were not to be presented at the meeting.

907 Vecteo Update

The Committee received a report of the Deputy Chief Executive and Executive Director (Finance and Resources), arising from a request of the Audit Committee at its meeting on 23 March 2022 that the People Scrutiny Committee undertake an in-depth examination and scrutiny of the current provision of special educational needs and disabilities (SEND) home to school transport services by Vecteo and where service failures had occurred since the commencement of the contract with Vecteo. The Chair reported that, given the cross-cutting elements of the review requested by the Audit Committee, an invitation to attend the meeting had been extended to all members of the Policy and Resources Scrutiny Committee.

The report of the Deputy Chief Executive and Executive Director (Finance and Resources) provided an overview of the progress of elements of the in-house and external audit work to review service provision and failure that had been agreed by the Council on 25 November 2021. In response to questions raised by members of the Committee, the Cabinet Member for Children and Learning undertook to ensure that each of the final reports and recommendations arising from such audit work, be referred to a future meeting of the Committee following consideration by the Audit Committee.

The Cabinet Member for Children and Learning undertook to provide a written response to questions raised by members of the Committee, with regard to:

- the number of risk assessments so far completed as part of the provision of SEND home to school transport services by Vecteo.
- the support provided by the Council to enable all families in receipt of SEND home to school transport services to fully participate in the customer satisfaction survey undertaken in December 2021.
- the comparison of the results arising from the customer satisfaction survey undertaken in December 2021, with the findings of any previous similar surveys carried out by the Council.
- current arrangements for the provision of transport services for families of adults and children with learning disabilities.
- current arrangements for the designation of a safeguarding 'lead' as part of the provision of SEND home to school transport services by Vecteo.

Resolved:

- (1) That the following matters as set out in the report of the Deputy Chief Executive and Executive Director (Finance and Resources), be noted:
 - (a) the findings arising in respect of service provision and where failures have occurred.
 - (b) the overview of the findings of the work that has been undertaken.
 - (c) the progress that has been made with the Council's arrangements for working with Vecteo.
- (2) That a report be made to the Cabinet at the first available opportunity, to:
 - (a) note the serious safety and safeguarding failures that occurred at the start of the Vecteo contract.

- (b) consider whether Vecteo is now able to provide robust performance data that the Council can rely on.
 - (c) consider what alternative options (other than continuing with the Vecteo contract) are available to the Council for the delivery of SEND home to school transport services (and other contractual services).
 - (d) consider, with reference to Resolution 2(a)-(c) above, whether the Council should take action to withdraw from the contract/joint venture arrangement with Vecteo as soon as practicable.
- (3) That the Shareholder Board be asked to consider and report back to the Cabinet on the financial performance of Vecteo.

Note: This is a Scrutiny function

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Tuesday, 26th April, 2022
Place: Caxton Room - Tickfield Centre

18

Present: Councillor I Gilbert (Chair)
Councillors D Cowan, T Cox, M Davidson, C Mulroney, *M Terry and *D Nelson
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: A Lewis, G Gilbert, S Putt and M Bearn (Hays).

Start/End Time: 2.00 - 3.15 pm

908 Apologies for Absence

Apologies for absence were received from Councillors Jarvis (substitute: Cllr Nelson) and Woodley (substitute: Cllr Terry).

909 Declarations of Interest

There were no declarations of interest at this meeting.

910 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.

911 Recruitment to Chief Executive Post

The Committee considered a report of the Executive Director (Strategy, Change and Governance) presenting a revised timetable for the recruitment to the Chief Executive post.

Resolved:

1. That the timeline set out at Appendix B to the submitted report be revised to bring forward the commencement of the recruitment process.
2. That the Group Leaders be sent the new timeline for agreement and if there is not a consensus on the timeline then the Committee will be reconvened.
3. That Hays consults with Group Leaders on the preparation of the advert.
4. That a Senior Managers Pay Panel be convened to discuss the salaries for Chief Officers with benchmarking information provided by Hays.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Audit Committee

Date: Wednesday, 27th April, 2022
Place: Council Chamber - Civic Suite

19

Present: Councillor M Dent (Chair)
Councillors I Shead (Vice-Chair), H Boyd, A Dear, K Evans,
N Folkard, S George, S Habermel, P Wexham and K Pandya

In Attendance: A Barnes, R Harris, S Dutton, C Fozzard and P Thomas (Deloittes –
Agenda Item 6 only).

Start/End Time: 6.30 pm - 7.40 pm

912 Apologies for Absence

There were no apologies for absence at this meeting.

913 Declarations of Interest

No interests were declared at the meeting.

914 Minutes of the Meeting held on 12th January 2022

Resolved:

That the Minutes of the Meeting held on 12th January 2022 be confirmed as a correct record and signed.

915 Housing Benefit Subsidy Assurance report 2020/21

The Committee considered a report of the Executive Director (Finance and Resources) presenting the results of the reporting accountant's work on the Housing Benefit Subsidy Claim assurance report for the year ended 31 March 2021.

Resolved:

That the results of the Housing Benefit Subsidy Claim assurance work for the year ended 31 March 2021, be noted.

916 Homes England Compliance Audit report 2021/22

The Committee considered a report of the Executive Director (Finance and Resources) presenting the findings from the Homes England Compliance Audit work for 2021/22.

The Committee asked questions which were responded to by officers.

Resolved:

That the findings from the Homes England Compliance Audit work for 2021/22 be noted.

917 Deloitte's External Audit Update report 2020/21

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the status of the 2020/21 external audit of the Statement of Accounts and setting out the early headline planning intentions for the 2021/22 audit.

The Committee asked questions which were responded to by officers.

Resolved:

That the update letter from Deloitte LLP, set out at Appendix 1 to the submitted report, be noted.

918 CIPFA's Financial Management Code

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the Council's annual self-assessment outcome against the expectations of CIPFA's Financial Management Code.

The Committee asked questions which were responded to by officers.

