

# Public Document Pack

## Southend-on-Sea City Council

Civic Centre  
Southend-on-Sea

7 December 2022



Dear Sir or Madam,

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, 15th December, 2022 at 6.30pm** for the transaction of the following business.

R Polkinghorne  
Chief Executive

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

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Meeting held Thursday, 20 October 2022 (Pages 1 - 12)**  
Minutes attached
- 7 Minutes of the meeting of Development Control Committee held Wednesday, 12 October 2022 (Pages 13 - 34)**  
Minutes attached
- 8 Minutes of the meeting of Appointments and Disciplinary Committee held Thursday, 27 October 2022 (Pages 35 - 36)**  
Minutes attached
- 9 Minutes of the meeting of Development Control Committee held Wednesday, 2 November 2022 (Pages 37 - 56)**  
Minutes attached
- 10 Minutes of the meeting of Appeals Committee A held Monday, 7 November 2022 (Pages 57 - 58)**  
Minutes attached

- 11 Minutes of the meeting of Cabinet Committee held Monday, 7 November 2022 (Pages 59 - 62)**  
Minutes attached
- 12 Minutes of the meeting of Cabinet held Tuesday, 8 November 2022 (Pages 63 - 78)**  
Minutes attached
- 13 Minutes of the meeting of Special Place Scrutiny Committee held Thursday, 10 November 2022 (Pages 79 - 80)**  
Minutes attached
- 14 Minutes of the meeting of Appointments and Disciplinary Committee held Thursday, 10 November 2022 (Pages 81 - 82)**  
Minutes attached
- 15 Minutes of the meeting of Special Policy and Resources Scrutiny Committee held Tuesday, 15 November 2022 (Pages 83 - 84)**  
Minutes attached
- 16 Minutes of the meeting of Audit Committee held Wednesday, 23 November 2022 (Pages 85 - 88)**  
Minutes attached
- 17 Minutes of the meeting of Licensing Sub-Committee A held Monday, 28 November 2022 (Pages 89 - 90)**  
Minutes attached
- 18 Minutes of the meeting of Place Scrutiny Committee held Monday, 28 November 2022 (Pages 91 - 96)**  
Minutes attached
- 19 Minutes of the meeting of People Scrutiny Committee held Tuesday, 29 November 2022 (Pages 97 - 102)**  
Minutes attached
- 20 Minutes of the meeting of Development Control Committee held Wednesday, 30 November 2022 (Pages 103 - 122)**  
Minutes attached
- 21 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 1 December 2022 (Pages 123 - 126)**  
Minutes attached
- 22 Changes to the Constitution (Pages 127 - 130)**  
Report of Executive Director (Strategy, Change and Governance) attached
- 23 Local Council Tax Support Scheme 2023/24 (Pages 131 - 138)**  
Report of Executive Director (Finance and Resources)
- 24 Appointments to Committees, etc**
- 25 Opposition Business - Use of Section 106 Contributions**

# Public Document Pack

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of The Council

**Date: Thursday, 20th October, 2022**  
**Place: Council Chamber - Civic Suite**

# 6

**Present:** Councillor K Robinson (Chair)  
Councillors B Beggs, M Berry, M Borton, H Boyd, K Buck, S Buckley, 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, J Harland, B Hooper, L Hyde, D Jarvis, A Jones, D Jones, M Kelly, J Lamb, A Line, R McMullan, K Mitchell, J Moyies, C Mulroney, K Murphy, M O'Connor, M Sadza, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren and R Woodley

**Start/End Time:** 6.30 pm - 9.50 pm

#### 370 Apologies for Absence

Apologies for absence were received from Councillors Nelson and Wexham.

#### 371 Declarations of Interest

- **Councillor Borton**

**Development Control Committee – 6 July 2022**

22/00899/FULH (24 Old School Court, Shoeburyness) – Whilst at the site visit an occupant of one of the adjacent properties to the application introduced themselves who the Councillor had met during her mayoral year at an event organised by the YMCA;

**Licensing Sub-Committee B – 11 August 2022**

Minute 218 (East Beach, Shoeburyness Application for Grant of Premises Licence) – The application has been submitted by the Council and the staff in attendance to present the application were known to her;

**Place Scrutiny Committee – 30 August 2022**

Minute 239 (Leisure Services) – Non-Executive Director on Board of South Essex Homes mentioned in the report;

- **Councillor Boyd**

**Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

Minute 364 (Draft Private Rented Sector Housing Enforcement Policy 2022) - Local private sector landlord of property within Southend-on-Sea.

- **Councillor Burton**

- **People Scrutiny Committee – 31 August 2022**

- Minute 256 (Passenger Transport Services – Performance Monitoring) – Employed as a teacher at a school outside Southend-on-Sea;

- **People Scrutiny Committee – 11<sup>th</sup> October 2022**

- Minute 356 (Passenger Transport Services - Performance Monitoring) Employed as a teacher at a school outside Southend-on-Sea that has pupils that are resident within the City.

- **Councillor Collins**

- **Development Control Committee – 6 July 2022**

- 21/00161/FULM (659-665 London Road, Westcliff-on-Sea) – Has spoken to residents about this application but expressed no opinion on the matter; 22/01051/FUL (366 Rayleigh Road, Eastwood) – On prior applications on this site received numerous communications and has reported back on those previous applications and their outcomes and have made no comment about this application before the Committee;

- **Policy and Resources Scrutiny Committee – 1 September 2022**

- Minute 265 (Fees and Charges Update) – Lobbied by residents with regard to the introduction of charges for Zone 3 car park within ward;

- **Councillor Cowdrey**

- **People Scrutiny Committee – 11<sup>th</sup> October 2022**

- Minute 350 (Resourcing Better Outcomes - Finance and Corporate Performance Report 2022/23) - Member of Southend Fostering Panel; Minute 351 (Options for the Procurement of the Voluntary Sector Infrastructure Contract) - Practice educator for social work student at Citizen's Advice; Minute 355 (SEND Peer Review) and Minute 356 (Passenger Transport Services - Performance Monitoring) - Practice educator for social work student at St. Nicholas Special School;

- **Councillor Davidson**

- **Audit Committee – 20 July 2022**

- Minute 176 (Head of Internal Audit Annual Report) – Executive Director of South Essex Homes (SEH);

- **Place Scrutiny Committee – 30 August 2022**

- Minute 239 (Leisure Services) – Non-Executive Director on Board of South Essex Homes mentioned in the report;

- **Councillor Dear**

- **Licensing Sub-Committee B – 11 August 2022**

- Minute 218 (East Beach, Shoeburyness Application for Grant of Premises Licence) – The application has been submitted by the Council and the staff in attendance to present the application were known to him;

- **Councillor Faye Evans**

- **Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

- Minute 364 (Draft Private Rented Sector Housing Enforcement Policy 2022) - Local private sector landlord of property within Southend-on-Sea.

- **Councillor Keith Evans**

- **People Scrutiny Committee – 11<sup>th</sup> October 2022**

- Minute 351 (Options for the Procurement of the Voluntary Sector Infrastructure Contract) - Family member employed by the Trust Links mental health and wellbeing charity.

- **Councillor D Garston**

- **Development Control Committee – 27 July 2022**

- 22/01046/FUL (32 Cobham Road, Westcliff-on-Sea) – The agent who responded to the public speaker is known to him;

- **Councillor Gilbert**

- **Place Scrutiny Committee – 10<sup>th</sup> October 2022**

- Minute No. 337 (City Centre Strategy & Investment Plan) – Place of employment is located close to City Centre;

- **Councillor Hyde**

- **People Scrutiny Committee – 31 August 2022**

- Minute 254 (Annual Public Health Report) – Mother works for EPUT;

- **Policy and Resources Scrutiny Committee – 1 September 2022**

- Minute 265 (Fees and Charges Update) – Voluntary youth group leader within Southend-on-Sea;

- Minute 266 (Association of South Essex Local Authorities – Joint Committee) – Employer involved with Freeports;

### **Place Scrutiny Committee – 10<sup>th</sup> October 2022**

Minute No. 338 (Endorsement of Transport East Transport Strategy) – Subject matter refers to a Disclosable Pecuniary Interest (main employment) (withdrew for this item);

- **Councillor Hooper**

### **People Scrutiny Committee – 11<sup>th</sup> October 2022**

Minute 355 (SEND Peer Review) - Director of Blade Education, a not-for-profit company that works with local SEND children and MENCAP.

- **Councillor A Jones**

### **Development Control Committee – 6 July 2022**

21/00161/FULM (659-665 London Road, Westcliff-on-Sea) – Neighbouring shop premises has been acquired by SVP, an organisation known to her;

### **Licensing Sub-Committee A – 17 August 2022**

Minute 221 (The Ironworks, 90 The High Street Application for Grant of Premises Licence) – Had met the Applicant during the course of her work. The interest was not so significant to disqualify from considering the application.

### **Policy and Resources Scrutiny Committee – 1 September 2022**

Minute 266 (Association of South Essex Local Authorities – Joint Committee) – Partner employed by a member organisation of the ASELA partnership;

### **Place Scrutiny Committee – 10<sup>th</sup> October 2022**

Minute No. 336 (Resourcing Better Outcomes – Finance and Corporate Performance Report 2022/23 – Period 4) – Civic Tower Block is mentioned and two of her sons are employed at the Council but work from home most of the time;

Minute 337 (City Centre Strategy & Investment Plan) – Buses and C2C mentioned and two of her sons work in those organisations;

Minute 338 (Endorsement of Transport East Transport Strategy) – Husband works for Fords and in the port, a son works for C2C, a son works for the Council's Strategic Passenger Transport and another son works in skills and recruitment within the Council.

### **Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

Minute 362 (Resourcing Better Outcomes – Finance and Corporate Performance Report 2022/23 – Period 4) - Family member employed on a temporary contract by the Council.

- **Councillor Line**

- **Licensing Sub-Committee A – 17 August 2022**

- Minute 221 (The Ironworks, 90 The High Street Application for Grant of Premises Licence) – Had met the Applicant during the course of his work. The interest was not so significant to disqualify from considering the application.

- **Councillor McMullan**

- **Place Scrutiny Committee – 30 August 2022**

- Minute 234 (Questions from members of the public) – One of the questioners is known to him as a member of the Liberal Democrat Party;

- **Policy and Resources Scrutiny Committee – 1 September 2022**

- Minute 265 (Fees and Charges Update) – Lobbied by residents with regard to the introduction of charges for Zone 3 car park within ward;

- **Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

- Minute 364 (Draft Private Rented Sector Housing Enforcement Policy 2022) - Local private sector landlord of property within Southend-on-Sea.

- **Councillor Mitchell**

- **Cabinet – 26 July 2022**

- Minute 191 (Corporate Risk Register) and Minute 192 (Annual Public Health Report) – A Better Start Southend (ABSS) is in partnership with Hamlet Court Road in Harmony Community Group – the Councillor is the Chair of this group;

- **People Scrutiny Committee – 31 August 2022**

- Minute 254 (Annual Public Health Report) – Chair of Hamlet Court Road in Harmony Community Group working with ABSS who are mentioned in the report;

- **Health and Wellbeing Board – 7<sup>th</sup> September 2022**

- Minute 299 (A Better Start Southend (ABSS) is in partnership with Hamlet Court Road in Harmony Community Group – the Councillor is the Chair of this group;

- **People Scrutiny Committee – 11<sup>th</sup> October 2022**

- Minute 351 (Options for the Procurement of the Voluntary Sector Infrastructure Contract) - The Council's appointed representative on the Southend Association of Voluntary Services Board and the Chair of the 'Hamlet Court Road in Harmony' group that has received Community Investment Board funding.

- **Councillor Mulroney**

**Development Control Committee – 27 July 2022**

22/01046/FUL (32 Cobham Road, Westcliff-on-Sea) – The objector who spoke at the meeting is known to her;

- **Councillor Murphy**

**People Scrutiny Committee – 31 August 2022**

Minute 254 (Annual Public Health Report) – works for the NHS;

- **Councillor Sadza**

**Development Control Committee – 6 July 2022**

22/01015/FUL (1-3 Westcliff Avenue, Westcliff-on-Sea) – Attended site visit with developers and other Milton Councillors;

**Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

Minute 364 (Draft Private Rented Sector Housing Enforcement Policy 2022) - Member of the ACORN community union.

- **Councillor Salter**

**People Scrutiny Committee – 31 August 2022**

Minute 254 (Annual Public Health Report) – Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a GP in Southend-on-Sea;

**Health and Wellbeing Board – 7<sup>th</sup> September 2022**

Minute 300 (ICS Update) and Minute 302 (Developing the South East Essex Alliance Plan) – Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a GP in Southend-on-Sea.

- **Councillor Thompson**

**Licensing Sub-Committee B – 11 August 2022**

Minute 218 (East Beach, Shoeburyness Application for Grant of Premises Licence) – The application has been submitted by the Council and the staff in attendance to present the application were known to him;



- **Councillor Wakefield**

**Policy and Resources Scrutiny Committee – 13<sup>th</sup> October 2022**

Minute 364 (Draft Private Rented Sector Housing Enforcement Policy 2022)  
- Local private sector landlord of property within Southend-on-Sea.

- **Councillor Wexham**

**Place Scrutiny Committee – 30 August 2022**

Minute 239 (Leisure Services) – Non-Executive Director on Board of South Essex Homes mentioned in the report;

**Officer Interests**

**Development Control Committee – 27 July 2022**

- G. Gilbert – 22/00702/FUL (38A Burdett Avenue, Westcliff-on-Sea) – He is the applicant and owner of the property (withdrew)

**Cabinet – 28<sup>th</sup> September 2022**

A Lewis – Minute 326 (SO46 Report relating to Porters Place LLP) - Council appointed representative on the Porters Place LLP Board.

- **Place Scrutiny Committee – 10<sup>th</sup> October 2022**

- A Lewis - Minute No. 337 (City Centre Strategy & Investment Plan) and Minute No. 341 (SO46 Report) – Better Queensway: Council appointed representative on the Porters Place LLP Board.

## **372 Communications**

(a) Minutes Silence – Her Majesty the Queen

The Council paid special tribute to Her Majesty the Queen for her long service and dedication to the country and remained silent for one minute as a mark of respect.

(b) Minutes Silence – Sir David Amess, Graham Longley and Kristina Jackson

- The Council remained silent for one minute as a mark of respect to Sir David Amess, Graham Longley (former Mayor, Councillor and Honorary Alderman) and Kristina Jackson (former Chief Executive of SAVS)

The Council paid special tribute to Sir David to mark the first anniversary of his tragic death.

The Council was presented with artwork by Helen Yousaf entitled 'Grief and Compassion' which was commissioned by Love Southend for the family of Sir David Amess following his tragic murder.

**373 Questions from the Public**

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

**374 Questions from Councillors**

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

**375 Minutes of the Special meeting held Tuesday, 5 July 2022**

Resolved:

That the minutes of the meeting held on Tuesday, 5 July 2022, be confirmed and signed as a correct record.

**376 Minutes of the meeting held Thursday, 14 July 2022**

Resolved:

That the minutes of the meeting held on Thursday, 14 July 2022, be confirmed and signed as a correct record.

**377 Minutes of the Extraordinary Meeting held on Monday, 22 August 2022**

Resolved:

That the minutes of the meeting held on Monday, 22 August 2022, be confirmed and signed as a correct record.

**378 Minutes of the meeting of Development Control Committee held Wednesday, 6 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**379 Minutes of the meeting of Licensing Sub-Committee B held Monday, 11 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**380 Minutes of the meeting of Audit Committee held Wednesday, 20 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**381 Minutes of the meeting of Cabinet held Tuesday, 26 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**382 Minutes of the meeting of Development Control Committee held Wednesday, 27 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**383 Minutes of the meeting of Licensing Sub-Committee A held Thursday, 28 July 2022**

Resolved:

That the minutes of this meeting, be noted.

**384 Minutes of the meeting of Licensing Sub-Committee B held Thursday, 11 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**385 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 17 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**386 Minutes of the meeting of Special Cabinet held Wednesday, 24 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**387 Minutes of the meeting of Licensing Sub-Committee B held Wednesday, 24 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**388 Minutes of the meeting of Place Scrutiny Committee held Tuesday, 30 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**389 Minutes of the meeting of People Scrutiny Committee held Wednesday, 31 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**390 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 1 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**391 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 5 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**392 Minutes of the meeting of Development Control Committee held Wednesday, 31 August 2022**

Resolved:

That the minutes of this meeting, be noted.

**393 Minutes of the meeting of Appeals Committee B held Monday, 5 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**394 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 7 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**395 Minutes of the meeting of Health and Wellbeing Board held Wednesday, 7 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**396 Minutes of the meeting of Licensing Sub-Committee B held Monday, 26 September 2022**

Resolved:

That the minutes of this meeting, be noted.

**397 Minutes of the meeting of Cabinet held Thursday, 29 September 2022**

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 314 (Resourcing Better Outcomes) and Minute 322 (Feed and Food Control Service Plan 2022-23), be approved.

**398 Minutes of the meeting of General Purposes Committee held Wednesday, 5 October 2022**

Resolved:

That the minutes of this meeting, be noted.

**399 Minutes of the meeting of Place Scrutiny Committee held Monday, 10 October 2022**

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 340 (Feed and Food Control Service Plan – Cabinet Minute 322 refers), be approved.

**400 Minutes of the meeting of People Scrutiny Committee held Tuesday, 11 October 2022**

Resolved:

That the minutes of this meeting, be noted.

**401 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 13 October 2022**

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 350 (Resourcing Better Outcomes – Cabinet Minute 314 refers), be approved.