Resolved:

1. That the Council's annual review against the expectations of CIPFA's Financial Management Code and the assurance that the Council's arrangements have been self-assessed as compliant, be noted and the action plan to deliver further improvements be endorsed.

2. That the Council's compliance status against CIPFA's Financial Management Code be kept under review and that the requirement for an annual self-assessment continues to be reported to the Committee every April, with a six-monthly update on any resulting action plan between each self-assessment.

919 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 2021/22.

The Committee asked questions which were responded to by officers.

Resolved:

That the progress made in delivering the 2021/22 Internal Audit Strategy be noted.

920 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 and Investigation Team (CFIT) in delivering the Counter Fraud Strategy and Work Programme for 2021/22.

The Committee asked questions which were responded to by officers.

Resolved:

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

921 Internal Audit Charter, Strategy and Plan for 2022/23

The Committee considered a report of the Executive Director (Finance and Resources) presenting the Internal Audit Charter with the supporting Strategy and Audit Plan for 2022/23.

The Committee asked questions which were responded to by officers.

Resolved:

That the Charter, Strategy and Audit Plan for 2022/23 be approved.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 1st June, 2022
Place: Council Chamber - Civic Suite

20

Present: Councillor N Ward (Chair)
Councillors M Berry, A Dear, K Buck, M Dent, F Evans, D Garston,
D Jarvis, A Jones, C Mulrone, M Sadza, I Shead, A Thompson,
C Walker, *L Burton and *N Folkard

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor T Cowdrey
K Waters, C Galforg, O Hart, P Keyes, S Mouratidis, M Warren,
G Gilbert, Ms A Greenwood and R Harris

Start/End Time: 2.00 - 4.40 pm

19 Apologies for Absence

Apologies for absence were received from Councillors Borton (substitute: Cllr Burton), Habermel (substitute: Cllr Folkard) and Woodley (no substitute).

20 Declarations of Interest

The following declarations of interest were made:

- a) Cllr Ward – 22/00425/FUL (The Peter Boat Inn, 27 High Street) – Non-pecuniary interest - The owner of the application is known to him;
- b) Cllr Buck – 21/02457/FUL (222 Southchurch Road, Southend-on-Sea) – Disqualifying Non-pecuniary interest: The architect is well known to him and is the consulting architect for one of his clients (withdrew);
- c) Cllr Dent – 21/02457/FUL (222 Southchurch Road, Southend-on-Sea) – Non-pecuniary interest: Has spoken to the objectors and applicant regarding the application;
- d) Cllr Mulrone – 22/00614/FUL (55 Broadway, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Society and Leigh Town Council;
- e) Councillors Buck, D Garston, Walker and A Jones – 22/00459/BC3 (3 Norfolk Avenue, Leigh-on-Sea) – Non-pecuniary interests: Members of the Traffic Regulations Working Party concerning PVX applications;

21 Supplementary Report

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

22 21/01887/DOV5 - Land Between Barge Pier Road and Ness Road (Shoeburyness)

Proposal: Modification of planning obligation (Section 106 agreement) dated 26th February 2021 pursuant to application 20/01227/OUTM to amend the charge provisions in relation to the affordable housing.

Applicant: Devonshires Solicitors LLP

Resolved:

Delegated to the Director of Planning or Service Manager for Development Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 26th February 2021 pursuant to planning permission ref. 20/01227/OUTM.

23 22/00459/BC3 - 3 Norfolk Avenue (Leigh-on-Sea) (Leigh Ward)

Proposal: Layout hardstanding to front and form vehicle crossover onto Norfolk Avenue for disabled access.

Applicant: Mr Dave Halladay

Agent: Mr Dave Halladay of Southend Borough Council

Resolved:

PLANNING PERMISSION 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 solely in accordance with the following approved plans: Location plan, Existing site plan, 1996/01.

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

Positive and Proactive Statement

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

01 You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development

Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

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

03 The applicant is advised that they are required to apply to the Highways Authority for separate consent to have a vehicular crossover installed.

24 21/02457/FUL - 222 Southchurch Road, Southend-on-Sea (Kursaal Ward)

Proposal: Change of use from dwellinghouse (Use Class C3) to 10-bedroom HMO (Use Class Sui Generis) (Part-Retrospective) raise roof form to rear projection and install new windows (amended plan).

Applicant: Atonia Homes Limited

Agenda: Mr Paul Seager of APS Design Associates Ltd

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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

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

02 The development shall only be undertaken in accordance with the following approved plans: 01 Site location plan, 01 Existing, and 03 revision A Proposed.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 Prior to first occupation of the development as hereby approved, details of how waste is to be stored on site, how materials for recycling will be stored separately and how waste management for the development will provide for the collection of general refuse and re-usable and recyclable waste shall be submitted to and

approved in writing by the Local Planning Authority. Waste management at the site shall be carried out in accordance with the approved strategy.

Reason: In the interest of achieving sustainable development as referred to in the NPPF (2021) and in accordance with Policy KP2 of the Core Strategy (December 2007) and Policy DM2 of the Development Management Document (July 2015).

05 The development hereby approved shall not be occupied until and unless secure covered cycle storage for at least ten (10) cycles has been provided on site in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. The agreed details shall be provided and made available for use by the development's occupiers and their visitors, prior to first occupation of the development, and shall be retained thereafter for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

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 and implemented in full prior to the first occupation of the dwellings. 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 (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

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

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

08 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the building, the accommodation in which is being altered under the provision of this permission, shall not at any time be adapted to enable formation of more than ten (10) bedrooms and the property shall not be occupied by more than ten (10) people at any one time.

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

09 Prior to the first occupation of any HMO unit, details of Residential Travel Packs shall be submitted to and approved in writing by the local planning authority. The approved travel packs shall then be provided to each HMO unit within 1 month of first occupation.

Reason: In the interests of sustainability in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

Informatives:

1 You are advised that as the development equates to less than 100 sq m of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal or the Council's website (www.southend.gov.uk/cil) for further information.

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

3 The Local Planning Authority has acted positively and proactively in determining this application, by assessing the proposal against all material planning considerations, including planning policies and any representations that may have been received. Planning permission has been granted subject to conditions as the proposal was found to be compliant with the objectives of planning policies and guidance and there were no material considerations to justify reaching a different conclusion. A detailed analysis of the proposal is set out in a report on the application prepared by officers.

4 Future occupiers will not be eligible for a town centre or residential parking permits.

25 22/00299/FUL - 54 The Ridgeway, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Erect replacement outbuilding at rear incorporating bike store, relocate existing office space into outbuilding and form additional floorspace to shop and replace existing steps to side with ramp.

Applicant: Mr Mehmet Hassain

Agent: Mr Colin Stone of Stone me Design Ltd

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

1 The development hereby permitted shall begin no 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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1705-15a; 1705-16a

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

3 Before the development hereby approved is first used the materials used on the external surfaces of the development must match those used on the external surfaces of the existing building. This applies unless differences are shown on submitted plans.

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 (2021), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1, and advice contained in the Southend-on Sea Design and Townscape Guide (2009).

4 The dry storage area of the outbuilding hereby permitted shall not be used at any time other than for purposes wholly ancillary to the commercial operation of the ground floor business unit known as 54 The Ridgeway.

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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Southend-on-Sea Design and Townscape Guide (2009).

5 Before any external lighting is installed in association with the outbuilding hereby permitted details of its location, design and specification shall have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed solely in accordance with the approved details.

Reason: In the interests of the amenities of the area and nearby residents, in accordance with Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

6 No plant equipment or machinery shall be installed or operated at the site unless a noise impact assessment (conducted out by a competent person) has previously been carried out, submitted to and approved in writing by the Local Planning Authority.

The assessment must be made using the appropriate standards and methodology for the noise sources and the relevant best practice. The plant equipment shall thereafter be implemented in full accordance with the details and mitigation provided in the approved Noise Impact Assessment before it is first brought into use and shall be maintained as such in perpetuity thereafter.

Reason: In the interest of the residential amenity of future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

7 Hours of works associated with this permission shall only be 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank or Public 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and the Southend Design and Townscape Guide (2009).

8 The windows proposed within the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above the internal finished floor level of the room or area served before the development is occupied and shall be retained as such in perpetuity thereafter. 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: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Southend-on-Sea Design and Townscape Guide (2009)

9 Waste produced in association with the commercial operation of 54 The Ridgeway shall only be stored on the land known as '54 The Ridgeway' edged red on the approved location plan [Drawing No. 16A] and at no other location.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015)

Informative

1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations

2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil 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.

Positive and Proactive Statement

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.

26 **22/00425/FUL - The Peter Boat Inn, 27 High Street (Leigh Ward)**

Proposal: Demolish existing outbuilding to west end of site and erect new bin store, extend existing millboard decking to south side of building, form new limestone patio to west side of building, resurface and reconfigure existing flexible car parking/external seating area and extend existing vehicle crossover onto High Street (Amended Proposal).

Applicant: East Anglia Pubs

Agent: Stone Me Ltd

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 1266-2049a, 1266-2050b, 1266-2051b, 1266-2052e, 1266-2055a.

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

03 The materials to be used on the external surfaces of the bin store hereby approved shall be as detailed on plan reference 1266-2055a including matt black painted timber shiplap cladding for the walls, matt black painted timber brace and ledge doors, matt black painted timber fascia and dark grey fibreglass flat roof; the materials for the decked area hereby approved to the south of the building

shall match the existing decking in this location; the materials for the new paving area hereby approved to the west of the building shall match the existing black limestone paving in this area; the amended car park hereby approved shall be finished in tarmac with the spaces marked out with embedded block paving as detailed on plan reference 1266-2052e before the development hereby approved is brought into use.

Reason: To safeguard character and appearance of the building surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) advice contained within the National Design Guide (2021) Southend-on-Sea Design and Townscape Guide (2009) and the Leigh Old Town Conservation Area Appraisal (2021).

04 The amended car parking layout hereby approved shall not be brought into use unless and until the amended vehicular access to High Street as shown on plan reference 1266-2-52e has been provided and made available for use at the site. The vehicular access shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the site.

Reason: In the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

05 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, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

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

Informatives:

01 You are advised that as the proposed extension(s) 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 city.

03 The applicant will be required to apply to highways to construct the vehicle crossover and to reinstate the redundant vehicular crossovers back to pavement. Please contact martinwarren@southend.gov.uk to arrange these works.

04 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

27 22/00607/FULH - 36 The Drive, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Raise ridge height, erect roof extension to rear to form habitable accommodation in roofspace, erect single storey side and rear extension, install canopy to rear at ground floor and balcony to rear at second floor, alter elevations.

Applicant: Mr and Mrs J Spokoini

Agent: Metson Architects Ltd

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out only in accordance with the following approved plans: 2106-TP-01-C, 2106-X-0, 2106-TP-10.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing dwelling or be in accordance with those detailed on drawing no 2106-TP-01-C.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 The roofs of the single storey extensions hereby approved shall not be used as balconies, roof gardens or similar amenity areas or for any other similar purpose unless express planning permission has previously been obtained. The roofs can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05 The windows and rooflights in the side elevations of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the rooms or area served by the window(s) prior to the first use or occupation of the development hereby permitted and retained as such thereafter. 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 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

06 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the rear balcony hereby granted planning permission shall not be constructed unless and until plans and other appropriate details have previously been submitted to and approved in writing by the Local Planning Authority which specify the size, design, obscurity, materials and location of privacy screens to be fixed to the flank elevation of the balcony. Before the development hereby approved is occupied, the privacy screens shall be installed in full accordance with the details and specifications approved pursuant to this condition and shall be permanently retained as such thereafter.