**402 Notice of Motion - Better Play**

Resolved:

That the Notice of Motion concerning the improvement to all play areas in Southend by 2030, be referred to the Environment, Culture and Tourism Working Party.

**403 Notice of Motion - Webcasting**

Resolved:

That the Notice of Motion concerning webcasting of public meetings in the Civic Centre Committee Rooms, be referred to the Corporate Matters and Performance Delivery Working Party.

**404 Notice of Motion - Protected Characteristic for Care Experienced People**

Resolved:

That the Notice of Motion concerning the protected characteristic for care experienced people, be referred to the Corporate Matters and Performance Delivery Working Party.

**405 Appointments to Committees, etc**

Resolved:

That the list of membership changes and appointments to Committees, etc, as appended to the minutes, be approved.

**406 Departure of Andy Lewis, Chief Executive**

The Worshipful the Mayor informed Councillors that Andy Lewis, Chief Executive will be leaving the Council and this was his last Full Council meeting.

On behalf of the Council, the Mayor expressed his appreciation and thanks to Andy for his sterling work and excellent service and wished him all the very best for the future.

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

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 12th October, 2022**

**Place: Council Chamber - Civic Suite**

# 7

**Present:** Councillor N Ward (Chair)  
Councillors M Berry, T Cowdrey\*, A Dear, M Dent, F Evans,  
D Garston, S Habermel, D Jarvis, A Jones, C Mulrone, M Sadza,  
I Shead, A Thompson and C Walker  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillors S Buckley, D Cowan and J Lamb  
G Gilbert, K Waters, C Galforg, O Hart, P Keyes, S Mouratidis,  
T Row, H Thompson, M Warren and G Fairley

**Start/End Time:** 2.00 pm - 4.30 pm

#### 407 Apologies for Absence

Apologies for absence were received from Councillor Buck (no substitute) and Councillor Borton (substitute: Councillor Cowdrey).

#### 408 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Cowdrey – Application Ref. No. 22/00507/FULH (36 Sutton Road, Southend-on-Sea) – Spoke on behalf of objectors to the application (withdrew from the meeting for this item after making a statement on the grounds of predetermination);

(ii) Councillor Dent – Application Ref. No. 22/00507/FULH (36 Sutton Road, Southend-on-Sea) – Has had correspondence with objectors to the application;

(iii) Councillor D Garston – Application Ref. No. 22/00601/FULM (Memory House, 6 - 9 Marine Parade, Leigh-on-Sea) – Applicant is known to him;

(iv) Councillor Jarvis – Enforcement of Planning Control Ref. No. 20/00026/UNAU\_B (79 The Drakes, Shoeburyness) – Has been a radio amateur for 66 years and a member of the Radio Society of Great Britain (withdrew from the meeting for this item after making a statement);

(v) Councillor A Jones – Application Ref. No. 22/01214/BC3 (Land Adjacent to 85 Lundy Close, Eastwood) – Was a Cabinet Member when the decision to develop the site was approved (withdrew);

(vi) Councillor A Jones – Application Ref. No. 22/01332/FUL (29A Ceylon Road, Westcliff-on-Sea) – Friend lives in the same road as the application site;

(vii) Councillor – Application Ref. No. 22/01214/BC3 (Land Adjacent to 85 Lundy Close, Eastwood) – Cabinet Member (withdrew); and

(viii) Councillor Sadza – Application Ref. No. 22/01332/FUL (29A Ceylon Road, Westcliff-on-Sea) – Has been in correspondence with the neighbour to the application site.

**409 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.

**410 22/00601/FULM - Memory House, 6 - 9 Marine Parade, Leigh-on-Sea (West Leigh Ward)**

**Proposal: Demolish existing building and erect replacement Care Home (Class C2) comprising of 50 Bed Care Units with private amenity space, landscaped frontage, refuse and cycle stores to rear, and lay out parking at rear (Amended Proposal)**

**Applicant: Mr Sanders**

**Agent: Mr Stewart Rowe of The Planning and Design Bureau Ltd.**

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 3 years beginning with the date of this permission.

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

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

001 Rev H; 2473-19-PB-19 Issue 1; 36313\_T Rev 0; WD05 Rev B; 011 Rev A; PA01 Rev A; PA02 Rev A; PA03 Rev A; PA04A; PA05A; PA04 Rev A; PA05 Rev A; PA06; PA07 Rev A; PA08; PA09; 205390/AT/A01 Rev D; 9628-D-AIA Rev A

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

03 Notwithstanding the information submitted with the application, with the exception of site preparation and demolition, no development above ground level shall take place until full details of the materials to be used on all the external elevations of the building have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall only be carried out and completed in accordance with the approved details.

Reason: To safeguard the character and appearance of the surrounding area in accordance with the National Planning Policy Framework (2021), Policies DM1 and DM3 of the Development Management Document (2015), Policies KP2 and CP4 of the Core Strategy (2007) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).



04 The soft landscaping details including planting and maintenance shall be incorporated in full accordance with the details outlined in the submitted landscape plan (001 Rev H) within the first planting season following first use of the development hereby approved or, any alternative details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The trees to be planted must be 'semi-mature' as defined by the British Standards Institution and Horticultural Trades Association.

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

Reason: To safeguard the character and appearance of the surrounding area in accordance with the National Planning Policy Framework (2021), Policies DM1 and DM3 of the Development Management Document (2015), Policies KP2 and CP4 of the Core Strategy (2007) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009)..

05 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the development in accordance with Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

06 No development shall take place on site unless and until a detailed Arboricultural Method Statement and Tree Protection Plan for those 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. This will include the following; fencing type, ground protection measures, "no dig surfacing", access facilitation pruning specification, project phasing and an extensive auditable monitoring schedule. 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).

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition works shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play

equipment, refuse or other storage units, signs, lighting etc.). The approved hard landscaping works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

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

Reason: In the interests of providing sustainable development and to minimise the environmental impact of the development in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

09 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 in perpetuity thereafter.

Reason: In the interests of providing sustainable development and to minimise the environmental impact of the development in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

10 Prior to the first use or occupation of the development, 17 parking spaces shall be provided at the site in full accordance with plan number 'WD05 Rev B' and at least 4 spaces shall be provided with active electric vehicle charging infrastructure with the rest of the spaces being fitted with passive electric vehicle charging infrastructure. The approved parking facilities and active electric vehicle charging infrastructure shall be retained thereafter in perpetuity only for the use of the occupiers, staff and visitors to the site.

Reason: To ensure that adequate vehicular parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and the Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021).

11 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no part of the development shall be occupied or brought into use until details of refuse and recycling facilities, a waste management plan and

service plan have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall thereafter be provided and made available for use in accordance with the approved details before first occupation of any of the development and shall be permanently maintained thereafter. Waste management and servicing of the development shall only take place in accordance with the approved details.

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

12 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, details of secure cycle storage (including elevations) shall be submitted to and agreed in writing by the Local Planning Authority under the provisions of this condition. The secure cycle storage shall be provided at the site and made available for the use of staff and residents or their visitors in accordance with the agreed details prior to first occupation of the development. The cycle storage shall be maintained as approved for the lifetime of the development.

Reason: In the interests of accessibility and visual amenity further to the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007), and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

13 The development hereby approved, for purposes falling within Use Class C2, shall only be occupied as a specialist residential care home for up to 50 residents within the client group identified in the application form, and shall not be used for any other purpose, including any other purpose within Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any act amending or re-enacting that Order, or any change of use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended or any act amending or re-enacting that Order.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use within the Use Class specified so that occupation of the premises does not prejudice amenity, and to avoid an overprovision or otherwise unsustainable provision of residential care uses, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), and Policy DM9 of the Southend-on-Sea Development Management Document (2015).

14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control the emission of noise, dust and dirt during

construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

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

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

16 Notwithstanding the submitted drainage details which are otherwise agreed, no drainage infrastructure associated with the development hereby approved shall be installed until details of surface water attenuation for the site, based on Sustainable Urban Drainage principles, have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. Specifically, such details shall have regard to the following;

1) A drainage plan must be provided showing the site drainage, connections to existing drainage systems and details of how these connections will be made. This must also show all SuDS and attenuation features.

2) An agreement in principle from Anglian Water must be provided confirming agreement of the new connection type, location and discharge rate.

The development shall only be implemented in accordance with the details approved under this condition and the conclusions and recommendations outlined in the Storm Drainage Strategy by DWW Consulting (Dated 10/08/2022). The approved drainage works shall be provided on site prior to first occupation of the development and shall be maintained in good working condition for the lifetime of the development.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2021) and Core Strategy (2007) Policies KP1 and KP2.

17 Details of the biodiversity enhancement measures outlined in the findings, recommendations and conclusions of the Phase 1 and 2 Bat and Nesting Bird survey undertaken by Ridgeway Ecology Ltd dated 02.09.2020 shall be incorporated in full prior to first use of the development hereby approved and maintained for the lifetime of the development.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and CP4.

18 Prior to first use of the development hereby approved, a Noise Impact Assessment must be conducted by a competent person to assess the potential impacts from plant and equipment including extract ventilation when operating at its maximum speed. Output shall be limited to 10 dB(A) below the background noise level, which is expressed as a LA90,15minutes at the boundary of the nearest residential property.

The assessment must be made using the appropriate standards and methodology for the noise sources and best practice with background noise levels established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

In order to establish background noise level a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest residential properties so that noise will not cause a statutory nuisance. This shall be undertaken by a suitably competent person.

A report on that impact assessment, which must include any necessary mitigation measures required for the development hereby approved, must be submitted to the Local Planning Authority for approval. Details of how noise and vibration will be attenuated together with a maintenance schedule for the future operation of that equipment must also be submitted to and approved in writing by the Local Planning Authority.

The development must be implemented in full accordance with the mitigation and other details submitted in the report approved under this condition before it is first occupied and must thereafter be maintained as such in perpetuity

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

19 Prior to first occupation of the development hereby approved, the first-floor side windows serving the stairwell to the north-eastern most part 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 room or area served by that window, 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 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).

20 As the development hereby approved is taller than the adjacent properties, no development above ground floor slab level shall take place until a third-party assessment to satisfy London Southend Airport has been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition.

Reason: To avoid a significantly harmful impact on air traffic, in accordance with the Core Strategy (2007) Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

21 No externally mounted plant or equipment shall be installed on the development hereby permitted until and unless details of its location, design and specification have been submitted to and approved in writing by the Local Planning Authority. Such plant or equipment shall be installed, operated and maintained for the lifetime of the development solely in accordance with the agreed 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).

22 The development hereby approved shall not be used unless and until a service and delivery management plan has been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The service and delivery management plan shall relate to the operation of the premises as a whole and include details in relation to matters such as, but not limited to, delivery and collection of goods, management of third party service providers attending the site as part of the normal operation of the premises. The service and delivery management plan shall be implemented in full from the first use of the development hereby approved and adhered to at all times thereafter in perpetuity

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the 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. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended).

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

2. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

3. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

**411 22/01214/BC3 - Land Adjacent to 85 Lundy Close, Eastwood (St Laurence Ward)**

**Proposal: Erect a two storey block of 4no. self-contained flats, and a pair of semi-detached dwellinghouses and 3no. terrace houses on land adjacent to 85 Lundy Close, layout amenity space and landscaping, car parking spaces and cycle store**

**Applicant: Southend on Sea City Council**

**Agent: AK Design Partnership LLP**

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans Location Plan, 4867.130-PL4, 4867.131-PL3, 4867.132-PL3, 4867.134-PL1, 4867.135-PL3, 4867.136-PL1, 4867.137-PL1, 4867.138-PL2, TCTC-17596-PL-01.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place until full product details of the materials to be used on all the external elevations, including walls, roof, doors and windows, canopies, balconies, fascia and soffits and boundaries have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04 The 16 car parking spaces, including 2 disabled spaces, the associated vehicular access for the spaces to access the public highway and the associated electric vehicle charging points as shown on approved plan 4760.138-PL2 shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces, associated vehicular access to and from the public highway and Electric Vehicle charging points shall thereafter be permanently retained to serve occupiers and their visitors for the lifetime of 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 Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021).

05 The development hereby approved shall not be occupied until and unless the refuse and recycling and cycle storage facilities are provided and made available for use by the occupiers in full accordance with the details shown on approved drawings numbered 4867.136-PL1 and 4867.137-PL1 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority under the terms of this condition. The refuse and recycling and cycle storage facilities shall be retained for the lifetime of the development in accordance with the approved details.

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

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a ground floor slab level shall take place until full details of the hard landscaping works and proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. These details shall include:



- (i) Proposed finished levels or contours.
- (ii) Details for the means of enclosure of the amenity areas.
- (iii) Material product details for all hard landscaping at the site including roads, paths and patios.
- (iv) Details of proposed outbuildings.

The hard landscaping shall be implemented in full accordance with the approved details before the dwellings are occupied.

The soft landscaping at the site, including 30 new trees and shrub planting around the buildings, shall be carried out in full accordance with plan reference 4867.135-PL3 and shall be completed before the end of the first planting season following first occupation of the dwellings hereby approved.

Reason: In the interests of biodiversity, visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

07 Prior to the commencement of development the tree protective fences as shown on plan reference 4867.135-PL3, shall be installed. The protective measures shall remain in place throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard BS3998 and British Standard BS5837 including supervision of works by a qualified arboriculturalist.

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

08 No development shall commence on site unless and until a written strategy for green space enhancements, including measures to enhance biodiversity, within the estate surrounding the site, including indicative costings and timescales for implementation, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be first occupied until the Local Planning Authority has received confirmation that the agreed strategy has been implemented in accordance with the approved details. The strategy shall demonstrate that a sum of at least £5,000 will be spent on environmental improvements in the local area.

Reason: The pre commencement condition is required to ensure that the development provides adequate mitigation for the loss of green space at the site in accordance with Policy CP7 of the Core Strategy (2007).

09 The development hereby approved shall be carried out in full accordance with the recommendations set out in the submitted Archaeology Written Scheme of Investigation Reference XEXLCS22-27117. These works shall be undertaken by a suitably qualified archaeologist. The subsequent recording and post-excavation

assessment reports shall be submitted to the Local Planning Authority before the development hereby approved is occupied.

Reason: A condition is justified to allow the preservation by record of archaeological deposits and to provide an opportunity for a watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

10 The proposed site clearance and construction works shall be carried out in full accordance with the recommendations set out in Preliminary Ecological Appraisal by Hybrid Ecology Ltd Rev B dated 21st Sept 2022 including the installation of the proposed badger corridor as shown on plan reference 4867.135-PL3 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority under the terms of this condition. In addition, the following badger protection measures shall be implemented prior to the commencement of the development and maintained as such throughout the construction period:

- (i) All workmen on site must be fully briefed concerning the presence of badgers and the mitigation measures to be followed.
- (ii) An exclusion zone around the development area must be set up prior to the commencement of works to prevent encroachment on the badger sett during completion of the scheme. This must provide a clear 20m area around the sett, as a minimum, in which no construction work must take place, including the storage of materials or machinery.
- (iii) The proposed badger corridor must be similarly defined and fenced prior to the commencement of work to ensure the badgers have free access on and off site during the completion of the project.
- (iv) Any trenches or deep pits must be securely covered overnight to stop any badgers falling in and becoming trapped. Alternatively, a rough plank must be provided, at an angle no steeper than 45 degrees, to allow any badgers a suitable means of escape.
- (v) Any trenches/pits must be inspected each morning and evening to ensure no badgers have become trapped.
- (vi) The storage of topsoil or other 'soft' building materials within the site must be given careful consideration. Badgers will readily adopt such mounds as setts, which would then be afforded the same protection as established setts. So as to avoid the adoption of any mounds, they must be subject to daily inspections before work commences.
- (vii) During the work, the storage of any chemicals must be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.
- (viii) Open pipework with a diameter of more than 120mm must be properly covered at the end of the workday to prevent badgers entering and becoming trapped.
- (ix) Litter on site must be cleared at the end of the working day or otherwise kept to a minimum.
- (x) Security lighting must be kept to a minimum, and away from setts, so as not to disturb the badgers on site.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with

the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

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

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007).

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

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

13 A scheme detailing measures to achieve a net zero carbon development, as set out in the submitted statement titled 'Public Benefit vs Loss of Open Space September 2022', shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in full in accordance with the approved details prior to the first occupation of the dwellings hereby approved and maintained 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) policies KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend-on-Sea Design and Townscape Guide (2009).

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

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document

(2015) Policy DM2 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

15 Plots 1-5 of the development hereby approved shall be carried out in a manner to ensure the dwellinghouses comply with building regulation M4 (2) 'accessible and adaptable dwellings' before they are occupied. Plots 6 and 7 shall be carried out in a manner to ensure the dwellings comply with building regulation M4 (3) 'Wheelchair user dwellings' before they are occupied.

Reason: To ensure the dwellings hereby approved provides a high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM8 as amended by the Technical Housing Standards – Policy Transition Statement (2015) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions, detached buildings or other operational development shall be erected at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, D, E and F and Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended or in any provision equivalent to this Order in any statutory instrument revoking and re-enacting this Order, with or without modification, unless express planning permission has been granted from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend-on-Sea Design and Townscape Guide (2009).

17 The development shall be carried out in full accordance with the recommendations set out in Combined Phase I and Phase II Site Investigation Report by agb Environmental reference P3219.1.0 dated 20.12.18 before the development is occupied. If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately, and no further works shall be carried out until a method statement detailing a scheme of mitigation for dealing with the additional contamination has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme of additional contamination mitigation shall be implemented in full before the development is occupied.

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

18 Prior to the first occupation of the dwellings hereby permitted a Noise Impact assessment must be conducted by a competent person to assess the potential

impact of existing industrial premises and noise from deliveries to those premises on the proposed dwellings. The assessment must be made using the appropriate standards and methodology for the noise sources and best practice. A report on the impact assessment which must include any necessary mitigation measures required for the proposal to meet the required noise standards as specified below, must be submitted to the Local Planning Authority for approval in writing before the dwellings are first occupied.

The mitigation measures shall ensure that the internal ambient noise levels of the dwellings hereby permitted shall not exceed the guideline values in British Standard BS8233:2014 Table 4 as follows:

07:00 to 23:00

- Resting – Living room 35 dB Laeq, 16hour
- Dining – Dining room/area 40 dB Laeq, 16hour
- Sleeping/Daytime Resting – Bedroom 35 dB Laeq, 16hour

23:00 to 07:00

- Sleeping/Night-time Bedroom 35 dB Laeq, 8hour

External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq, 16hr. If a threshold level relaxation to 55 dBLAeq, 16hr is required for external areas full justification must be provided to and agreed in writing by the Local Planning Authority under the provisions of this condition.

The development must be implemented in full accordance with the mitigation and other details submitted in the report approved under this condition before the dwellings are first occupied and thereafter be maintained as such in perpetuity.

The applicant must have regards to thermal comfort and noise mitigation in accordance with Acoustic Ventilation and Overheating - Residential Design Guide by IOA and ANC when proposing any scheme. Where alternative means of ventilation and air cooling and heating are to be used, the submitted report shall include full details of what they will comprise and demonstrate that:

- The alternative means of ventilation and cooling will not compromise any noise protection measures
- The alternative means of ventilation and cooling will not present an adverse noise or odour impact on occupants
- The alternative means of ventilation and cooling will enable optimum living conditions in all weather and with reference to climate change predictions

The means of ventilation must be in accordance with documents CIBSE Guide A:2015-Environmental Design, CIBSE TM52:2013-The limits of thermal comfort: avoiding overheating in European buildings and CIBSE TM59:2017-Design methodology for the assessment of overheating risk in homes. The alternative means of ventilation shall be implemented in full accordance with the details approved under this condition before the dwellings are first occupied and be maintained as such thereafter in perpetuity.

Reason: To protect the environment of people in the development and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and

CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

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

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

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

21 The dwellings hereby approved shall not be brought into first use unless internal storage space for each dwelling in compliance with the minimum Technical Housing Standards – Nationally Described Space Standards (2015) has been provided and made available on site in accordance with details which have previously been submitted and approved by the Local Planning Authority pursuant to this condition.

Reason: To ensure the development hereby approved provide high quality internal layouts to meet the needs of future residents in accordance with the National Planning Policy Framework (2021), Policy DM8 of the Development Management Document (2015) as amended with the Technical Housing Standards Policy Transition Statement (2015) and the advice contained within the Technical Housing Standards – Nationally Described Space Standards (2015).

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal,

in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

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

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

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

**412 22/01332/FUL - 29A Ceylon Road, Westcliff-on-Sea (Milton Ward)**  
**Proposal: Convert existing first floor flat into two self-contained flats, install dormer to rear to form a further self-contained flat in loftspace**  
**Applicant: Mr Gavin Eade**  
**Agent: Mr Adrian Arand of AAV Architecture**

Mr Wilson, a local resident, spoke as an objector to the application. Mr Atkinson, the Applicant, responded.

Resolved:- That planning permission be REFUSED for the following reasons:

01 The proposed L-shaped dormer would, by reason of its size, height, form and design, fail to appear as an incidental addition to the roof of the host dwelling and

would be significantly out of keeping with and harmful to the character and appearance of the existing building rear garden scene and local area. This would be unacceptable and contrary to 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 guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposed dwelling in the roof space would be capable of being occupied by two persons as the size of the bedroom would exceed the minimum area for a double or twin bedroom in the Technical Housing Standards – Nationally Described Space Standards (2015). The internal floor area proposed for the dwelling would be insufficient in size for two-person occupation. In addition, the development would result in a poor standard of accommodation for future occupiers of the development as result of the lack of amenity space, cycle parking and waste storage facilities, to the significant detriment of the living conditions of future occupiers. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021), policies KP2 and CP4 of the Core Strategy (2007); Polices DM1, DM3 and DM8 of the Development Management Document (2015) as amended by the Technical Housing Standards Policy Transition Statement (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009) and the Technical Housing Standards – Nationally Described Space Standard (2015).

03 The proposed development would provide insufficient on-site parking to meet the needs of future occupiers and the minimum parking standards. This would be likely to result in additional vehicles parking within the public highway, to the detriment of highway safety and the free flow of traffic. Insufficient information has been submitted to demonstrate that the short fall in parking could be justified. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021); Policies CP3 of the Core Strategy (2007); Polices DM1, DM3 and DM15 of the Development Management Document (2015)

#### Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives:

1. Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore, if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).



**413 22/00507/FULH - 36 Sutton Road, Southend-on-Sea (Kursaal Ward)**  
**Proposal: Layout parking to front and form vehicle crossover onto Sutton Road for disabled access (part-retrospective)**  
**Applicant: Mr Zoran Stepanovic**  
**Agent: N/A**

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out solely in accordance with the following approved plans: Location plan, Plan of front of property, S001A, S003/A.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first use of the hardstanding for parking vehicles, its surface shall be finished in external surface materials the purpose of which is to reduce the existing hardstanding's starkness, the details and specifications of which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition.

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), advice in the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

04 The area of hardstanding hereby approved shall only be used as a parking area for a single vehicle.

Reason: To ensure the provision of adequate vehicle parking in the interests of highway safety in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3 and DM15.

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 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](http://www.southend.gov.uk/cil) for further details about CIL.

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

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

4. The applicant is advised that external surface materials designed to reduce the starkness of the existing white concrete material may include materials such as slabs, tiles, tarmac, bonded resin or a concrete paint purposely designed for exterior ground surface use.

5. The applicant is advised that failure to comply with condition 03 of this permission is likely to result in the Council considering the expediency of planning enforcement action to seek to remedy the identified harm.

**414 TPO 4-22 - Cantel (UK) Ltd Site, Campfield Road, Shoeburyness (Shoeburyness Ward)  
Proposal: Tree Preservation Order Confirmation**

Resolved:- That on the basis of the information contained in the submitted report and given the high amenity value of the trees, Tree Preservation Order No. TPO 4/2022 be CONFIRMED and made permanent, subject to the modification of the species of T1 from sycamore to turkey oak.

**415 20/00026/UNAU\_B - 79 The Drakes, Shoeburyness (Shoeburyness Ward)  
Breach of Control: Without planning permission, the installation of radio antennae to the property**

Resolved:- That ENFORCEMENT ACTION be AUTHORISED to secure the following:

- (a) the removal of the three (3) poles and antennae attached to the north flank wall of the building; and
- (b) the removal of the two (2) poles and antennae attached to the rear elevation of the building; and
- (c) the removal of the two free-standing poles and antennae from the rear part of the site; and

(d) the removal from site all materials and debris resulting from compliance with requirement (a), (b) and (c) 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. Whilst proceedings could be brought in isolation against the sole remaining antenna at the site subject of the 2014 enforcement notice, it is considered that it would be sensible for any prosecution in that regard to take account of the enforcement action against the wider collection of antennae now on site including whether compliance is achieved through those means.

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable time for compliance. In this case a compliance period of 28 days is considered reasonable for the above works.

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

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## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Appointments and Disciplinary Committee

**Date:** Thursday, 27th October, 2022  
**Place:** Johnson Room - Tickfield Centre

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**Present:** Councillor S George (Chair)  
Councillors C Mulroney (Vice-Chair), T Cox, D Jarvis, I Shead,  
\*L Burton and \*J Moyies

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** R. Polkinghorne, M Marks and S Putt and M. Bearn (Hays)

**Start/End Time:** 9.30 am - 1.45 pm

#### **416 Apologies for Absence**

Apologies for absence were received from Councillor Gilbert (substitute: Cllr Burton) and Councillor Davidson (substitute: Cllr Moyies).

#### **417 Declarations of Interest**

There were no declarations of interest at this meeting.

#### **418 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.

#### **419 Director of Education, Inclusion and Early Years - Interviews**

The Committee interviewed candidates for the post of Director of Education, Inclusion and Early Years.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Director of Education, Inclusion and Early Years be offered to Elizabeth Hunt.

2. That the Chief Executive be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Cabinet Member has any objection to the making of such an offer.

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

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## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 2nd November, 2022**

**Place: Council Chamber - Civic Suite**

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**Present:** Councillor M Borton (Vice-Chair, in the Chair)  
Councillors M Berry, K Buck, A Dear, M Dent, F Evans, S Habermel,  
D Jarvis, A Jones, M Sadza, A Thompson and P Wexham\*  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillor K Evans  
C Galforg, O Hart, P Keyes, S Mouratidis, T Row and M Warren

**Start/End Time:** 2.00 pm - 6.00 pm

#### 420 Apologies for Absence

Apologies for absence were received from the Chair, Councillor Ward (no substitute) and Councillors D Garston (no substitute), Mulroney (substitute: Councillor Wexham), Shead (no substitute), and Walker (no substitute).

#### 421 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Buck – Application Reference No. 21/02305/FUL - The Trinity, 3 Trinity Avenue, Westcliff-on-sea - Regular benefactor to Off the Streets Charity (withdrew);

(ii) Councillor Dent – TPO Reference No. TPO 5/2022 - Southchurch Hall Gardens, Southchurch Hall Close – Has had conversations with neighbours regarding the matter;

(iii) Councillor Jarvis – Enforcement of Planning Control Reference No. 20/00158/UNAU\_B - 9 Gunnery House, 2 Chapel Road, Shoeburyness – Owner/Occupier of Flat 1 at this address (withdrew);

(iv) Councillor Sadza – Application Reference No. 21/02305/FUL - The Trinity, 3 Trinity Avenue, Westcliff-on-sea – Spoken to residents in Trinity Avenue, correspondence with Off the Streets and Member of the union Acon;

(v) Councillor Sadza – Application Reference No. 22/01707/FUL - 54 Burdett Avenue, Westcliff-on-Sea – Correspondence from residents; and

(vi) Councillor A Jones – Application Reference No. 21/02305/FUL - The Trinity, 3 Trinity Avenue, Westcliff-on-sea – Lives next door to a homeless facility.

## 422 **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, since the publication of the reports.

- 423 **22/01511/BC3 - Pavement Adjacent to Thorpe Hall Avenue (Thorpe Ward)**  
**Proposal: Install permanent sculpture comprising of a brick column sculpture (A) as part of the "made from this land" sculpture trail on footpath at Thorpe Hall Avenue (Site 2)**  
**Applicant: Miss Laura Bowen of Focal Point Gallery**  
**Agent: N/A**

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

Reason: Required 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, inclusive of the materials annotated; Location Plan Rev B '11/08/2022'; A002B; A200G

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

03 The development hereby permitted shall be carried out and maintained solely in accordance with the details contained in the submitted document "Made from this Land", Emma Edmondson, Section 106 Southchurch Art Commission".

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.

### Informatives:

01 You should be aware that in cases where damage occurs public during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing 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.

02 You are advised that as the proposed development does not involve the creation of new floorspace it benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

**424 21/00783/AMDT & 19/02377/DOV5 - 939-953 London Road, Leigh-on-Sea (Blenheim Park Ward)**

**Proposals: (i) Modification of planning obligation to provide affordable housing (Section 106 agreement) dated 26.10.2017 pursuant to application 17/00563/OUTM as amended by Deed of Variation dated 06.11.2020 pursuant to application 20/00633/AMDT.**

**(ii) Application to vary condition number 01 (approved plans) to alter fenestrations and layout to comply with Building Regulations (Minor Material Amendment of planning permission 17/02183/RESM dated 06.06.2018) and modification of planning obligation to provide affordable housing (Section 106 agreement) dated 26.10.2017 pursuant to application 17/00563/OUTM as amended by Deed of Variation dated 06.11.2020 pursuant to application 20/00633/AMDT.**

**Applicant: Mr Horban**

**Agent: DAP Architecture**

Resolved:- That determination of the matter DEFERRED to ascertain whether the applicant would be willing to include a viability review mechanism as part of the legal agreement.

**425 22/01627/AMDT - 44 Canvey Road, Leigh-on-Sea (West Leigh Ward)**

**Proposal: Application to vary and amend the wording to condition 03 to allow change to the type of 'A Bar' used (Minor Material Amendment of Planning Permission 21/01748/FULH dated 22/10/2021) (Part Retrospective)**

**Applicant: Mr Harry Kinn**

**Agent: N/A**

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out/ retained in full accordance with the following approved plans P01, P03, P05A and Cross Section titled SMA Alitherm Heritage Standard Garrard Square (W20170).

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

02 The replacement windows shall only be from the SMART Alitherm Heritage Range, finished in white metal to the outside and fitted with "A" shaped astragal bars as set out on Cross Section titled SMA Alitherm Heritage Standard Garrard Square (W20170) permanently bonded to the glass.

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 Chapmanslord Conservation Area. This is as set out in the National Planning

Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4, Development Management Document Policies DM1 and DM5 and advice in the Southend-on-Sea Design and Townscape Guide (2009) and Chapmanslord Conservation Area Appraisal (2021).

#### Positive and Proactive Statement

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](http://www.southend.gov.uk/cil) for further details about CIL.

02 The applicant is reminded that the development on site remains unauthorised. Failure to remedy this is likely to result in the Council considering the expediency of enforcement action to seek to remedy the identified harm caused by the development currently on site.

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

**426 21/02305/FUL - The Trinity, 3 Trinity Avenue, Westcliff on Sea (Milton Ward)  
Proposal: Change of use from hotel (Class C1) to 7-bedroom residential institution for up to 9 residents (Class C2) with new disabled access to rear  
Applicant: Sara Parkinson, Off the Streets  
Agent: Sara Parkinson**

Ms Oxenham, a local resident, spoke as an objector to the application. Ms Parkinson, acting for the applicant Off the Streets and as agent, responded.

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02. The development hereby permitted shall be undertaken in accordance with the following approved plans: Location plan, 01, 02, 03A, 04A.

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

03. Prior to first operation of the use hereby approved, the submitted Management Statement updated 08.09.2022 shall have been further updated, re-submitted to and approved in writing by the Local Planning Authority, to include, in addition to its current content, details of an engagement policy for communication and liaison with the local community, including nearby residents, to allow for local resident and community engagement, incident reporting, escalation and resolution, as well as a mechanism for on-going review, and any necessary associated updating of that engagement policy. The use hereby permitted shall thereafter be carried out and thereafter operated for its lifetime in full accordance with the approved Management Statement, updated under the scope of this planning condition.

Reason: In the interests of the character of the area and residential amenities, further to 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).

04. The development hereby approved, for purposes falling within Class C2, shall only be occupied as a residential home providing short-term accommodation for people who are, or would otherwise be, defined as homeless under the Housing Act 1996, for up to 9 residents at any one time, and shall not be used for any other purpose, including any other purpose within Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use within the Use Class specified so that occupation of the premises does not prejudice amenity, and to avoid an overprovision or otherwise unsustainable provision of residential care uses, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), and Policy DM9 of the Southend-on-Sea Development Management Document (2015).

05. Prior to installation of any handrails or balustrades associated with the rear access ramp and decking hereby approved, full details of their design and materials shall have been submitted to and agreed in writing by the Local Planning Authority. The agreed design and materials details only shall be provided for the lifetime of the development thereafter.

Reason: To protect the character and appearance of the Shorefields Conservation Area, further to 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 advice in the Southend-on-Sea Design and Townscape Guide (2009) and Shorefields Conservation Area Appraisal (2021).

06. No externally mounted equipment such as CCTV and lighting associated with the use hereby permitted shall be fixed to the front or rear facing elevations of the building unless full details of their design and materials have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the Shorefields Conservation Area, further to 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 advice in the Southend-on-Sea Design and Townscape Guide (2009) and Shorefields Conservation Area Appraisal (2021).

07. Prior to first use of the premises as a residential care home (use class C2), under the terms of this permission, details of waste storage and management shall have been submitted to and agreed in writing by the Local Planning Authority. The waste storage shall be provided at the site for the and made available for use of staff and residents in accordance with the agreed details for the lifetime of the development thereafter.

Reason: To protect the character and appearance of the Shorefields Conservation Area, further to 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 Southend-on-Sea Design and Townscape Guide (2009) and Shorefields Conservation Area Appraisal (2021) .

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

Informatives:

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand

Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

3. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and the noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea City, Civic Centre, Victoria Avenue, Southend SS2 6ER'.

4. The applicant is also reminded that this permission is separate to the need to comply with Food Safety and Health & Safety at Work laws. These will include the Food Safety Act 1990 (as amended), the Food Hygiene (England) Regulations 2013, Regulation (EC) 852/2004 and the Health and Safety at Work Etc. Act 1974. Applicants should contact the Council's Regulatory Services Officer for Food and Health and Safety for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea City Council, Civic Centre, Victoria Avenue, Southend SS2 6ER.

**427      22/01629/FUL - 995-1003 London Road, Leigh-on-Sea (Blenheim Park Ward)**  
**Proposal: Erect two storey rear extension and form new second floor to main building with roof terrace to form a further 3no. self-contained flats with associated parking, bin and cycle store (Amended Proposal)**  
**Applicant: Mr Richard Schofield on behalf of Cycles UK**  
**Agent: SKArchitects**

Mr Mylroie, a local resident, spoke as an objector to the application.