Reason: In the interests of the residential amenity of future occupiers and adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Southend-on-Sea Design and Townscape Guide (2009).

Positive and Proactive Statement

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

Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (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 City.

28 **22/00614/FUL - 55 Broadway, Leigh-on-Sea (Leigh Ward)**

Proposal: Alter shopfront and install new extraction flue system and bin store to rear.

Applicant: Mr Abdelhamid Oukili

Agent: S K Architects

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 732-P01-Rev A, 732-P03B- Rev G.

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

03 The replacement shopfront within the development hereby approved including the bifold doors including stallriser panel detail, fanlights, relocated door and fascia shall only be finished in painted timber. Prior to first operation of the rear flue the following shall have been completed at the site:

a) the flue shall have been spray painted to reasonably match the colour of the host building or in accordance with details of any other external treatment which have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition,

- b) the screen balustrading shall have been erected in accordance with the details shown on drawing number 732-P03B – Rev G and
- c) the new shopfront and fascia shall have been completed in accordance with the details on drawing 732-P03B- Rev G

Reason: To safeguard the visual amenities of the conservation area, including the weight attached as part of a balanced assessment taking account of the benefits to the building and Conservation Area attributed to the new shopfront and fascia which is all in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009), the National Design Guide (2021) and Leigh Cliff Conservation Area Appraisal (2021).

04 Prior to first operation of the extraction flue system hereby approved, the noise mitigation measures as detailed in the Noise Impact Assessment Report - Kitchen Extraction System 55 Broadway, Leigh-On-Sea SA9 1PE for Picante Leigh-On-Sea by Sound Licensing Limited and dated 27 April 2022 (revision 1) shall be implemented, installed by competent persons and completed at the site in full accordance with those mitigation measure details. Additionally, prior to first operation of the development hereby approved, a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the post- completion testing report. If the mitigation measures tested in the post-completion report prove to be insufficient, details of additional noise mitigation measures (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and installed and tested thereafter at the site prior to operation of the flue extraction system. The mitigation measures as approved shall be retained for the lifetime of the development.

Reason: To ensure the resulting noise from the flue extraction system would not be detrimental to living conditions of neighbouring and future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

05. The bifold doors within the shopfront hereby approved shall be closed between 22.00 and 09.00 hours Mondays to Sundays.

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

06 Prior to first operation of the rear flue hereby approved, the commercial refuse store, as shown on the plan reference 732-P03B- Rev G, shall be provided at the site and made available for use. This refuse store shall be retained for the lifetime of the development

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety

and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM5 and DM15 of the Development Management Document (2015).

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

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

08 There shall be no depositing of refuse into, or collection of refuse from, the bin store hereby approved outside the hours of 08:00 and 19:00 on any day.

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

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

Informatives:

01 You are advised that as the proposed development equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil 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 City.

03 The applicant is advised that any takeaway function associated with any restaurant use of the application site within Class E (Business) of the Use Class Order must remain ancillary to that main restaurant function. If the takeaway element is judged to be more than ancillary, then separate express planning permission will be required for this change of use.

04 The applicant is reminded that the development hereby approved will have an impact on the area of flat roof proposed as an amenity terrace to the first floor flat

in the residential scheme approved in 2021 reference 21/02206/FUL. This aspect of the residential scheme will therefore require amendment and will be considered on its individual merits – this amendment must be sought through a separate application.

05 The applicant is advised that separate advertisement consent is required for any new signage and planning permission is likely to be required for any externally mounted lighting fixtures.

06 Prior to any alterations to the existing building an appropriate Asbestos survey of the buildings should be undertaken, and a scheme implemented to remove and safely dispose of any asbestos-containing materials in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's Waste duty of care.

29 22/00633/FUL - Rose Martha Court, 64 Leigh Road (Chalkwell Ward)

Proposal: Enlarged windows to side and rear elevations (retrospective)

Applicant: Runwood Homes

Agent: Mr Barry Mullen of Connect Space

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

01 The development hereby permitted shall be retained in accordance with the following approved plans: PA01, PA02, PA02A, PA03.

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

02 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and advice in the Southend-on-Sea Design and Townscape Guide (2009).

Positive and Proactive Statement

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 City.

30 **22/00704/FULH - 12 Ewan Close, Leigh-on-Sea (West Leigh Ward)**

Proposal: Raise ridge height, erect hip to gable roof extension to sides and gable extension to front, erect dormer to rear with juliette balcony, erect single storey rear and front extensions and first floor side extension, alter elevations (Amended Proposal).

Applicant: Mr and Mrs Speedie

Agent: Mr Jonathan Puplett of Whaleback Planning and Design

Resolved:

PLANNING PERMISSION 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: (22) 02/20 EX01; (22) 02/20 PL02.A; (22) 02/20 PL02 RevA

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 extensions hereby approved 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 approved plans.

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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

04 The flat roof of the single storey 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 Core Strategy (2007) Policies KP2 and CP4, the Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

05 The additional first and second floor side windows in both flank elevations associated with the development hereby approved must be permanently obscure-glazed (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and non-opening, unless the parts of the window which can be opened are more than 1.7metres above the finished floor level of the room in which the windows are installed and shall be retained as such for the lifetime of the development.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

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

Informatives

1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See www.southend.gov.uk/cil 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 City.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 8th June, 2022
Place: Council Chamber - Civic Suite

21

Present: Councillor K Mitchell (Chair)
Councillors M Davidson, T Forster, A Lewis, J Moyies, C Mulrone, K Ramkhalawon, M Sadza and M Terry

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors L Salter
R Harris

Start/End Time: 5.00 - 7.20 pm

31 Apologies for Absence

Apologies for absence were received from R Hallett, Y Blucher, J Gardner, P Scott, O Richards, K Jackson, S Dolling and A Khaldi.