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby approved shall be carried out in accordance with the approved plans: 771-P01 Rev F; 771-P02 Rev E; 771-P03 Rev D

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than demolition or site preparation works, unless and until full details and specifications of the materials to be used for all the external surfaces of the approved extensions at the site including facing materials, roof detail, windows, doors, fascia and soffits 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: In the interest of visual amenity 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 the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme including full details of the living green roof, shall be implemented in line with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The soft landscaping scheme shall be implemented, completed and maintained thereafter in full accordance with the approved details.

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

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

05 The development hereby approved shall not be occupied until and unless a hard landscaping scheme has first been carried out and implemented solely in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The hard landscaping scheme shall include details of materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site, and the details of the covered and secure cycle parking spaces.

Reason: In the interest of visual amenity 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 the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

06 Notwithstanding the information submitted with this application, prior to the first occupation of the development hereby approved, full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority identifying the provision of secure and enclosed refuse and recycling storage for the approved development at the site. The approved refuse and recycling storage shall be provided in full and made available for use by the occupants of the approved dwellings prior to the first occupation of the dwellings hereby approved and shall be retained as such for the lifetime of the development.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2021), the Southend-on-Sea Design and Townscape Guide (2009), and the Waste Storage, Collection and Management Guide for New Developments (2019).

07 No development shall take place, including any works of demolition, unless and until a Demolition and Construction Management Plan and Strategy (to include Noise and Dust Mitigation Strategies) has been submitted to and approved in writing by the Local Planning Authority pursuant to this condition. The approved Demolition and Construction Management Plan and Strategy shall be adhered to in full throughout the construction period. The Strategy 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, mud being carried onto the road 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: A pre-commencement condition is justified in the interest of the residential amenity of nearby 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).

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

Reason: In the interest of the residential amenity of nearby 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).

09 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the dwellings hereby granted planning permission shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design,

obscurity, materials and location of all privacy screens to be fixed to the building, including on the proposed external terraces. Before the development hereby approved is occupied, the privacy screens shall be installed in full accordance with the details and specifications approved under 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 advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

10 Prior to the first occupation of the residential units hereby approved, no less than six covered and secure cycle parking spaces shall be provided for the future occupiers of the new flats and made available for use on site. The cycle parking spaces shall be retained for the benefit of the future users and occupiers of the approved development and their visitors for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3, DM8 and DM15.

11 Prior to the first occupation of the residential units hereby approved, no less than five car parking spaces shall be provided and made available for use on site by occupiers/users/visitors of the three existing flats (one space each), the existing commercial unit (one space), and the new 3 bed/6 person flat hereby approved shown on drawing no. 771-P02 Rev E (one space). All parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the development hereby approved. The car parking spaces shall be retained for the benefit of the future users and occupiers and visitors to the approved development and the three existing flats for the lifetime of the development.

Reason: To ensure the provision of adequate vehicle parking in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3, DM8 and DM15 and the Electric Vehicle Charging Infrastructure for new development SPD (2021)

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

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 Southend-on-Sea Design and Townscape Guide (2009).



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

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (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 Southend-on-Sea Design and Townscape Guide (2009).

14 The second floor rear windows in the north flank elevation 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, 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 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

15 Prior to occupation of the development hereby approved, adequately glazed windows shall have been installed for all habitable rooms in the front elevation of the development (windows to meet Specification RW 35) to mitigate Road Traffic Noise from London Road.

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).

16 Prior to the first use of the development hereby approved, drainage infrastructure for the development including the built form and the rear parking area subject of this permission, shall have been installed at the site in full accordance with details of surface water attenuation, based on Sustainable Drainage Systems principles, which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The drainage infrastructure shall be maintained as approved on site for the lifetime of the development thereafter.

Reason: To ensure the approved development does not increase flood risk at the site or elsewhere in accordance with National Planning Policy Framework (2021) and Core Strategy (2007) Policies KP1 and KP2.

Positive and proactive statement:

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

Informatives:

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

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

**428 22/01707/FUL - 54 Burdett Avenue, Westcliff-on-Sea (Milton Ward)**  
**Proposal: Change of use from six bed HMO (Use Class C4) to eight bed HMO (sui generis), layout refuse storage to front and cycle storage to rear (retrospective)**  
**Applicant: Mr James Sahota**  
**Agent: N/A**

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby approved shall be retained in accordance with the approved plans: 841-100, 841-101 Rev 01 (6 Bed), 841-101 Rev 01 (8 Bed), 841-104 Rev 01.

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

02 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the development approved under the provisions of this permission shall not at any time be adapted to enable formation of more than eight (8) bedrooms and the property shall not be occupied by more than eight (8) residents 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.

03 Notwithstanding the information submitted and otherwise hereby approved, within three months from the date of this permission, the development hereby approved shall be provided with at least eight (8) on site, secured and covered cycle parking spaces which shall be available for use by the occupiers of the development and their visitors in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority pursuant to this condition. If such details are not submitted to the Local Planning Authority and approved in writing within 3 months of the date of this permission the use as an 8 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The cycle parking shall then be implemented and made available for use within two months of the date of the approval of the details and in complete accordance with the agreed details. If the secure covered cycle parking is not implemented and/ or made available for use in full accordance with the details approved under this condition within 2 months of the date of the approval of the details by the Local Planning Authority the use as an 8 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The approved cycle parking shall be retained for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

04 Within 3 months from the date of this permission details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details. If such details are not submitted to the Local Planning Authority and approved in writing within 3 months of the date of this permission the use as an 8 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The energy efficiency and other

sustainability measures shall then be implemented within two months of the date of the approval of the details and in complete accordance with the agreed details. If the energy efficiency and other sustainability measures are not implemented and/ or made available for use in full accordance with the details approved under this condition within 2 months of the date of the approval of the details by the Local Planning Authority the use as an 8 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The energy efficiency and other sustainability measures shall be implemented 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) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

05 Within 3 months from the date of this permission, 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. If such details are not incorporated within 3 months of the date of this permission the use as an 8 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The water efficient design measures shall be implemented 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) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives:

1. 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](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) 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 will 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.

**429      22/01649/FULH - 31 Winsford Gardens, Westcliff on Sea (Prittlewell Ward)**  
**Proposal: Demolish and replace existing garage to side, extend roof and erect ground floor rear/side and first floor side extensions, flat roof dormer to rear and pitched roof dormer to front, alter elevations (Amended Proposal)**  
**Applicant: Hannah Pearce**  
**Agent: Simon Campbell of Tolerance Architectural Design**

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02 The development shall only be undertaken in accordance with the following approved plans: 2200 Rev P01 & 2211 Rev P04

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. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

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 roof of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose at any time without planning permission being granted by the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in the event of an emergency.

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).

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

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

430

**22/01706/FULH - 27 Parkside, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Raise ridge height, form hip to gable roof extensions to front, rear and side with dormer to side to form habitable accommodation in roofspace, erect part single/part two storey side/rear extension with first floor balcony to rear and second floor balcony to front (amended proposal)**

**Applicant: Mr & Mrs Roche**

**Agent: Mr Alan Gloyne of SKArchitects**

Resolved:- That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out solely in accordance with the following approved plans: 559/P101, P102 Revision D.

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), advice in the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

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. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

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 With the exception of the balcony hereby approved located at first floor level to the rear of the dwelling and at second floor level to the front of the dwelling, the remaining roof areas of the development hereby approved shall not be used as a balcony, roof garden, terrace or similar amenity area or for any other purpose at any time without express planning permission. The roofs can however be used for the purposes of maintenance or to escape in the event of an emergency.

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 Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05 The first floor rear balcony hereby permitted shall not be brought into use until details of obscure glazed privacy screens to either side of the balcony have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The approved privacy screens shall be installed prior to the first use of the balcony and shall be retained thereafter 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 Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

06 Prior to the first use of the relevant rooms and/ or internal areas which they serve, the windows in the east-facing first floor wall, rooflights and window in the east-facing roof space and the west-facing dormer hereby permitted shall only be fitted with obscured glazing (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 no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscure glazing shall be retained thereafter for the lifetime of the development.

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).

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 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](http://www.southend.gov.uk/cil) for further details about CIL.

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

**431 TPO 5/2022 - Southchurch Hall Gardens, Southchurch Hall Close, Southend on Sea (Kursaal Ward)  
Proposal: Tree Preservation Order Confirmation**

Resolved:- That the matter be DEFERRED

**432 20/00158/UNAU\_B - 9 Gunnery House, 2 Chapel Road, Shoeburyness (Shoeburyness Ward)  
Breach of Planning Control: Without planning permission, the installation of a satellite dish and antenna to the property.**

Resolved:- That ENFORCEMENT ACTION be AUTHORISED to secure the following:

- a) Removal of the satellite dish and antenna attached to the south-east flank wall of the building; and
- b) Restore the fabric of the listed building to its condition before the installation of the satellite dish and antenna took place and remove from site all materials and debris resulting from compliance with requirement (a) above.

The authorised enforcement action to include (if/as necessary) the service of a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Listed Building 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 28 days is considered reasonable for the above works.

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

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**SOUTHEND-ON-SEA CITY COUNCIL**

**Meeting of Appeals Committee A**

**Date: Monday, 7th November, 2022**

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

10

**Present:** Councillor A Jones (Vice-Chair in the Chair)  
Councillors M Borton, S Buckley, A Thompson and \*N Folkard

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** R Harris

**Start/End Time:** 9.30 am - 10.40 am

**433 Apologies for Absence**

Apologies for absence were received from Councillors Beggs (no substitute), Stafford (no substitute) and F Evans (substitute: Cllr Folkard).

**434 Declarations of Interest**

There were no declarations of interest at this meeting.

**435 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.

**436 School Transport Appeal - Pupil OW**

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

Resolved:

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

**437 School Transport Appeal - Pupil KM**

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

Resolved:

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

**438 School Transport Appeal - Pupil EM**

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

**439 School Transport Appeal - Pupil KaM**

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

Resolved:

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

**440 School Transport Appeal - Pupil GK**

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

Resolved:

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

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

# SOUTHEND-ON-SEA CITY COUNCIL

## Meeting of Cabinet Committee

**Date: Monday, 7th November, 2022**  
**Place: Committee Room 1 - Civic Suite**

# 11

**Present:** Councillor S Wakefield (Chair)  
Councillors P Collins (Vice-Chair) and K Mitchell

**In Attendance:** Councillors K Buck, D Cowan, T Cox, A Dear, L Hyde, J Moyies,  
D Nelson, M Sadza and R Woodley  
J Burr, L Delahunty and T Row

**Start/End Time:** 6.30 pm - 9.00 pm

### **441 Apologies for Absence**

There were no apologies for absence.

### **442 Declarations of Interest**

The following interests were declared at the meeting:-

(i) Councillor Cox – Minute No. 445 (Annual Parking & Enforcement Report 2021/22) – Daughter attends Richmond Primary School which was mentioned in the report;

(ii) Councillor Nelson – Minute No. 445 (Annual Parking & Enforcement Report 2021/22) – Family are members of the Thorpe Bay Tennis Club in Thorpe Bay Gardens; and

(iii) Councillor Wakefield – Minute No. 445 (Annual Parking & Enforcement Report 2021/22) – Some customers of his business are from Thorpe Bay Gardens.

### **443 Minutes of the Meeting held on Tuesday, 4th January, 2022**

Resolved:-

That the Minutes of the Meeting held on Tuesday, 4<sup>th</sup> January 2022 be received, confirmed as a correct record and signed.

### **444 Thorpe Bay Gardens - Evaluation of Evidence**

Further to Minute 653 of its meeting on 4 January 2022, the Committee received a report of the Executive Director (Neighbourhoods & Environment) that provided an evaluation of all the evidence of alleged anti-social behaviour on Thorpe Bay Gardens provided by residents, the Police and the Council's Community Safety team since the introduction of a Public Spaces Protection Order (PSPO) in 2019.

The report also provided a review of the covenant relating to the land bounded by the public highways (but not including the said public highway) of Thorpe Bay Esplanade and Thorpe Bay Gardens.

Having considered the views of the Traffic Regulations Working Party, it was:

Resolved:-

1. That the proposed traffic regulation order to amend the restrictions in Thorpe Bay Gardens not be progressed on the basis that there is no justification under the Road Traffic Regulation Act 1984 to advertise and implement the proposals and is likely to be unlawful to do so.

2. That on the grounds that the reason for seeking the traffic regulation order was to address anti-social behaviour, the matter be referred to the Council's Public Protection Working Party for consideration with a recommendation that the existing Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No. 1 of 2019 be amended to include the specific prohibition of driving and parking on the green spaces within the designated area or that a new Public Spaces Protection Order be introduced to prohibit this.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Cabinet Member: Councillor Wakefield

#### **445 Annual Parking & Enforcement Report 2021/22**

The Committee received a report of the Executive Director (Neighbourhoods and Environment) that provided an overview of the annual parking report and performance for 2021/22 which must be published publicly in accordance with the requirements of the Traffic Management Act 2004 (TMA).

Having considered the views of the Traffic Regulations Working Party it was:-

Resolved:-

That the report be noted.

Note: This is an Executive function

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

Cabinet Member: Councillor Wakefield

#### **446 Highways Update Report**

The Committee received a report of the Executive Director (Neighbourhoods and Environment) that provided an annual update on the implementation of the highway asset management approach to managing the City's highway infrastructure.

Having considered the views of the Traffic Regulations Working Party it was:-

Resolved:-

That the report be noted.

Note: This is an Executive function.

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

Cabinet Member: Councillor Wakefield

**447 Traffic (Civil Engineering) Update Report**

This item was deferred until the next meeting.

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

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# SOUTHEND-ON-SEA CITY COUNCIL

## Meeting of Cabinet

**Date: Tuesday, 8th November, 2022**  
**Place: Council Chamber - Civic Suite**

# 12

**Present:** Councillor S George (Chair)  
Councillors C Mulroney (Vice-Chair), L Burton, P Collins, I Gilbert,  
K Mitchell, M Terry and S Wakefield

**In Attendance:** Councillors T Cowdrey and K Murphy  
R Polkinghorne, M Marks, J Chesterton, C Gamble, G Gilbert, J Burr,  
S Dolling, G Halksworth, T Harris and A Richards

**Start/End Time:** 6.30 pm - 7.25 pm

### **448 Apologies for Absence**

There were no apologies for absence at this meeting.

### **449 Declarations of Interest**

The following declarations of interest were made:

- (a) Cllr Burton – Minute 458 (SEND Strategy) – works at a local school;
- (b) Cllr George – Minutes 468 and 469 (Minutes of the Shareholder Board held 12<sup>th</sup> October and 8<sup>th</sup> November relating to Porters Place LLP) – brother-in-law serves on the Board of Sanctuary Housing Association;
- (c) Cllr Mitchell – Minute 456 (Options for the procurement of the Voluntary Sector Infrastructure Contract) – Chair of Hamlet Court Road in Harmony which is in receipt of community investment board funds;
- (d) Cllr Wakefield – Minutes 468 and 469 (Minutes of the Shareholder Board held 12<sup>th</sup> October and 8<sup>th</sup> November relating to Porters Place LLP and South Essex Homes) – Sanctuary Housing is one of his customers and a sub-contractor for South Essex Homes;
- (e) A Richards – Minutes 468 and 469 (Minutes of the Shareholder Board held on 12<sup>th</sup> October and 8<sup>th</sup> November 2022 relating to Porters Place LLP) - Council appointed representative on the Porters Place LLP Board.

### **450 Minutes of the meeting held Tuesday, 26 July 2022**

Resolved:

That the minutes of the meeting held on Tuesday, 26 July 2022 be confirmed and signed as a correct record.

### **451 Minutes of the meeting held Wednesday 24 August 2022**

Resolved:

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

**452 Minutes of the Meeting held Thursday, 29 September 2022**

Resolved:

That the Minutes of the Meeting held on Thursday, 29 September 2022, be confirmed as a correct record and signed.

**453 Resourcing Better Outcomes - Finance and Corporate Performance Report 2022/23 - Period 6**

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

Recommended:

That, in respect of the 2022/23 Revenue Budget Performance, as set out in Appendix 1 to the submitted report:

1. That the forecast outturn for 2022/23 for the General Fund and the Housing Revenue Account as at 30 September 2022, be noted.
2. That the management action taken and to be taken to reduce the forecast overspend of the Council's revenue budget for 2022/23, be noted.
3. That the planned budget transfers (virements) of £400,000 from earmarked reserves, be approved.

That, in respect of the 2022/23 Capital Budget Performance, as set out in Appendix 2 to the report:

4. That the expenditure to date and the forecast outturn as at 30 September 2022 and its financing, be noted.
5. That the requested changes to the capital investment programme for 2022/23 and future years, be approved.
6. That the Corporate Plan Performance Report as at 30 September 2022, as set out at Appendix 3 to the report, be noted.

Reasons for recommendations:

1. The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to Councillors, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the associated management action being implemented to address any identified issues. It also informs decision making to ensure that the Council's priorities are delivered within the approved budget provision.
2. It is important that any adverse variances are addressed in order for the Council to remain within the approved budget provision or where this cannot be achieved by individual service management action, alternative proposals are developed and solutions proposed which will address the financial impact. Councillors will have a key role in approving any actions if the alternative proposals represent significant changes to the service delivery arrangements originally approved by them.

3. The challenge of delivering a balanced financial outturn for 2022/23 is significant. Some positive improvement has been achieved from Period 4 to 6, but further urgent action is needed to try to reduce all non-essential expenditure and/or generate extra income. This priority must be achieved whilst ensuring that our most vulnerable residents are looked after appropriately, and our statutory responsibilities are effectively discharged.

Other options:

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

Note: This is a Council Function

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

Cabinet Members: Cllr George and Cllr Collins

#### **454 Treasury Management Report - Mid Year 2022/23**

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the mid-year Treasury Management Report covering the treasury management activity for both quarter two and the period from April to September 2022.

Resolved:

1. That the Treasury Management Mid-Year Position report for 2022/23, be approved.
2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to September 2022.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that £1.393m of interest and income distributions for all investments were earned during this six-month period at an average rate of 1.62%. This is 0.40% over the average SONIA rate (Sterling Overnight Index Average) and 0.34% over the average bank rate. Also, the value of the externally managed funds decreased by a net of £1.687m due to changes in the unit price, giving a combined overall return of -0.34%.
5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at £347.3m (Housing Revenue Account (HRA): £74.2m, General Fund: £273.1m) during the period from April to September 2022 at an average rate of 3.46%.

6. That it be noted that the level of financing for 'invest to save' schemes decreased from £8.39m to £8.30m during the period from April to September 2022.

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 2022/23 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

**455 Endorsement of Transport East Transport Strategy (Referred back from Place Scrutiny Committee, 10th October 2022)**

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Transport East Transport Strategy which was referred back to Cabinet by the Place Scrutiny Committee held Monday 10<sup>th</sup> October 2022 (Minute 338 refers).

On consideration of the report, the Cabinet noted the comments from the Place Scrutiny Committee concerning the need for a new major east-west corridor from Shoeburyness to be included in the strategy.

Resolved:

That the Transport East Transport Strategy, set out at Appendix 1 to the Submitted report, be endorsed.

Reasons for decision:

1. To endorse the Strategy, not adopt it. The Strategy fully aligns and supports our current Local Transport Plan 3, will inform and support the emerging Local Plan and Local Transport Plan 4. The Strategy supports Southend's 2050 ambitions, Southend's Green City Action Plan, our Net Zero ambitions and levelling up agenda through improved access to jobs, skills, training and services.

2. The Strategy supports the work of Opportunity South Essex and the Association of South Essex Local Authorities vision to deliver a decarbonised, integrated public transport system. Rebalance modal priorities in favour of active and sustainable modes and reducing carbon emissions with the aim for South Essex to become carbon neutral ahead of national targets.

3. Department for Transport tasked Transport East to develop a Transport Strategy to set a single voice for the future strategic transport investment in the East Region. Endorsing the Strategy will strengthen Southend's and the Region's strategic case to government in future bids for funding.

#### Other Options

None. If the Council does not endorse the Strategy it could undermine the strategy (and the one voice of the region) and may make it even more difficult for Southend, and possibly the whole of the region, to attract DfT funding.

Note: This is an Executive Function

This matter was referred back and is not eligible for call-in

Cabinet Member: Cllr Wakefield

**456 Options for the Procurement of the Voluntary Sector Infrastructure Contract (Referred back from People Scrutiny Committee, 11th October 2022)**

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the options for the re-procurement of Voluntary Sector Infrastructure Contract which had been referred back by the People Scrutiny Committee held Wednesday, 11<sup>th</sup> October 2022 (Minute 351 refers).

On consideration of the report the Cabinet noted the concerns of the People Scrutiny Committee concerning the possible impact of the proposed financial envelope for the Southend Infrastructure Service on the local community and voluntary sector.

Resolved:

1. That the outcomes set out in the submitted report, the financial envelope of £100,000 and the recommended procurement option to go to tender for a Southend infrastructure service, be approved.

Reasons for decision:

To go out to the market for a new voluntary sector infrastructure service for Southend so that it may attract different providers with new ideas and the City can benefit from economies of scale. It will also allow Southend City Council to clearly specify what they want from the new contract.

Other options:

1. To cease funding an infrastructure contract.

2. To go out to tender with Essex County Council as part of a larger contract.

Note: This is an Executive Function

This matter was referred back and is not eligible for call-in

Cabinet Member: Cllr Mitchell

## 457 Refugee Resettlement and Asylum Work

The Cabinet considered a report of the Executive Director (Growth and Housing) setting out the work underway and proposals to support the resettlement of refugees and asylum seekers in Southend-on-Sea.

Resolved:

1. That the progress on the Afghan Relocations and Assistance Policy (ARAP) and the Afghan Citizens Resettlement Scheme (ACRS) programmes, be noted.
2. That the renewed pledge for accommodating families under the United Kingdom Resettlement Scheme (UKRS), be endorsed.
3. That the progress on the Homes for Ukraine (H4U) scheme, be noted.
4. That the subsidising of housing costs from the wrap around / support funds received, to meet the pledge levels identified in resolution 2 above and effectively respond to other housing pressures, be approved.
5. That the Director of Housing, in conjunction with the Executive Director (Growth and Housing) and the Cabinet Member for Economic Recovery, Regeneration and Housing, be authorised to:
  - Reach agreement with the East of England Local Government Association Strategic Migration Partnership (SMP) and the Home Office regarding resettlement targets, asylum dispersal arrangements and local responses to national policy.
  - To review the internal structures and external services to deliver this, to be fit for legacy, current and future challenges, including service commissioning as required.
6. That the intentions to support partners across the City to pursue City of Sanctuary status, be noted.

Reasons for decision:

1. To make a significant pledge, as part of the Council's commitment for accommodating families under the United Kingdom Resettlement Scheme.
2. The current requirements for resettlement properties to be sourced at LHA rates is impracticable and that without adoption or alternative local practice or revised national policy, the Council is unlikely to be successful in finding suitable property for refugees. Deployment of a proportion of the support grant for some families will assist in securing houses for them. This would be undertaken on a case-by-case basis and would take account of future affordability by the family to avoid placing them in unsuitable housing.
3. It is important to continuously monitor system capacity to be able to respond effectively to the fluctuating demands of such a programme of work. This applies both to service directly provided by the Council, as well as support, education and other services which are supplied by other organisations. It is therefore important to establish dynamic service configurations and commissioning approaches to enable this.

4. The Council is a key contributor to the success on the work undertaken to support Afghan and Ukrainians forcefully displaced by the political and military situations in their home states. The benefits of becoming a City of Sanctuary includes access to a considerable network of other leading cities across the country and the many organisations active in those communities who provide inclusive and welcoming environments for refugees and asylum seekers. This will be of significant benefit to the Council, as well as community groups and organisations.

Other options:

1. Not to pledge to support any further families to resettle in the city and continue to work only with those families currently here as part of the UKRS or in temporary arrangements such as bridging accommodation or the Homes for Ukraine scheme.

2. Not to seek to identify ways to increase the viability of private sector housing options for refugees through potential use of support grants for this purpose, or to supplement hosts to extend arrangements for Ukrainian guests under H4U.

3. Not to support the community and faith organisations to pursue City of Sanctuary accreditation.

Note: This is an Executive Function

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

Cabinet Member: Cllr Gilbert

#### **458 SEND Strategy**

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the Southend SEND Strategy 2022-2025.

Resolved:

1. That the Southend SEND Strategy 2022-25, set out at Appendix 1 to the submitted report, be approved.

2. That the strategy be produced in an accessible document, which can be shared in a variety of formats in order to engage a range of audiences.

Reasons for decision:

It is widely acknowledged that SEND is a joint area responsibility encompassing partners from Education, Health and Care and the children, young people and families they support and therefore a specific coproduced SEND Strategy outlining priorities for the next 3 years is recommended.

Other options:

The SEND Partnership could continue to operate without a formal published strategy or subsume the SEND Strategy into a wider Council Strategy.

Note: This is an Executive Function

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

Cabinet Member: Cllr Burton

## 459 The Victoria Shopping Centre and Utilisation of Council Buildings

The Cabinet considered a joint report of the Executive Director (Growth and Housing) and the Executive Director (Finance and Resources) setting out the range of opportunities the Victoria Centre presents in the context of the City Centre, the centre itself and other parts of the Council's operational estate including the Civic Campus and the Tickfield Centre.

Resolved:

1. That the following guiding principles to develop plans for the work to proceed, be approved:

(a) The Victoria Centre provides a thriving mix of uses right in the heart of the City Centre with opportunities for businesses to thrive, and residents and visitors to shop, play, live and work.

(b) That the Council will seek to move administrative (and where appropriate other) functions into the Civic Centre, to establish the optimum volume and type(s) of space required for its future operations and then, subject to detailed feasibility, relocate the Council to the Victoria Centre. This will in turn release the Civic Campus for regeneration and provide opportunities to redeploy, sell, develop or lease other buildings with the Council's estate vacated as part of the rationalisation and to exit leased-in premises.

2. That a feasibility budget of £250,000 to support the next stages of work and enable the propositions to be developed and progressed, be approved. This will be funded by £75k from existing Civic Centre efficiencies capital budget with the balance of £175k met from the Business Transformation Reserve initially. This budget will be paid back through estate efficiencies and capital receipts as the project progresses.

3. That the procurement options be developed.

4. That the officers actively seek out external funding sources which may support this work.

Reasons for decision:

1. To provide officers with a clear set of principles to plan and work towards.

2. To enable the Council to ensure its administrative estate is right-sized, efficient, centrally located for easy access and to optimise the opportunities for increased footfall and linked spend in the City Centre.

3. To support the diversification and evolution of the Victoria Centre and make a clear, long-term statement of commitment to the City Centre.

4. To release brownfield land for development to help to meet the growing housing delivery challenge while also reducing its carbon footprint and occupational costs through rationalisation of the operational estate.



5. To enable planning, feasibility and strategy development and preliminary stages of delivery to move ahead.

Other options:

Not to agree the principle of relocation of the main administrative centre to the Victoria Centre and remain in the existing Civic Campus, acknowledging that it is far too large, inefficient, and expensive for the level of current and anticipated use and declining the regeneration opportunity presented. This would leave the spaces in the Victoria Centre available for leasing to generate further income.

2. To lease out floors of the Civic Centre again with a view to staying longer-term.

Note: This is an Executive Function

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

Cabinet Member: Cllr Collins

#### **460 Parking Strategy**

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Southend Parking Strategy 2022-2032 and Southend Parking Implementation Plan 2022-2032 and action plan.

Resolved:

1. That the comments of the Transport, Asset Management and Inward Investment Working Party held on 6<sup>th</sup> September 2022, be noted.

2. That the recommendation to adopt the policies where there was majority support from the public consultation for them, as set out in paragraph 3.5 of the submitted report, be noted.

3. That the Southend Vision for Parking, Southend Parking Strategy 2022-2032, Southend Parking Implementation Plan 2022-2032 and the Southend Parking Implementation Action Plan 2022-2032, set out at Appendix 3 to the report, be approved.

Reasons for decision:

To adopt the finalised versions of the Southend Vision for Parking, Southend Parking Strategy 2022-2032, Southend Parking Implementation Plan 2022-2032 and Southend Parking Implementation Plan 2022-2032 and Action Plan following comments from the Transport, Asset Management and Inward Investment Working Party and the results of the public consultation.

Other options:

None.

Note: This is an Executive Function

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

Cabinet Member: Cllr Wakefield

#### 461 **City of Culture Bid**

The Cabinet considered a report of the Executive Director (Adults and Communities) setting out the implications of a possible bid for the UK City of Culture competition.

Resolved:

That the potential benefits of developing a City of Culture bid in the future, be noted. However, as a fledging City, which alongside the City's residents and businesses, is faced with the cost of living crisis, inflation and significant pressures in adult and children's social care, it is considered inappropriate to incur any expenditure in relation to a bid in the 2029 competition.

Reasons for decision:

The timing and an unpredictable economic future are major factors which mitigate against such major expenditure as would need to be incurred.

Other options:

To continue with a consultation before reaching a decision. However, at this time of uncertainty this expenditure is considered to be inappropriate and the Council should concentrate all of its efforts in assisting and working with residents and businesses to ameliorate the effects of the current economic situation in anyway it can.

Other parties could take a lead and prepare for the 2029 bid. However, advice from Government is that the Council's resources and commitment are generally required to make the bids successful.

Note: This is an Executive Function

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

Cabinet Member: Cllr Mulronev

#### 462 **Scrap Metal Dealers Licensing Consultation**

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) setting out the legal obligations on the Council, acting as the Licensing Authority, in respect of the Scrap Metal Licensing Policy.

Resolved:

1. That the revised Scrap Metal Dealers Licensing Policy, set out at Appendix 1 to the submitted report, be approved.

2. That authority be delegated to the Executive Director (Neighbourhoods and Environment), in consultation with the Cabinet Member for Public Protection, to make any future amendments to the Scrap Metal Licensing Policy.

Reasons for decision:

To update and improve the Policy.

Other options:

None.

Note: This is an Executive Function  
Eligible for call-in to: Place Scrutiny Committee  
Cabinet Member: Cllr Terry

#### **463 Annual Safeguarding Report**

The Cabinet considered a joint report of the Executive Director (Adults and Communities) and the Executive Director (Children and Public Health) presenting the Southend Safeguarding Partnership Annual Report 2021/22.

Resolved:

That the Southend Strategic Safeguarding Partnership Annual Report 2021-2022, be noted.

Reasons for decision:

As one of the three strategic partners of the Southend Strategic Partnerships the Council needs to receive and note the Annual Report.

Other options:

None

Note: This is an Executive Function  
**Called-in to: People Scrutiny Committee**  
Cabinet Members: Cllr Mitchell and Cllr Burton

#### **464 Council Tenants Heating Charges Assessment 2022/23**

The Cabinet considered a report of the Executive Director (Finance and Resources) setting out the justification for increasing heating charges during 2022/23 in line with actual costs being incurred.

Resolved:

That an increase to Heating Charges for Housing Tenants for 2022/23, in line with the proposals contained in the submitted report, with effect from 1<sup>st</sup> January 2023, be approved.

Reasons for decision:

The residents of Sheltered Schemes and Hostels are currently paying below the actual cost for heating and hot water in their homes. This adjustment means that residents will start to pay the true cost of these services into their homes and better prepare them for further increases in 2023/24 in line with the energy market.

Other options:

Not to increase heating charges, the implications of this are twofold. Firstly, resident's costs of heating and hot water in their homes will be subsidised by the funds of South Essex Homes and the HRA. This is not a fair or appropriate use of HRA funds. Secondly, the losses being incurred by South Essex Homes on delivering these services will continue to increase putting further pressure on the reserves position and viability of South Essex Homes to continue to deliver vital services to the tenants.

Note: This is an Executive Function

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

Cabinet Member: Cllr Gilbert

**465 Proposal to increase the allowances and fees for Southend in-house foster carers**

The Cabinet considered a report of the Executive Director (Children and Public Health) setting out how the Council will improve the offer to prospective and existing foster carers with a new allowance and fee structure, additional benefits such as Council Tax relief and greater support and recognition for the valuable work foster carers do.

Recommended:

1. That the new fee and allowance structure for Southend-on-Sea foster carers, be approved.
2. That the introduction of the additional allowances, as set out in the submitted report, be approved.
3. That Southend-on-Sea approved foster carers who foster a Southend-on-Sea- child for at least 26 weeks of the year receive Council Tax relief up to Band D (if they live in Band E or above, they will get relief up to Band D) from 1<sup>st</sup> April 2023.
4. That funding for a new 1 FTE Fostering Panel Advisor, be approved.
5. That mileage payments for costs associated with the child, be approved.

Reasons for recommendation:

1. Improving the offer to foster carers will make it more appealing and more competitive and will help attract new carers to join the Council and reduce the current reliance on the external IFA market, whilst also reducing expenditure pressure on external placements. More importantly, it will ensure foster carers have the support they need to achieve the best outcomes for children in the Council's care.
2. Demand for foster carers significantly outstrips the current supply so the Council needs to ensure that it has a robust offer to attract and retain sufficient local foster carers. All local authorities find it a significant challenge to recruit and retain foster carers but other neighbouring local authorities currently perform better than the Council.

3. Increasing the number of in-house foster carers is more affordable. The proposed new offer will have average cost of £26,000 per child per year. The current average cost of an IFA is £50,000 per annum and the current cost of an average residential placement is £220,000 per annum (excluding the extremely high cost complex packages) and supported accommodation is £42,000 per annum.

4. It is anticipated that the new offer will increase the number of in-house foster carers, from an August 2022 baseline, by 69 additional foster carers by September 2025.

Other options:

1. Do nothing and maintain the current fees and allowances structure. However, if there is no change to the current offer the Council will continue to lose more foster carers and recruitment will continue to be challenging resulting in further use of the private, voluntary and independent market. This would mean the Council failing in its statutory sufficiency duty that requires local authorities to take steps to secure, so far as reasonably practicable, sufficient accommodation with the authority's area to meet the needs of children that are in the Council's care.

2. To only increase allowances by the recommended amount to support with the increased cost of living but remove any fees. The Council is only required to pay foster carers minimum allowances to cover the costs of caring for the child they foster, not fees, which are provided to the foster carer to reflect the work they do to support children in the Council's care. This would likely result in a loss of a significant portion of the in-house foster carers and make the Council even less competitive than other foster care providers including IFA and neighbouring local authorities. This will make it very difficult to attract new foster carers to the Council.

Note: This is a Council Function

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

Cabinet Member: Cllr Burton

#### **466 Debt Management - Position to 30th September 2022**

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Finance and Resources) providing an update on the current position of outstanding debt to the Council, as at 30<sup>th</sup> September 2022.

Resolved:

1. That the current outstanding debt position on 30<sup>th</sup> September 2022 and the position of debts written off to 30<sup>th</sup> September 2022, as set out in Appendices A and B to the submitted report, be noted.