32 Declarations of Interest

The following declarations of interest were made:

a) Cllr Mitchell – Minute 35 (Adult Joint Strategic Needs Assessment) and Minute 36 (LeDeR Annual Report) – Non-pecuniary interest: A close family member with learning disabilities is a resident in supported living; Minute 37 (HWB Strategy Implementation Plan) – Non-pecuniary interest: Appointed to the EPUT Board; Minute 42 (ABSS) – Non-pecuniary interest: Chair of Hamlet Court Road Community Group;

b) Councillor Salter – Minute 37 (HWB Strategy Implementation Plan) and Minute 39 (Pandemic Updates) – Non-pecuniary interests: Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the Borough.

33 Public Questions

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

34 Minutes of the Meeting held on 7th March 2022

Resolved:-

That the Minutes of the Meeting held on Monday 7th March 2022 be confirmed as a correct record and signed.

35 Adult Joint Strategic Needs Assessment

The Board considered a report of the Director of Public Health presenting the outline of the proposed structure for an Adult Social Care Joint Strategic Needs Assessment (ASC JSNA). The report also provided an overview of the progress made and current and future challenges.

Resolved:

1. That the report and content of the ASC JSNA delivery plan, be noted.
2. That the Board continue to provide advice and support, where necessary, so that any challenges can be overcome.

36 LeDeR Annual Report

The Board considered a report of the Director of Public Health setting out the progress with the delivery of the action plan through the Southend, Essex and Thurrock's Learning Disability Mortality Review (LeDeR) Steering Group.

The Board asked questions which were responded to by officers. The Board commented on the excellent partnership work taking place in this area.

Resolved:

1. That the report, be noted.
2. That any suggestions that could enhance the delivery of the plan in 2022/23 be forwarded to the Director of Public Health.

37 HWB Strategy Implementation Plan - Mid-Year Report

The Board considered a report of the Director of Public Health presenting an update on progress against Year 1 of the action plan for the Health and Wellbeing Strategy.

The Board noted that the Year 2 action plan will be developed with partners and presented to the Board in September 2022 for approval.

The Board asked questions which were responded to by officers. The Board commented on some of the key challenges (financial and otherwise) and the opportunities to ensure that everyone who lives, works, studies and travels has the opportunity to experience a healthier city.

Resolved:

1. That the report be noted.
2. That the Board continue to provide advice and support, where necessary, so that any challenges can be overcome.

38 Better Care Fund 2020/21 End of Year Submission

The Board considered a report of the Director of Commissioning presenting the 2021/22 end of year Better Care Fund (BCF) submission.

The Board noted that the BCF submission was made to the NHSE BCF National Team on 27th May 2022 and was subject to final approval from this Board.

The Board asked questions which were responded to by officers.

Resolved:

That the report be noted and the proposed Southend BCF 2021/22 end of year submission, be approved.

39 Pandemic Updates

The Board considered a report of the Director of Public Health presenting an update on the on-going management of the Covid-19 pandemic.

The Board noted that the Local Outbreak Management Plan has been refreshed being refreshed and was presented to the Health Protection Board on 27th May 2022.

Resolved:

1. That the proposed changes to the operations of the pandemic team and the refreshed Southend's Local Outbreak Management Plan was adopted by the Local Health Protection Board on 27th May 2022.

2. That the amendments to the Terms of Reference for both the Health Protection Board and the Health Protection Oversight and Engagement Board, as they continue to provide the relevant governance and assurance framework for all Health Protection matters (as sub-Committees of the Health and Wellbeing Board), be noted.

40 HWB Schools Wellbeing Programme Report / Update

The Board considered a report of the Director of Public Health presenting an update on the recent progress made through working with the School Sports Partnerships on the Schools Wellbeing Programme, including the successes, challenges and future opportunities.

The Board asked questions which were responded to by officers.

Resolved:

1. That the updates provided on the Schools Wellbeing Programme, including the successes, challenges and future opportunities, be noted.

2. That any additional actions or opportunities for further work across the partnership to increase physical activity and improve emotional wellbeing be forwarded to the Director of Public Health.

41 National Drug Strategy 'From Harm to Hope' Progress Report/Update

The Board received and considered a verbal update from the Drug and Alcohol Commissioning Officer concerning the National Drug Strategy 'From Harm to Hope'.

The Board was advised that a Drug and Alcohol Executive Board would be established consisting of key partners from both the Health and Wellbeing Board and Community Safety Partnership Board. This Executive group will make decisions on the future drug and alcohol treatment recovery system as well as recommendations on future grant allocation.

The Board asked questions which were responded to by officers.

Resolved:

That the update and progress regarding the National Drug Strategy 'From Harm to Hope', be noted.

42 A Better Start Southend

The Board considered a joint report of the Independent Chair and Director for ABSS presenting an update on key developments.

The Board asked questions which were responded to by the ABSS Director.

Resolved:

1. That the report be noted.

2. That the ABSS Legacy and Sustainability Strategy, agreed by the Board on 16th May 2022, be noted and partners continue to identify further opportunities for collaboration and joint working, to secure a legacy for the Lottery investment beyond 2025.

43 HWB Forward Plan 2022/23

The Board considered the draft Forward Plan 2022/23 setting out the key matters for discussion at future meetings.

Resolved:

That the Forward Plan 2022/23, be noted and any further suggestions for additions to the plan be forwarded to the Principal Democratic Services Officer.

Chairman: _____

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Friday, 24th June, 2022
Place: Committee Room 4a - Civic Suite

22

Present: Councillor S George (Chair)
Councillors C Mulroney (Vice-Chair), M Davidson, I Gilbert, *K Buck
and *J Moyies

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: A Lewis, S Putt and M Bearn (Hays).

Start/End Time: 9.30 am - 11.00 am

53 Apologies for Absence

Apologies for absence were received from Councillors Cox (substitute: Cllr Moyies), Jarvis (substitute: Cllr Buck) and Cllr Shead.

54 Declarations of Interest

There were no declarations of interest at this meeting.

55 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.

56 Appointment of Chief Executive (Longlisting)

The Committee considered candidates for long-listing for the post of Chief Executive.