2. That the five write-offs for debts that exceed £25,000, as shown in Appendix B to the report, be approved.

3. That the positive achievement in securing payment for historical rent and service charge debts inherited by the Council following the acquisition of the Victoria Centre in December 2020, be noted.

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

**467 Minutes of the meeting of Public Protection Working Party held Thursday, 6 October 2022**

The Cabinet considered the recommendations from the Public Protection Working Party held Thursday, 6 October 2022.

1. That the Notice of Motion seeking the establishment of an online 'Wall of Shame' to highlight incidences of flytipping and environmental crime across Southend, be noted.

2. That the Interim Executive Director (Neighbourhoods and Environment) work with the Council's current waste management contractor to identify opportunities for the enhancement of the current approach to the tackling of incidences of flytipping and environmental crime.

3. That a report be made to a future meeting of the Cabinet setting out fully costed and evaluated options for the enhancement of the Council's current approach to the tackling of incidences of flytipping and environmental crime, including the potential establishment of a 'Wall of Shame' as proposed by the Notice of Motion and the possible expansion of the Council's CCTV infrastructure.

4. That in the meantime:

(a) Officers continue to provide appropriate education for councillors and the public on flytipping and misrepresented waste and associated enforcement action.

(b) Officers continue to provide councillors with the quarterly 'Waste Dashboard' reporting levels of flytipping and misrepresented waste across the City.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

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

Cabinet Member: Cllr Terry

**468 Minutes of the meeting of The Shareholder Board held Wednesday, 12 October 2022**

The Cabinet considered the recommendations of the Shareholder Board held on Wednesday, 12 October 2022 concerning the proposed establishment of two subsidiary companies of South Essex Homes (SEH).

On consideration of the matter, it was noted that the report to the Shareholder Board was confidential and was dealt with under Part 2.

Resolved:

1. That the proposal of the SEH Board to establish an additional commercial subsidiary company, in parallel with the existing subsidiary SEPS, for the reasons set out in the confidential report to the Shareholder Board, and in line with the recommendation of Trowers and Hamblins, be approved.

2. That the proposal of the SEH Board to establish an additional subsidiary company, in anticipation of a partnership being entered into with Southend-on-Sea City Council and others, for the management and/or maintenance of properties on the Roots Hall and Fossetts Farm developments and/or the potential joint venture partner with the developer, be approved.

Reasons for Decision:

As set out in the confidential report to the Shareholder Board.

Other options:

None

Note: This is an Executive Function

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

Cabinet Member: Cllr Collins

**469 Minutes of the meeting of the Shareholder Board held Tuesday, 8 November 2022**

The Cabinet considered the recommendations of the Shareholder Board held on Tuesday, 8<sup>th</sup> November 2022:

(a) Porters Place LLP – Change of Control

Resolved:

1. That consent, under the Porters Place Southend-on-Sea LLP Agreement, to a change of control of Swan BQ Limited to reflect the proposed acquisition of Swan Housing Association, together with its subsidiaries, by Sanctuary Housing Association, be approved.

2. That the Executive Director of Finance & Resources be authorised to finalise and authorise the execution of any legal documentation (if required) with Sanctuary, and any relevant other party, to comply with the terms of the legal suite and to effect the approval of the change of control.

3. That as per the recommendations of Shareholder Board on 23 August 2022 and the subsequent decision at Cabinet 24 August 2022 (minute 227), that the deadline for receipt of the revised Business Plan remains the end of December 2023.

Reasons for decision

As set out in the report to the Shareholder Board.

Options:

None

Note: This is an Executive Function

**Referred direct to Special Place Scrutiny Committee**

Cabinet Member: Cllr Gilbert

(b) London Hire Community Services (LHCS) and Southend Travel Partnership (Vecteo) Share ownership update

On consideration of the matter it was noted that the report to the Shareholder Board concerning London Hire Community Services (LHCS) and Southend Travel Partnership (Vecteo) was confidential and was dealt with under Part 2.

Resolved:

That the recommendations set out in the submitted confidential report pertaining to the share ownership of London Hire Community Services (LHCS) and Southend Travel Partnership, be approved.

Reasons for decision:

As set out in the confidential report to the Shareholder Board.

Other options:

None

Note: This is an Executive Function

**Referred direct to Special Policy and Resources Scrutiny Committee**

Cabinet Members: Cllr Collins

**470 SO46 Report**

Resolved:

That the submitted report, be noted.

Note: This is an Executive Function

Eligible for call-in to: as appropriate to the item

Cabinet Member: as appropriate to the item

**471 Fair Cost of Care and Market Sustainability Plan**

This matter was withdrawn.

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



## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Place Scrutiny Committee

**Date: Thursday, 10th November, 2022**

**Place: Council Chamber - Civic Suite**

# 13

**Present:** Councillor J Courtenay (Chair)  
Councillors J Warren (Vice-Chair), M Berry, M Borton, S Buckley,  
D Cowan\*, M Davidson, L Hyde, D Jarvis, A Jones, R McMullan\*,  
J Moyies, A Thompson and R Woodley  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillors I Gilbert and C Mulroney  
E Lindsell and T Row

**Start/End Time:** 6.30 pm - 6.45 pm

#### **472 Apologies for Absence**

Apologies for absence were received from Councillors Buck (no substitute), Dent (substitute: Councillor Cowan), Thompson (substitute: Councillor McMullan), Ward (no substitute) and Wexham (no substitute).

#### **473 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillors George & Mulroney (Cabinet Members) - Interest in Minute No. 475; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.

#### **474 Questions from Members of the Public**

There were no questions from members of the public.

#### **475 Minutes of the meeting of the Shareholder Board held on Tuesday, 8th November 2022**

The Committee considered Minute 469 of Cabinet held on 8 November, which had been referred direct to Scrutiny for consideration. This related to the recommendations of the Shareholder Board from its meeting held on Tuesday, 8th November 2022.

The Cabinet Member for Economic Recovery, Regeneration and Housing gave assurance that an update report on the scheme would be submitted to Councillors via Cabinet as soon as practical after the agreement between Swan and Sanctuary had been completed.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That consent, under the Porters Place Southend-on-Sea LLP Agreement, to a change of control of Swan BQ Limited to reflect the proposed acquisition of Swan Housing Association, together with its subsidiaries, by Sanctuary Housing Association, be approved.

2. That the Executive Director of Finance & Resources be authorised to finalise and authorise the execution of any legal documentation (if required) with Sanctuary, and any relevant other party, to comply with the terms of the legal suite and to effect the approval of the change of control.

3. That as per the recommendations of Shareholder Board on 23 August 2022 and the subsequent decision at Cabinet 24 August 2022 (minute 227), that the deadline for receipt of the revised Business Plan remains the end of December 2023.”

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

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

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Appointments and Disciplinary Committee

**Date: Thursday, 10th November, 2022**

**Place: Committee Room 6 - Civic Suite**

# 14

**Present:** Councillor S George (Chair)  
Councillors C Mulroney (Vice-Chair), T Cox, M Davidson, D Jarvis,  
I Shead and \*K Mitchell

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** R Polkinghorne, T Dafter, S Putt and M Bearn (Hays)

**Start/End Time:** 9.30 am - 1.00 pm

#### **476 Apologies for Absence**

Apologies for absence were received from Councillor Gilbert (substitute: Cllr Mitchell).

#### **477 Declarations of Interest**

There were no declarations of interest at this meeting.

#### **478 Exclusion of the Public**

Resolved:

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

#### **479 Appointment of Executive Director (Adults and Communities) - Interviews**

The Committee interviewed candidates for the post of Executive Director (Adults and Communities).

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Executive Director (Adults and Communities) be offered to Mark Harvey.

2. That the Chief Executive be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Cabinet Member has any objection to the making of such an offer.

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

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## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Policy and Resources Scrutiny Committee

**Date: Tuesday, 15th November, 2022**

**Place: Council Chamber - Civic Suite**

# 15

**Present:** Councillor D Garston (Chair)  
Councillors F Evans (acting vice-chair), M Borton, T Cowdrey, T Cox,  
M Davidson, F Evans, A Jones, A Line, R McMullan, M Sadza,  
I Shead, P Wexham, \*M Dent, \*D Jarvis and \*J Moyies

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors P Collins, S George and C Mulroney  
J Burr, G Gilbert and R Harris

**Start/End Time:** 6.30 pm - 7.25 pm

#### **480 Apologies for Absence**

Apologies for absence were received from Councillors Nelson (substitute: Cllr Jarvis), Cowan (substitute: Cllr Dent), Walker (substitute: Cllr Moyies), Boyd (no substitute) and Stafford (no substitute).

#### **481 Declarations of Interest**

There were no declarations of interest at this meeting.

#### **482 Questions from Members of the Public**

There were no questions from members of the public relating to business included in the agenda for the meeting.

#### **483 Minutes of the meeting of The Shareholder Board held on Tuesday, 8th November 2022**

The Committee considered Minute 469 of Cabinet held on 8th November, which had been referred direct to Scrutiny for consideration. This related to the recommendations of the Shareholder Board from its meeting held on Tuesday, 8th November 2022 concerning London Hire Community Services (LHCS) and Southend Travel Partnership.

The Cabinet Member for Asset Management and Inward Investment gave assurance that the Shareholder Board would be regularly provided with updates on LHCS and Southend Travel Partnership. The Cabinet Member also gave assurance concerning the continuity of transport provided by LHCS.

‘Resolved:

That the recommendations set out in the submitted confidential report pertaining to the share ownership of London Hire Community Services (LHCS) and Southend Travel Partnership, be approved.’

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

**484 Exclusion of the Public**

Resolved:

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

**485 Minutes of the Shareholder Board held on Tuesday, 8th November 2022  
- Confidential Matters**

On consideration of Minute 469 of the Cabinet held on Tuesday, 8<sup>th</sup> November 2022, the Committee moved into Part 2 to discuss the confidential matters.

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

# SOUTHEND-ON-SEA CITY COUNCIL

## Meeting of Audit Committee

Date: Wednesday, 23rd November, 2022

Place: Council Chamber - Civic Suite

# 16

**Present:** Councillor M Dent (Chair)  
Councillors I Shead (Vice-Chair), H Boyd, K Buck, M Davidson,  
A Line, R McMullan, K Murphy, \*B Beggs and Mr K Pandya

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors T Cowdrey  
A Barnes, R Harris, P Bates, J Chesterton, S Dutton, C Fozzard and  
G Gilbert  
Also in attendance: M Ramzan and M Marais (Deloitte)

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

### 486 Apologies for Absence

Apologies for absence were received from Councillor Cox (substitute: Cllr Beggs).

### 487 Declarations of Interest

The following declaration of interest was made:

(a) Cllr Davidson – All minutes in so far as they relate to South Essex Homes – Non-Executive Director on South Essex Homes.

### 488 Minutes of the Meeting held on Wednesday, 20th July 2022

Resolved:

That the Minutes of the Meeting held on Wednesday, 20 July 2022, be confirmed as a correct record and signed.

### 489 Annual Report on Comments, Complaints and Compliments 2021/22

The Committee considered a report of the Executive Director (Strategy, Change and Governance) presenting the annual report on general comments, complaints and compliments received across the Council for 2021/22 and the findings of certain Local Government and Social Care Ombudsman investigations.

The Committee asked questions which were responded to by the Director of Legal Services. However, there were some detailed questions that could not be responded to and the Director undertook to liaise with the relevant Executive Directors to provide written responses to the Committee as soon as practicable.

Resolved:

That the Council's performance in respect of comments, complaints and compliments and Ombudsman investigations for 2021/22, be noted.

**490 Information Governance Update and Senior Information Risk Owner (SIRO) Annual Report 2021/22**

The Committee considered a report of the Executive Director (Strategy, Change and Governance) presenting a summary of the Council's key actions in regard to information governance and management during 2021/22 and the opportunities and challenges during 2022/23.

The Committee asked questions which were responded to by the Director of Legal Services. However, there were some detailed questions that could not be responded to and the Director undertook to provide written responses to the Committee as soon as practicable.

Resolved:

1. That the Senior Information Risk Owner (SIRO) report on Information Governance for 2021/22, be noted.
2. That the key actions taken during 2021/22, and the opportunities and challenges for 2022/23, be noted.

**491 CIPFA Financial Management Code Action Plan Progress Report**

The Committee considered a report of the Executive Director (Finance and Resources) presenting a six monthly update on the action plan that resulted from the Council's self-assessment undertaken in March 2022 against the expectations of CIPFA's Financial Management Code.

The Committee asked questions which were responded to by officers.

Resolved:

1. That the progress against the Financial Management Code action plan that was reported to the Audit Committee on 27 April 2022, be noted.
2. That it be noted that the next annual self-assessment of the Council's compliance status against CIPFA's Financial Management Code would be undertaken and reported to the Audit Committee in April 2023.

**492 Deloitte External Audit 2020/21 status update**

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

The Committee asked questions which were responded to by officers and the representatives from the external auditor.

Resolved:

That the submitted report be noted and that a further update on progress be provided to the January 2023 meeting of the Audit Committee.



**493 Deloitte: Report to the Audit Committee on the audit for the year ended 31 March 2021**

The Committee considered a report of the Executive Director (Finance and Resources) presenting a summary of the results of the work completed to date for the 2020/21 financial year with regard to the opinion on the Statement of Accounts and the commentary on the Council's Value for Money arrangements.

The Committee asked questions which were responded to by officers and the representatives of the external auditor.

Resolved:

That the submitted report on the audit for the year ended 31 March 2021, be accepted.

**494 Counter Fraud & Investigation Team Quarterly Performance Report**

The Committee considered a report of the Executive Director (Finance and Resources) setting out the progress made by the Counter Fraud and Investigation Team (CFIT) in delivering the Counter Fraud Strategy and work programme for 2022/23.

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.

**495 Internal Audit Service Quarterly Performance Report**

The Committee considered a report of the Executive Director (Finance and Resources) setting out progress made in delivering the Internal Audit Strategy for 2022/23.

The Committee asked questions which were responded to by officers.

Resolved:

That the progress made in delivering the 2022/23 Internal Audit Strategy, be noted.

**496 Information Item**

The Committee noted the recent publication of the latest issue of the Audit Committee Update from the CIPFA Better Governance Forum, which aimed to support members of audit committees in their role.

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

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**SOUTHEND-ON-SEA CITY COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Monday, 28th November, 2022**

**Place: Committee Room 4 - Civic Suite**

**17**

**Present:** Councillor A Thompson (Chair)  
Councillors S Buckley and N Folkard

**In Attendance:** A Brown, T Row, T Bahannack and M Newton

**Start/End Time:** 10.00 am - 10.40 am

**497 Apologies for Absence**

There were no apologies for absence.

**498 Declarations of Interest**

Mr T Bahannack declared that he knew Mr Damian O'Boyle (Applicant) from previous employment at Westminster City Council.

**499 Application for Grant of Premises Licence - Westcliff Drinks Company Limited, 128 Hamlet Court Road, Westcliff, SS0 7LN.**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by The Westcliff Drinks Company Limited for the grant of a premises licence at Westcliff Drinks Company, 128 Hamlet Court Road, Westcliff-on-Sea, SS0 7LN. The application sought the following:

(a) The supply of alcohol for consumption on and off the premises:  
Daily from 09:00 to 23:00;

(b) The provision of regulated entertainment comprising live music:  
Daily from 09:00 to 22:00;

(c) The provision of regulated entertainment comprising recorded music:  
Daily from 09:00 to 23:00; and

(d) The hours of opening for the premises:  
Daily from 09:00 to 23:30.

The application was presented on behalf of the applicant by Mr Daniel Fairweather. Mr. Damian O'Boyle was also in attendance on behalf of the applicant 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 Protection Team, acting as Responsible Authorities, during the consultation period, should the application be granted. These conditions were set out in Appendix 2 to the submitted report of the Council's Executive Director (Neighbourhoods and Environment).

One (1) representation had, however, been received from a local resident objecting to the application. The objector did not attend the hearing although a copy of the written representation was provided to the sub-committee.

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 in respect of this application, there was insufficient evidence to substantiate that the concerns raised in the representation would occur or could be attributed to this premises, as they are not trading as a licensed premises yet, or that could not be addressed through the imposition of appropriate conditions.

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 therefore:-

Resolved:-

That the application by The Westcliff Drinks Company Ltd. for a premises licence at Westcliff Drinks Company, 128 Hamlet Court Road, Westcliff-on-Sea, SS0 7LN be granted subject to:

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

(ii) The conditions drawn from the Operating Schedule, agreed with the Licensing Authority and the Environmental Protection Team, as set out in Appendix 2 to the submitted report of the Executive Director (Neighbourhoods and Environment), subject to the deletion of Condition No, 9 on the basis that this was superseded by Condition No. 11; and

(iii) The following additional condition:

- "Clearly visible signs shall be displayed at all times requesting customers to be quiet when leaving the premises and avoid disturbing local residents."

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

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Place Scrutiny Committee

Date: Monday, 28th November, 2022

Place: Council Chamber - Civic Suite

# 18

**Present:** Councillor J Courtenay (Chair)  
Councillors S Buckley, B Beggs\*, M Berry, M Borton, T Cox\*,  
M Davidson, M Dent, L Hyde, D Jarvis, A Jones, M Kelly, J Moyies,  
A Thompson, P Wexham and R Woodley  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillors S George, C Mulroney, M Terry, S Wakefield (Cabinet Members) and K Evans  
J Burr, S Dolling, J Gay, S Harrington and T Row

**Start/End Time:** 6.30 pm - 11.10 pm

#### 500 Apologies for Absence

Apologies for absence were received from Councillors Buck (substitute: Councillor Beggs), Warren (substitute: Councillor Cox) and Ward (no substitute).