Resolved:

The Committee agreed a longlist of 8 candidates for the post of Chief Executive as set out below:

JB, GC, SM, RP, AG, SO, GS-M, RW

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Tuesday, 14th June, 2022
Place: Council Chamber - Civic Suite

23

- Present:** Councillor S George (Chair)
Councillors C Mulroney (Vice-Chair), P Collins, I Gilbert, K Mitchell,
M Terry and S Wakefield
- In Attendance:** Councillors M Berry, K Evans and R Woodley
T Forster, J Chesterton, C Gamble, G Gilbert, A Keating, L White and
J Gay
- Start/End Time:** 10.00 am - 10.50 am

44 Apologies for Absence

Apologies for absence were received from Councillor Burton.

45 Declarations of Interest

The following declarations of interest were made:

Councillor Mitchell – Agenda Item 6 (Adult Strategy Action Plans) and Agenda Item 7 (Annual Procurement Plan) – A close family member with learning disabilities is a resident in supported living; Chair of Hamlet Court Road Community Group and the Milton community builder supports this group; Agenda Item 9 (Debt Management Position as at 31st March 2022) – A family friend works in the finance department.

46 Minutes of the Meeting held on Tuesday, 22nd March 2022

Resolved:

That the Minutes of the Meeting held on Tuesday, 22 March 2022 be confirmed as a correct record and signed.

47 Delivery of Southend Outcomes & Priorities - Provisional Resources Outturn 2021/22 and Annual Report

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Southend 2050 Outcomes and Priorities Annual Report for 2021/22 and the provisional resources outturn for 2021/22.

Resolved:

1. That the achievements, successes and challenges brought to life within the Annual Report 2021/22 (Section 4 and Appendix 1 to the submitted report), be noted.

Recommended:

2. That the provisional 2021/22 revenue outturn position for both the General Fund (Section 5) and Housing Revenue Account (HRA) (Section 6), be noted and that the agreement of any final adjustments and the transfer of the actual final General Fund outturn position to the Business Transformation Reserve (Section 5.4 of the report) following the completion and audit of the Statement of Accounts be delegated to the Deputy Chief Executive and Executive Director (Finance and Resources).
3. That the appropriation of revenue funds to and (from) earmarked reserves, as set out in Section 5.19 to 5.25 (General Fund) and Section 6.6 (HRA) of the report, be approved.
4. That the potential revenue impact of the 2021/22 outturn on the 2022/23 General Fund budget and Medium Term Financial Strategy (Section 5.26 – 5.39 of the report), be noted.
5. That it be noted that the expenditure on the capital investment programme for 2021/22 totalled £68.969M against a revised budget of £78.632M (Sections 7.4 and 7.7 of the report).
6. That the relevant budget carry forwards and accelerated delivery requests totalling a net £11.759M moving into 2022/23 and future years, as set out in Appendix 2 to the report, be approved.
7. That the virements, reprofiles, additions, deletions and new external funding for schemes, as detailed in Appendix 2 to the report, be approved and it be noted that this will result in an amended Capital Investment Programme deliverable by the Council of £145.906M for the period 2022/23 to 2026/27, as detailed in Appendix 3 to the report.
8. That it be noted that the requested changes as detailed in Appendix 2 to the report will result in an amended total Capital Investment Programme deliverable by South Essex Homes Limited, Porters Place Southend-on-Sea LLP and Kent County Council of £55.759M, as detailed in Appendix 3 to the report.
9. That a review take place and appropriate consideration be given to the affordability and prioritisation of the current approved Capital Investment Programme and the schemes currently listed as subject to viable business cases.
10. That the content of the Infrastructure Funding Statement 2021/22 (included in Appendix 4 to the report), be noted and that the Main Fund receipts from reported year 2021/22 and previous reported years be carried forward until the CIL Governance Framework and spending plans are reviewed for the reported year 2022/23.
11. That the five-year deadline for spending the CIL Ward Neighbourhood Allocations be approved and extended for another three years from date of receipt (with the intention that at the end of that period any remaining neighbourhood allocations will be transferred to the CIL Main Fund).

12. That authority be delegated to the Executive Director for Growth and Housing (in consultation with Ward Members and the Cabinet Member for Environment, Culture and Tourism) to agree how the CIL Ward Neighbourhood Allocations received up until 31 March 2022 (excluding allocation to Leigh Town Council) are to be spent.

Reasons for decision:

1. To provide Cabinet with the provisional revenue and capital outturn position for 2021/22. As part of the year end processes, Cabinet is required to approve any appropriations to or from earmarked reserves.
2. Cabinet is required to approve capital budget carry forwards, accelerated delivery requests and in year amendments to the current approved programme.

Other options:

None

Note: The decision in 1 above constitutes an Executive Function. The decisions in 2-12 above constitute a Council Function.

Called in to: All three Scrutiny Committees

Cabinet Member: Cllr Collins

48 Waste Procurement

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) setting out the outcome of the early market engagement exercise in accordance with the Council decision of 24th March 2022 and highlighted the key points of feedback. The report also proposed the approach that should be set so that the formal procurement exercise can commence.

Resolved:

1. That the views of the market, be noted.
2. That the competitive dialogue process to be used for instructing bidders to submit two priced (outline) proposals at the end of Stage 1 of the process, be approved. One option being a mandated full weekly collection service and the second being an option proposed by the bidder that they might feel better achieves the Council's stated aims and objectives, specifically:
 - Recognise the declaration by the Council of a Climate Emergency in 2019 and the need to significantly reduce residual waste.
 - Comply with the Environment Act 2021 and its promulgated requirements for recycling (likely to be 65% by 2035) and other environmental matters and adaptability to further changes in legislation.
 - Satisfy the financial imperatives for the Council to ensure value for money principles are adhered to.
 - Follow the principles of the Waste Hierarchy.
 - Maximise the use of zero or low emission plant and fleet in the operation of the services.
 - Provide the best customer and digital experience for residents.
 - Consider the inclusion of a Commercial waste offering.