#### 501 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors George, Mulroney, Terry and Wakefield (Cabinet Members) - Interest in the items referred direct; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011;

(ii) Councillors Berry, Dent, Hyde and Mulroney Minute No. 502 (Public Questions) – One of the questioners is known to them;

(iii) Councillor Borton – Minute No. 504 (Parking Strategy), Minute No. 507 (Annual Parking and Enforcement Report 2021/22) and Minute No. 508 (Highways Update Report) – Husband is a blue badge holder;

(iv) Councillor Cox – Minute No. 507 (Annual Parking and Enforcement Report 2021/22) – Daughter attend Richmond Avenue Primary School which was mentioned in the debate; and

(v) Councillor Anne Jones – Minute No. 504 (Parking Strategy), Minute No. 507 (Annual Parking and Enforcement Report 2021/22) and Minute No. 508 (Highways Update Report) – One of her sons works in Passenger Transport).

#### 502 Questions from Members of the Public

The Committee noted the responses of the Cabinet Member for Highways, Transport & Parking to two questions from Donna Richardson and the responses

from the Cabinet Member for Public Protection and the Cabinet Member for Environment, Culture and Tourism to questions by David Webb.

**503 Minutes of the Meeting held on Monday, 10th October, 2022**

Resolved:-

That the Minutes of the meeting held on Monday 10<sup>th</sup> October 2022 be received, confirmed as a correct record and signed.

**504 Parking Strategy**

The Committee considered Minute No. 460 of Cabinet held on Tuesday, 8<sup>th</sup> November 2022, which had been called-in for scrutiny, together with the report of the Interim Director (Neighbourhoods and the Environment) which presented the Southend Parking Strategy 2022-2032 and Southend Parking Implementation Plan 2022-2032 and action plan.

The Committee discussed the report in some detail and asked a number of questions of the Cabinet Member for Highways, Transport and Parking. The Committee noted the low level of response to the consultation and questioned why the consultation had been undertaken solely via the “Your Say” facility on the Southend on Sea City Council’s website. It also expressed its concern at the inclusion of policies listed in paragraph 3.5 of the submitted report, particularly in relation to the potential partial pedestrianisation of the seafront, within the strategy.

The Cabinet Member explained that the Strategy, Implementation Plan and action plan were live, working documents and that the policies referred to in paragraph 3.5 of the submitted report were prioritised concepts that had been identified through the public consultation exercise for the highways department to progress. By way of clarification, he offered to amend the wording of the decision to reflect this and gave assurance that any proposals to progress these would be subject to reports through the Council’s decision-making process and public consultation where necessary.

The Committee concluded, however, that the wording of the report and documents and the decision of Cabinet were misleading and confused and should therefore be reconsidered. The Committee offered its support in the preparation of a new strategy or the amendment of the existing draft documents by way of the pre-Cabinet Scrutiny process.

Resolved:-

That the matter be referred back to Cabinet for reconsideration for with the following recommendations:

- further clarity to be given in respect of the policies referred to in paragraph 3.5 of the submitted report and resolution 2, what the proposals are and how they form part of the finalised Southend Parking Strategy; and

- the knock-on effect of any changes of this based on the approval of the Southend Vision for Parking, Southend Parking Strategy 2022-2032, Southend Parking Implementation Plan 2022-2032 and Action Plan as detailed in resolution 3.

Note: This is an Executive function  
Cabinet Member: Councillor Wakefield

#### **505 City of Culture Bid**

The Committee considered Minute No. 461 of Cabinet held on Tuesday, 8th November 2022, which had been called-in for scrutiny, together with the report of the Executive Director (Adults and Communities) setting out the implications of a possible bid for the UK City of Culture competition.

Resolved:-

That the following decision of Cabinet be noted:

“That the potential benefits of developing a City of Culture bid in the future, be noted. However, as a fledging City, which alongside the City’s residents and businesses, is faced with the cost of living crisis, inflation and significant pressures in adult and children’s social care, it is considered inappropriate to incur any expenditure in relation to a bid in the 2029 competition.”

Note: This is an Executive function  
Cabinet Member: Councillor Mulronev

#### **506 Minutes of the Public Protection Working Party held Thursday, 6 October 2022**

The Committee considered Minute No. 467 of Cabinet held on Tuesday, 8th November 2022, which had been called-in for scrutiny. This concerned the recommendations of the Public Protection Working Party from its meeting held on Thursday, 6<sup>th</sup> October 2022.

In response to questions, the Council’s Interim Head of Waste and Climate Change undertook to investigate the possibility of reporting levels of fly-tipping, misrepresented waste and associated enforcement action on the Waste Dashboard more frequently and preferably on a monthly basis.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the Notice of Motion seeking the establishment of an online ‘Wall of Shame’ to highlight incidences of flytipping and environmental crime across Southend, be noted.

2. That the Interim Executive Director (Neighbourhoods and Environment) work with the Council’s current waste management contractor to identify opportunities for the enhancement of the current approach to the tackling of incidences of flytipping and environmental crime.

3. That a report be made to a future meeting of the Cabinet setting out fully costed and evaluated options for the enhancement of the Council's current approach to the tackling of incidences of flytipping and environmental crime, including the potential establishment of a 'Wall of Shame' as proposed by the Notice of Motion and the possible expansion of the Council's CCTV infrastructure.

4. That in the meantime:

(a) Officers continue to provide appropriate education for councillors and the public on flytipping and mispresented waste and associated enforcement action.

(b) Officers continue to provide councillors with the quarterly 'Waste Dashboard' reporting levels of flytipping and mispresented waste across the City."

Note: This is an Executive function

Cabinet Member: Councillor Terry

## **507 Annual Parking & Enforcement Report 2021/22**

The Committee considered Minute No. 445 of Cabinet Committee held on Monday, 7th November 2022, which had been called-in for scrutiny, together with the report of the Interim Executive Director (Neighbourhoods and Environment) that provided an overview of the annual parking report and performance for 2021/22 which must be published publicly in accordance with the requirements of the Traffic Management Act 2004 (TMA).

In response to questions the Cabinet Member for Highways, Transport and Parking, undertook to:

- investigate the possibility of reporting the parking enforcement information on the monthly service area dashboard for Councillors;
- provide the Committee with the details of the number of Southend Passes that had been issued;
- investigate whether there was any signage for the Gas Works Car Park for traffic travelling east to west and to erect some if required; and
- confirm when the Greenways School Streets scheme would be re-instated.

Resolved:-

That the following decision of Cabinet Committee be noted:

"That the report be noted."

Note: This is an Executive function.

Cabinet Member: Councillor Wakefield



**508 Highways Update Report**

The Committee considered Minute No. 446 of Cabinet Committee held on Monday, 7th November 2022, which had been called-in for scrutiny, together with the report of the Interim Executive Director (Neighbourhoods and Environment) that provided an annual update on the implementation of the highway asset management approach to managing the City's highway infrastructure.

In response to questions, the Cabinet Member for Highways, Transport and Parking gave his assurance to investigate why only a short section of Delaware Road had been resurfaced when it had been listed for the entire length to be done and would confirm when this would be completed.

Resolved:-

That the following decision of Cabinet be noted:

“That the report be noted.”

Note: This is an Executive function  
Cabinet Member: Councillor Wakefield

**509 In-depth Scrutiny Project 2022/23 - Preparing Southend for the EV Revolution - Update**

The Committee noted an oral update on the progress that had been made in respect of the in-depth scrutiny project entitled “Preparing Southend for the EV revolution.”

Resolved:-

That the report be noted.

This is a Scrutiny function.

**510 Council Procedure Rule 44.2**

During the consideration of Minute 505 (City of Culture Bid) and upon the hour of 10.00 p.m. having been reached, the Committee:

Resolved:-

That, in accordance with Council Procedure Rule 44.2, all remaining items of business be dealt with at the meeting.

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

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## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of People Scrutiny Committee

Date: Tuesday, 29th November, 2022

Place: Committee Room 1 - Civic Suite

# 19

Present: Councillor L Salter (Chair)  
Councillors N Folkard (Vice-Chair), B Beggs, M Berry, T Cowdrey, T Cox, A Dear, K Evans, J Harland, L Hyde, B Hooper, D Jones, K Murphy, M O'Connor and I Shead  
A Quinn (Southend Association of Voluntary Services), O Richards (Healthwatch Southend), T Watts (Southend Carers) and Revd. Canon L Williams (Church of England Diocese) (Co-opted Members)

In Attendance: Councillors L Burton, K Mitchell and S Wakefield (Cabinet Members), G Bloom, T Dafter, P Hill, N Hoskins, M Marks, L Minnis and S Tautz  
R Fenton, C Hankey and L Moncur (Mid and South Essex Integrated Care Board), A Packer (Essex Police), L Williams (Independent Improvement Adviser), G Shuttleworth (Vecteo)

Start/End Time: 6.30 pm - 9.45 pm

#### 511 Apologies for Absence

There were no apologies for absence from the meeting.

The Executive Director (Children and Public Health) reported that apologies for absence had been received from Professor Maggie Atkinson, the Independent Adviser for the Southend Safeguarding Partnership, who had hoped to attend the meeting in connection with the scrutiny of the annual report of the Partnership for 2021/22.

#### 512 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors L Burton, K Mitchell and S Wakefield (Cabinet Members) - Interest in the called-in items, attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (b) Councillor L Salter (Chair) - Minute 517 (Mid & South Essex Integrated Care System - Service Harmonisation Consultation) - Husband is a consultant surgeon at Southend Hospital.
- (c) Councillor N Folkard (Vice-Chair) - Minute 517 (Mid & South Essex Integrated Care System - Service Harmonisation Consultation) - Relative employed at Broomfield Hospital.
- (d) Councillor B Beggs - Minute 515 (SEND Strategy) - Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan.
- (e) Councillor B Beggs - Minute 518 (Children's Services Improvement Board) - Member of the Southend Adoption and Fostering Service Panel.

- (f) Councillor T Cox - Minute 515 (SEND Strategy) - Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan; Family member is a pupil of Shoeburyness High School.
- (g) Councillor T Cowdrey - Minutes 515 (SEND Strategy), 517 (Mid & South Essex Integrated Care System - Service Harmonisation Consultation) and Minute 519 (Passenger Transport Services - Performance Monitoring) - Employed as a social worker and practice educator at SEND school within Southend-on-Sea.
- (h) Councillor T Cowdrey - Minute 518 (Children's Services Improvement Board) - Appointed member of the Council's Fostering Panel.
- (i) Councillor K Evans - Minute 515 (SEND Strategy) - Family member is mentally handicapped.
- (j) Councillor B Hooper - Minute 515 (SEND Strategy) - Director of Blade Education, a not-for-profit company that works with local SEND children and MENCAP.
- (k) Councillor L Hyde – Minute 518 (Children's Services Improvement Board) - Appointed member of the Council's Adoption Panel.
- (l) Councillor I Shead - Minute 516 (Annual Safeguarding Report) - Family member has special needs and receives services from Essex County Council.
- (m) Councillor L Burton (Cabinet Member) - Minute 519 (Passenger Transport Services - Performance Monitoring) - Employed as a teacher at a school outside Southend-on-Sea that has pupils that are resident within the City.
- (n) Councillor K Mitchell (Cabinet Member) - Minute 516 (Annual Safeguarding Report) - Council's representative on the Board of Southend Association of Voluntary Services.
- (o) Councillor K Mitchell (Cabinet Member) - Minute 517 (Mid & South Essex Integrated Care System - Service Harmonisation Consultation) and Minute 519 (Passenger Transport Services - Performance Monitoring) - Close family member has SEN and learning difficulties.

### **513 Questions from Members of the Public**

The Committee noted the responses of the Cabinet Member for Children, Learning and Inclusion to questions presented by Mr David Webb.

### **514 Minutes of the Meeting held on 11 October 2022**

Resolved:

That the minutes of the meeting of the Committee held on 11 October 2022 be confirmed as a correct record and signed.

### **515 SEND Strategy**

The Committee considered Minute 458 of the meeting of the Cabinet held on 8 November 2022, which had been called-in for scrutiny, together with a report of the Executive Director (Children and Public Health) presenting the Southend SEND Strategy for 2022-2025.

The Executive Director (Children and Public Health) undertook to provide a written response to questions raised by members of the Committee, with regard to the organisations, groups or individuals that had been invited to participate in the co-production of the draft SEND Strategy and the process for referrals to be made to the Play and Parenting Service (Jigsaws).

Resolved:

1. That the matter be referred back to the Cabinet for reconsideration as the Committee was concerned that the draft SEND Strategy was not fully co-produced with the involvement of children and young people with SEND and their families and that it was considered that the draft Strategy should be clearer around the full extent of the SEND support offer.

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

Note: This is an Executive Function  
Cabinet Member: Councillor L Burton

## **516 Annual Safeguarding Report**

The Committee considered Minute 463 of the meeting of the Cabinet held on 8 November 2022, which had been called-in for scrutiny, together with a joint report of the Executive Director (Adults and Communities) and the Executive Director (Children and Public Health), presenting the annual report of the Southend Safeguarding Partnership for 2021/22.

In response to concerns expressed by the Committee, the Executive Director (Children and Public Health) undertook to investigate options for the issues raised in the annual report around the current level of resource allocation for the Business Unit for the Safeguarding Partnership to be addressed by the Leadership Group for the Partnership and (if appropriate) the Health and Wellbeing Board, as soon as possible.

Resolved:

That the following decision of the Cabinet be noted

“That the Southend Strategic Safeguarding Partnership Annual Report 2021-2022, be noted.”

Note: This is an Executive Function  
Cabinet Members: Councillors L Burton and Councillor K Mitchell

## **517 Mid & South Essex Integrated Care System - Service Harmonisation Consultation**

The Committee received a presentation from Ronan Fenton (Medical Director) and Claire Hankey (Director of Communications and Engagement) of the Mid and South Essex Integrated Care Board (ICB) with regard to the proposals of the ICB to harmonise the provision of six service areas (Bariatric surgery, breast asymmetry, breast reduction, female sterilisation and tertiary fertility services), as a result of differing historic commissioning policies within the previous clinical commissioning groups.

Members were advised that current arrangements for the delivery of the six services differed across Mid and South Essex and that the ambition of the harmonisation proposals was for everyone living in Mid and South Essex to have the same opportunities and access to the services. The Committee was advised that consultation on the proposals of the ICB

was being undertaken from 31 October to 19 December 2022 and that the consultation process placed emphasis on seeking participation from groups most likely to be impacted by changes in service provision.

Resolved:

1. That the proposals of the Mid and South Essex Integrated Care Board (ICB) for the harmonisation of the provision of the service areas presented to the Committee, be noted.
2. That the Committee support the promotion of the consultation on the harmonisation of service delivery by the ICB.
3. That the ICB present an analysis of the results of public consultation with regard to the service harmonisation proposals, to a future meeting of the Committee.

Note: This is a Scrutiny function

### **518 Children's Services Improvement Board**

The Committee considered a report of the Executive Director (Children and Public Health) that provided an update on the work of the Children's Services Improvement Board.

The Committee also received a comprehensive presentation from the new independent Chair of the Board, Lou Williams, on the findings of a 'deep dive' exercise undertaken across the provision of children's services.

Resolved:

1. That the current work programme and progress of the Children's Services Improvement Board, be noted.
2. That the findings arising from the 'deep dive' exercise undertaken by the independent chair of the Board, be noted.
3. That a further report be made to a future meeting of the Committee setting out progress on the achievement of actions to address relevant findings arising from the 'deep dive' exercise.

Note: This is a Scrutiny function

### **519 Passenger Transport Services - Performance Monitoring**

The Committee received a report in relation to the ongoing monitoring of the performance of the Vecteo Joint Venture Company established for the provision of passenger transport services.

Resolved:

That the report be noted.

Note: This is a Scrutiny function.

### **520 In-Depth Scrutiny Project 2022/23 - 'Providing First Class Services for Families with Children with Special Educational Needs & Disabilities'**

The Committee received an update on progress with regard to the in-depth scrutiny project for 2022/23.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

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

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## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 30th November, 2022**

**Place: Council Chamber - Civic Suite**

# 20

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), M Berry, K Buck, A Dear, M Dent,  
F Evans, D Garston, S Habermel, D Jarvis, A Jones, C Mulroney,  
M Sadza, I Shead, A Thompson, C Walker and R Woodley

**In Attendance:** G Gilbert, K Waters, C Galforg, A Greenwood, P Keyes,  
S Mouratidis, M Warren and T Row

**Start/End Time:** 2.00 pm - 6.40 pm

#### 521 Apologies for Absence

There were no apologies for absence.

#### 522 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Borton – Application Ref. No. 22/00611/FULM – Has spoke about possible development with residents of Sutton Road/Glenhurst Road;

(ii) Councillor Dear – Application Ref. No. 22/01808/AMDT – Has been contacted by one of the objectors to the application and has visited the site to view the bedroom room windows of the application site;

(iii) Councillor Dent – TPO 05/2022 – Communications with residents;

(iv) Councillor Anne Jones – Application Ref. No. 22/01602/RES – Family work in river transport and railway which were both mentioned in the debate;

(v) Councillor Mulroney – Application Ref. No. 22/01976/BC3 – Artist is known to her; and

(vi) Councillor Ward – Application Ref. No. 22/01976/BC3 – Lives along Eastern Esplanade.