2. That a further report to the Cabinet comes forward at the appropriate time to select the service parameters (based on the results of the stage 1 submissions) for the second and final stage of the procurement process, resulting in each bidder being required to submit only one detailed, priced bid for final evaluation/award.

Reasons for decision:

As the market has stated it would be prepared to submit two priced outline proposals at the end of stage 1, this approach is proposed, rather than trying to agree the final model now without the associated costings.

Other options:

None.

Note: This is an Executive Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Collins

49 Adult Strategy Action Plans

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the proposed action plans for year one (2022/23) for the three Adult Social Care Strategies – Aging Well, Living Well and Caring Well.

Resolved:

1. That the 2022/23 annual action plans for the three Adult Social Care strategies, be approved.

2. That Cabinet review progress against the three Adult Social Care action plans in December 2022. (The action plans will be published with any updates and amendments and would be used to prepare the baseline for subsequent yearly action plans).

Reasons for decision:

To approve the 2022/23 annual action plans for the three Adult Social Care Strategies – Aging Well, Living Well and Caring Well.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Burton

50 Annual Procurement Plan

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting details of the £1m plus projects listed within the 2022/23 annual procurement plan as well as a full 5 Year Procurement Plan '2022-27'.

Resolved:

1. That the procurements with a contract value in excess of £1m, as set out in Appendix 1 to the submitted report, be approved.
2. That the full 5 year procurement plan for 2022-27 (contracts with a value of £25k inclusive of VAT and above which will required procurement support/advice) and that this will be subject to change and annual reviews, be noted.
3. That it be noted that the capital projects (2022-27) approved by Cabinet as part of the capital programme, and with a value of over £25k, have also formed part of the final procurement plan for 2022/23 and the full 5 Year Procurement Plan 2022-27. These will also be subject to change as the capital programme is reviewed.
4. That it be noted that once the Government have concluded the Public Procurement Reform (expected in 2023/24) it is expected that it will be a mandatory requirement for the public sector to publish their future procurement plan (pipeline plans) and so the 5 year plan will provide that mechanism to publicly report.
5. That it be noted that the Council's contracts, values and suppliers are already publicly available through the Council's spend transparency reports (£500 plus) and also the UK Contracts Finder website where Council's are required to publish any contracts awarded that have a value above £25k.

Reasons for decision:

1. Approval of the Council's annual procurement plan is a requirement under Part 4g of the Council's Constitution.
2. The development of comprehensive contracts register and 5 year procurement plan provide benefits in terms of the Council's commissioning plans, financial planning as well as future planning for suppliers and local businesses.
3. The 5 year plan will also align with the anticipated requirements once the UK Public Procurement Reform is approved by Government.

Other options:

Annual approval of the Council's procurement plan is required under the Council's Constitution. The Cabinet could decide to just publish an annual plan but the development of a full 5 year procurement plan will assist the Council and businesses in their resource and future planning. The move to a 5 year plan will also align with the anticipated requirements once the UK Public Procurement Reform is finalised by Government.

Note: This is an Executive Function.

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

Cabinet Member: Cllr Collins

51 Treasury Management Report 2021/22

The Cabinet considered a report of the Executive Director (Finance and Resources) covering the treasury activity for the period April 2021 to March 2022 and reviewed performance against the Prudential Indicators for 2021/22.

Resolved:

1. That the Treasury Management Report for 2021/22 and the outturn Prudential Indicators for 2021/22, be approved.

2. That it be noted that the financing of 2021/22 capital expenditure of £68.969m has been funded in accordance with the schedule set out in Table 2 of Section 4 of the submitted report.

3. That it be noted that the Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2021/22.

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

- The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
- £1.593m of interest and income were earned during 2021/22 at an average rate of 0.97%. This is 0.83% over the SONIA rate (Sterling Overnight Index Average) and 0.78% over the average bank base rate. Also, the value of the externally managed funds increased by a net of £4.801m due to the changes in the unit price, giving a combined return of 3.89%.
- 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) started the year at £310.3m and increased to £347.3m (Housing Revenue Account (HRA): 74.2m, General Fund (GF): £273.1m) by the end of 2021/22.
- The level of financing for 'invest to save' schemes decreased from £8.53m to 8.39m by the end of 2021/22.

5. That the limit on deposits with any one Property Fund be increased from £25m to £30m.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2021/22 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

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

Note; This is an Executive Function

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

Cabinet Member: Cllr Collins

52 Debt Management Position to 31st March 2022

The Cabinet considered a report of the Executive Director (Finance and Resources) concerning the position of outstanding debt to the Council as at 31st March 2022 and debts that have been written off, or recommended for write off, in the current financial year as at 31st March 2022.

Resolved:

1. That the current outstanding debt position as at 31st March 2022 and the position of debts written off to 31st March 2022 as set out in Appendices A & B to the submitted report, be noted.
2. That it be noted that no write offs greater than £25,000 need Cabinet approval on this occasion.

Reason for Decision:

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

Other Options:

None.

Note: This is an Executive Function

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

Cabinet Member: Cllr Collins

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 27th June, 2022
Place: Committee Room 1 - Civic Suite

24

Present: Councillor M Berry (Chair)
Councillors N Folkard and A Jones

In Attendance: E Anakwue, T Row, Bahannack and A Byrne

Start/End Time: 10.30 am - 12.15 pm

57 Apologies for Absence

There were no apologies for absence.

58 Declarations of Interest

No interests were declared at the meeting.

59 Application for Grant of Premises Licence - Picante, 55 Broadway, Leigh on Sea, Essex SS9 1PE

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Picante Ltd. for the grant of a Premises Licence at Picante, 55 Broadway, Leigh-on-Sea, SS9 1PE.

The application was presented by the Mr Paul Richards (21st Century Licensing), the Applicants' Licensing Consultant. Mr Ahmed (the Director) was also in attendance and gave evidence.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although conditions had been agreed with the Licensing Authority and Environmental Health, both acting as a Responsible Authority during the consultation period, should the application be granted. These conditions were set out in Appendix 2 to the report of the Council's Executive Director (Neighbourhoods and Environment).

Eighteen (18) representations had, however, been received from local residents and Leigh Town Council objecting to the application. Leigh Town Council and two of the residents subsequently withdrew their objections following dialogue with the applicant's agent.

A further resident also withdrew their objections following dialogue with the applicant's agent and an agreement to amend the hours sought for licensable activities and the premises were open the public.

Copies of all the remaining valid representations were provided to the sub-committee.

Two of the objectors, namely Mr Lindop and Ms Weight attended the meeting and gave evidence.

The objections/representations essentially related to all four of the licensing objectives.

To alleviate some of the concerns raised at the hearing, the applicant amended the application as follows:

Hours open to the public;
Mondays to Saturdays inclusive: 08.00 to 00.00
Sundays 08.00 to 23.00

Hours for the sale of alcohol on and off the premises:
Mondays to Saturdays inclusive: 11.00 to 00.00
Sundays 08.00 to 23.00

Hours for late night refreshment:
Mondays to Saturdays inclusive: 08.00 to 00.00

Condition 1 to now read:

The premises shall operate as a restaurant. This shall mean that, at all times, alcohol shall not be made available to customers unless they are engaged in waiting to consume, consuming or have consumed a meal at the premises.

In determining the application, the sub-committee had regard to the Statutory Guidance Notes and Southend-on-Sea City Council's Statement of Licensing Policy. It considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The sub-committee concluded that, on the basis of the evidence presented to it, the problems of noise, disturbance and anti-social behaviour could not be attributed to the premises. The Police and Environmental Health Service were both experts in their respective fields (paragraph 9.12 of the Revised Guidance issued under section 182 of the Licensing Act 2003 refers) and neither had objected to the application. Furthermore, a key protection for the community where problems associated with the licensing objectives occur, was the possibility of reviewing the licence.

The sub-committee therefore did not consider that the promotion of the licensing objectives would be undermined by the granting of the application, as amended at the hearing, subject to the imposition of appropriate conditions. It therefore:-

Resolved:

That the amended application for Premises Licence at Picante, 55 Broadway, Leigh on Sea SS9 1PE be granted subject to:

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

(ii) The conditions drawn from the Operating Schedule, agreed with the Licensing Authority, as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Condition 1 (as reflected in Appendix of the report) to now read:

Condition 1 to now read:

The premises shall operate as a restaurant. This shall mean that, at all times, alcohol shall not be made available to customers unless they are engaged in waiting to consume, consuming or have consumed a meal at the premises.

For clarity the licensable hours are: Hours open to the public;
Mondays to Saturdays inclusive: 08.00 to 00.00
Sundays 08.00 to 23.00

Hours for the sale of alcohol:
Mondays to Saturdays inclusive: 11.00 to 00.00
Sundays 08.00 to 23.00

Hours for late night refreshment:
Mondays to Saturdays inclusive: 08.00 to 00.00

Chair: _____

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Notice of Motion

Create a Public Facing ‘Wall of Shame’ in order to Tackle Fly-Tipping and Environmental Crime

32

Southend-on-Sea City Council notes that:

Residents are frustrated and feel passionately that the fly-tipping problem in Southend-on-Sea has become unacceptable. Fly-tipping ruins our street scene and poses a genuine threat to our environment.

Clearing up incidents of fly-tipping comes at a significant financial cost the Council, which currently has to be built into the cost of our waste collection contract. If we were able to demonstrate a decrease in fly-tipping we would be in a strong position to negotiate a waste contract which provides better value for money for our local taxpayers. Saving money where we can is particularly important in the wake of the year-on-year cuts to Local Authority funding coming from central Government.

Our city needs an innovative solution to our perpetual fly-tipping problem.

Creating a ‘wall of shame’ to expose those who are caught in the act of dumping rubbish would be a cost-effective tool and would almost certainly see a sharp drop in offences shortly after launch. Our newfound City-status offers us a unique opportunity to rebrand and rebuild our website, into which we can create the exhibition interface for such a scheme.

Traditional enforcement methods can prove costly to the Council in legal fees. Additionally, fines are frequently ineffective deterrents as a fine disproportionately punishes those who cannot afford to pay it, whereas businesses or wealthier individuals may see a penalty fine as ‘worth the risk’. Public exposure on the other hand, is not the kind of press that any person or business wants.

When considering a scheme such as this, serious attention should be given to the fact that a share of the blame for these crimes is owed to landlords who fail to provide their tenants with adequate waste storage space.

On the issue of fly-tipping, Councillors and our residents are in strong agreement - fly-tipping is totally unacceptable and we are not willing to simply put up with it.

Southend-on-Sea City Council therefore resolves:

To create a public facing “Wall of Shame” on Southend-on-Sea City Council’s website. This page will be populated by a web-series of videos, showcasing incidents of fly-tipping caught on camera.

The video clips will be compiled into short ‘episodes’ and narrated over in order to make them both informative and entertaining. In a similar fashion to popular long running crime watch shows, our web series will allow viewers to write or call in and help to identify unknown individuals responsible - further supporting traditional enforcement.

The Council will continue to extend our City’s CCTV network and, in addition to the current areas of interest, this should prioritise coverage of Southend’s major fly-tipping hotspots. A ‘Wall of Shame’ scheme will improve the Council’s ability to enforce against environmental crimes and discourage people from offending.

For transparency, this new section of the Council’s website should include a display which tracks statistics including: the number of fly-tipping fines handed out by the Council, the tonnage of fly-tipping collected, and the number of landlords prosecuted.

This Council resolves to reinstate the sense of pride in our streets that residents long to return to.

Proposer

Cllr Aston Line

Seconded

Cllr Maxine Sadza

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