#### 523 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, since the publication of the reports.

**524 22/00611/FULM - 425 - 427 Sutton Road, Southend-on-Sea  
(Victoria Ward)**

**Proposal: Demolish existing buildings and erect two 3 storey blocks comprising of 33 self-contained flats facing Sutton Road, install vehicular access on to Sutton Road, layout parking to rear, cycle and bin storage, amenity space, landscaping and associated works**

**Applicant: Mr Chris Dove**

**Agent: N/A**

Resolved:-

(a) That the Executive Director (Growth & Housing), Director or Planning or Service Manager – Development Control be DELEGATED to GRANT planning permission subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Affordable housing of 9no. affordable rent (4no. 1b2p, 2no. 2b3p, 2no. 2b4p and 1no. 3b4p units) and 24no. shared ownership (5no. 1b2p, 15no. 2b3p, 3no. 2b4p and 1no. 3b4p);
- Residential Travel Packs – to be agreed prior to occupation;
- Essex Coast RAMS – to be paid prior to occupation;
- Monitoring costs of £2250.

(b) That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to above and subject to the conditions set out below:

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

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

02 The development hereby permitted shall be carried solely out in accordance with the approved plans:

200 P4 Site Location Plan

201 P4 Existing Site Plan

202 P8 Proposed Site Plan

203 P8 Site Context Plan

204 P13 Proposed Ground and First Floor Plans

205 P9 Proposed Second Floor Plan and Roof Access

206 P8 Proposed Roof Plan

208 P5 Proposed Elevations

209 P11 Existing and Proposed Street Scene and Site Plan

210 P4 Existing and Proposed Street Scene with Sections

250 P2 Proposed Public Realm Improvements

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works in relation to the proposed residential buildings other than ground preparation and construction up to ground floor slab levels shall take place unless and until full product details of the materials to be used on all external elevations of the buildings including walls, projecting and inset balconies including floor, underside, fascia and soffit, windows and doors, roof and roof terraces, coping, privacy screens, rainwater goods and service doors including serving the cycle and refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into first use.

Reason: In the interests of the visual amenities of the area, 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 and the advice contained within the Southend Design and Townscape Guide (2009).

04 The dwellings hereby permitted shall not be occupied until and unless full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works including boundary treatments shall be carried out prior to first occupation of the dwellings and the soft landscaping works within the first planting season following first occupation of the dwellings. The details submitted in respect of each shall include, but not limited to:

- means of enclosure of the site including any gates or boundary fencing;
- details of the number, size and location of trees, shrubs and plants to be planted together with a planting specification including for the rear boundary trees, tree pit details, planting-soil and staking conditions, and a watering programme, to ensure their successful establishment;
- details of planting to the green roof areas together with supporting media and drainage where necessary, with inspection and management proposals, to ensure their successful establishment;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture and planters);
- specific measures to enhance biodiversity within the site such as indicated within the submitted Bat Survey by John Dobson November 2021 report and Ecology Report by Wild Frontier November 2021.

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

Reason: In the interests of the character and appearance of the area and the amenities of neighbouring occupiers, and ecology 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 and the advice contained within the Southend Design and Townscape Guide (2009).

05 The dwellings hereby approved shall not be occupied unless and until the removal and reinstatement of the existing crossovers and the public realm

improvements, all shown on plan 250 P2, have been completed in accordance with that drawing and have been certified in writing as complete by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area 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 and the advice contained within the Southend Design and Townscape Guide (2009).

06 The development authorised by this permission shall not begin until full details of additional street trees to the front of the site, as indicated on, and notwithstanding the details within, the 9546-D-AMS Rev B Tree Protection Plan by Hayden's, have been submitted to and approved in writing by Southend City Council as Local Planning Authority. The submitted details shall include tree pits to be constructed in a way that will prevent future root damage to the surrounding hard surfaces, a timetable for implementation, and ten-year management and maintenance proposals. The timetable for implementation shall provide for planting within the first planting season following completion of the public realm works identified in this planning permission. Any trees dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the character and appearance of the area 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 and the advice contained within the Southend Design and Townscape Guide (2009).

07 The dwellings hereby permitted shall not be occupied until and unless full details of the privacy screening at first and second floors and roof level have been submitted to and approved in writing by the Local Planning Authority, and the agreed details have thereafter been implemented in full. The agreed privacy screening shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of the amenities of neighbouring 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 and the advice contained within the Southend Design and Townscape Guide (2009).

08 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no external lighting shall be installed unless and until a full scheme of external lighting has been previously submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy

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

09 Prior to first occupation of the first and second floor flats within the development hereby approved, a scheme of obscure glazing to maintain the privacy conditions of adjacent existing and proposed dwellings, 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 windows permanently fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above the internal floor level of the room or area served by the window , shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details before it is first occupied and shall be retained for the lifetime of the development.

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

10 The development hereby permitted shall be carried out in accordance with the Construction Method Statement Version 1\_13.06.2022 or in accordance with alternative details for a Demolition and Construction Method Statement which have been submitted to and approved in writing by the Local Planning Authority under the terms of this planning condition. The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of the free flow of traffic and general environmental quality in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM3 and Policy DM15 of the Southend-on-Sea Development Management Document (2015).

11 Demolition or construction works of the development hereby approved shall not take place outside 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays nor at any time on Sundays or Bank Holidays.

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

12 No development above ground floor slab level shall take place unless and until a Noise Impact assessment (NIA) has been conducted by a competent person to assess all external and internal noise impacts on the future residents of the development and submitted to the Local Planning Authority for approval. These shall include but not be limited to:

- Road traffic noise
- Airborne and impact noise caused by normal living where bedrooms are above or below living areas
- Internal plant noise including lifts
- Use of communal stairwells and halls
- Impact of external building services and extract ventilation equipment.

The scheme shall have been carried out by a competent person (normally a member of the Institute of Acoustics) (IOA)) and shall incorporate mitigation measures to ensure that until the internal and external areas of dwellings are protected from external noise in accordance with BS8233:2014 and the current Noise Policy Statement for England. The internal ambient noise levels of the proposed development shall not exceed the guideline values in BS8233:2014 Table 4 as follows:

07:00 to 23:00: Resting - Living room 35 dB LAeq,16hour; Dining - Dining room/area 40 dB LAeq,16hour; Sleeping/Daytime Resting - Bedroom 35 dB LAeq,16hour;  
23:00 to 07:00: Sleeping/Night time - Bedroom 35 dB LAeq,8hour;

The mitigation measures shall have regard to thermal comfort in accordance with Acoustic Ventilation and Overheating - Residential Design Guide by IOA and Association of Noise Consultants. Any alternative means of ventilation and air cooling and heating is required to demonstrate that: the alternative means of ventilation and cooling will not compromise any noise protection measures; the alternative means of ventilation and cooling will not present an adverse noise or odour impact on occupants; the alternative means of ventilation and cooling will enable optimum living conditions in all weather and with reference to climate change predictions. The means of ventilation must be in accordance with documents CIBSE Guide A:2015-Environmental Design, CIBSE TM52:2013-The limits of thermal comfort: avoiding overheating in European buildings and CIBSE TM59:2017-Design methodology for the assessment of overheating risk in homes. The alternative means of ventilation shall be retained for the lifetime of the development thereafter.

The development hereby permitted shall take place only in full accordance with the details and measures in the approved Noise Mitigation Scheme and ventilation measures from first occupation of the development and shall remain as such in perpetuity thereafter.

Reason: In the interests of occupier amenities further to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM8.

13 Before any of the flats hereby approved are first occupied or brought into use, the development hereby approved shall have been carried out in a manner to ensure that four of the flats hereby approved comply with building regulation M4(3) 'wheelchair user dwellings' standard and all the remaining flats comply with building regulation M4(2) 'accessible and adaptable dwellings' standard.

Reason: To ensure the dwellings provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2021), Policy KP2 of the Core Strategy (2007), Policy DM2 of the Development Management Document (2015).

14 The dwellings hereby approved shall not be occupied until and unless secure and covered refuse storage for occupiers has been provided at the site and made available for use in accordance with details shown on approved plan 204 P13. The storage shall be retained as such for the lifetime of the development thereafter.

Reason: In the interests of the living conditions of existing and future residential occupiers and provide suitable storage for waste and materials for recycling in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).

15 The dwellings hereby approved shall not be occupied until and unless a waste management scheme setting out collection arrangements and collection times has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the living conditions of existing and future residential occupiers and provide suitable storage for waste and materials for recycling in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).

16 The development hereby approved shall not be occupied until and unless secure cycle storage for occupiers has been provided on site and made available for use in accordance with the details shown on approved plan 204 P13. The storage shall be retained as such for the lifetime of the development thereafter.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 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).

17 The development hereby approved shall not be occupied until and unless 33 car parking spaces, of which not less than 4 shall be for disabled users, have been provided at the site and made available for use , in accordance with the details shown on drawing 204-P13, together with a properly constructed vehicular access to the adjoining highway. The parking spaces shall be permanently retained thereafter solely for the parking of occupiers of and visitors to the development.

Reason: To ensure the provision of adequate car parking in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015).

18 Notwithstanding the details submitted within the SUDS Assessment Statement from Dove Jeffery Homes reference SUT003 dated 11.03.2022 and the details submitted and otherwise hereby approved no drainage infrastructure associated with this development shall be installed until final details of drainage strategies have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details in full before it is occupied. The details shall provide for the following:

- Details of surface water management during the construction phase including details on the phasing of drainage installation relative to wider works;
- Greenfield runoff rate must be provided, and discharge must be limited to the greenfield run off rate, or show measures taken to achieve this. If existing surface water drains are being used, confirmation is needed and an agreement in principle from Anglian Water regarding the surface water connection point; a maximum flow

rate of 2 l/s should be provided if a connection to existing surface water sewers is being made;

- Updated drainage modelling calculation outputs should be provided with the following parameters amended - please note these are for review only given the system has been designed to a 1:100 year storm standard
- Cv values set to 1.0 for all storm simulations;
- Maximum rainfall amount set to the maximum allowed by the software or 500 mm/hr, whichever is lowest;
- The Additional Storage factor should be set to 0 unless conclusive evidence is provided to justify why this has been modelled using 10 m<sup>3</sup>/ha;
- Calculations of the brownfield run off rate must be given and a better of 50% must be proven.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

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

The report of the findings must include:

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

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

(b) Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural



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

(c) Implementation of Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development other than that required to carry out additional necessary investigation as defined under part (b) of this condition, which in this case may include demolition and site clearance, shall be undertaken unless and until the measures set out in the detailed remediation scheme approved under part (b) of this condition have been implemented. The Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

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

Reason: To ensure that any contamination on site is identified and treated so that it does not harm anyone who uses the site in the future and in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM14 of the Development Management Document (2015).

20 A scheme detailing how at least 10% of the total energy needs of the development hereby approved will be supplied using on site renewable sources 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: In the interests of providing sustainable development in accordance with the National Planning Policy Framework (2021), Policy KP2 of the Southend-on-Sea Core Strategy (2007), and Policy DM2 of the Southend-on-Sea Development Management Document (2015).

21 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 brought into use.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015).

22 Prior to first occupation of the dwellings hereby approved, no fewer than 33 active electric vehicle (EV) charging points shall have been provided, one to serve each residential parking space. The arrangements shall be retained thereafter for the lifetime of the development.

Reason: To ensure the provision for adequate EV car parking and charging in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015), Policy DS5 of the Southend Central Area Action Plan (SCAAP) (2018) and the Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021 ).

23 Other than the areas specifically denoted as roof terraces on the plans hereby approved, the roofs of the buildings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3.

24 No development shall take place until and unless a scheme for the protection of the horse chestnut street tree, adjacent to the site on Sutton Road, has been implemented in accordance with the details contained within 9546-D-AMS Rev B Tree Protection Plan by Hayden's and the Arboricultural Method Statement & Tree Protection Plan 01/11/2022 Rev B by Hayden's. The approved protection measures shall be fully installed before the commencement of works and

maintained throughout construction. The development shall be implemented in full accordance with the approved statement, measures and methods.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed before 9th December 2022, or an extension of this time as may be agreed by the by the Director of Planning or Service Manager - Development Control, authority is delegated to the Director of Planning or Service Manager - Development Control to refuse planning permission for the application on the grounds that the development will not secure the necessary affordable housing provision and mitigation of impacts on European designated sites. As such, the proposal would be unacceptable and contrary to Policies KP1, KP2, KP3, CP4 and CP8 of the Core Strategy (2007), Policies DM1, DM6 and DM7 of the Development Management Document (2015) and the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (2020).

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

#### Informatives

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

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

- 525 22/01602/RES - Land Between Barge Pier Road and Ness Road, Shoeburyness (Shoeburyness Ward)**  
**Proposal: Approval of Reserved Matters (Appearance, layout and scale) for the engineering works required to raise the levels of the site to create the development platforms and associated infrastructure works. Submission of details for conditions 2 and part discharge of conditions 7, 8, 9, 13, 16 and 17, in relation to the engineering works of planning permission 20/01227/OUTM dated 26.02.2021 - Erect up to 214 residential units (Use Class C3), provision of a new health centre up to 1000sqm (Use Class D1), up to 400sqm of retail floorspace (Use Class A1-A3), land raising, all associated car parking, new foot and cycle paths, public open space, landscaping and ancillary works and infrastructure, Install vehicular access off Barge Pier Road, New Garrison Road and Magazine Road (Outline Application)**  
**Applicant: Bellway Homes Essex**  
**Agent: Savills**

Resolved:- (a) That the RESERVED MATTERS be APPROVED, subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the following approved plans: BA9923-SK011-02 (Site Location Plan), 2105160-140-P3 (Earthworks Surcharge Strategy Plan), 2105160-141-P1, 2105160-142-P1, 2105160-143-P3 (Cut and Fill Sections), 2105160-131-P2, 105160-130-P2, 2105160-132-P2 (Earthworks Surcharge Drainage Strategy Plans) and in full accordance with Preliminary Land Raising Strategy IDOM reference PLRSR-22438-22-101-Rev C dated 09.08.22.

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

02 Prior to the commencement of the development hereby approved, details of a survey of the existing eastern drainage ditch as shown on plan reference BA9923-SK011-02 and a strategy for any ditch maintenance works required to ensure that this drainage ditch is suitable for the intended temporary drainage works associated with the development hereby approved whilst also maintaining the ecology mitigation measures and required enhancement measures approved under, and secured by conditions 13, 14, 15, 16 and 17 of, planning permission 20/01227/OUTM shall be submitted to and agreed in writing by the Local Planning Authority. The approved works shall then be carried out and completed in full accordance with the approved details.

Reason: This pre-commencement condition is required to ensure the approved development does not increase flood risk elsewhere or harm ecology in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2, KP3 and CP4 and Development Management Document (2015) Policies DM6 and DM14.

03 The works to create the raised development platforms hereby approved shall be carried out and completed in full accordance with the timescales set out in section 3 of the Construction Management Plan (CMP) Rev C by Bellway dated 07.11.22 or any other timetable that has previously been submitted to and agreed in writing with the Local Planning Authority under the terms of this planning condition. In addition, notwithstanding the contents of the CMP approved under condition 09 of planning permission 20/01227/OUTM for the construction of the raised development platforms, prior to the commencement of the development subject of this permission, a strategy for lorry movements to and from the development site through the City, including a means for the monitoring of the adherence of the development's vehicles travelling via the agreed routes, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate that the primary routing on entry to, and through, the City is via the A127. The development shall be carried out in full accordance with the approved details.

Reason: A pre commencement condition is required in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality and to safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015) and advice in the Southend-on-Sea Design and Townscape Guide (2009).

#### Informative

You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that the Council will 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. The developer will be held responsible for any mud on the road associated with the development and will be expected to address and clean this away promptly within the provisions of the approved CMP failing which the Highways Authority will seek to recover from the developer the Council's costs incurred in removing mud and cleaning the highway and any damage to the road network caused by the development under Section 148 of the Highways Act 1980.

#### Positive and Proactive Statement:

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.

(b) That the PARTIAL DISCHARGE of the following conditions for planning permission 20/01227/OUTM, be GRANTED:

#### Condition 02 (Phasing Plan)

The details of the phasing of the engineering works, as set out in the phasing plans reference BA9923-SK017-01 and BA9923-SK012-04 and the Construction Management Plan (CMP) Rev C by Bellway dated 07.11.22 are acceptable and partially agreed in accordance with the requirements of condition 02 of planning permission reference 20/01227/OUTM in relation to the construction of the raised development platforms only. A subsequent phasing plan will need to be separately agreed in relation to the detailed development in due course.

#### Condition 07 (Archaeological Recording)

The details of archaeological recording for the site as set out in the Written Scheme of investigation for a Geoarchaeological Borehole Survey by RPS JAC27603 dated May 2022 and the Geoarchaeological Borehole Survey by RPS reference JAC27603 dated May 2022 are acceptable and partially agreed in accordance with the requirements of condition 07 of planning permission reference 20/01227/OUTM in relation to the programme of archaeological recording and analysis only. A report detailing the findings of the borehole analysis will need to be submitted to the Local Planning Authority in due course.

#### Condition 08 (Existing and Proposed Levels)

The details of the existing and proposed levels, as set out in drawing reference 2105160-140-P3 (Earthworks Surcharge Strategy Plan) are acceptable and partially agreed in accordance with the requirements of condition 08 of planning permission reference 20/01227/OUTM in relation to the construction of the raised development platforms only. The final land levels will need to be separately agreed in relation to the detailed development in due course.

#### Condition 09 (Demolition and Construction Management Plan (Engineering Works only))

The details of the Construction Management Plan (CMP) Rev C by Bellway dated 07.11.22 are acceptable and partially agreed in accordance with the requirements of condition 09 of planning permission reference 20/01227/OUTM in relation to the construction of the raised development platforms only. A subsequent CMP will need to be separately agreed in relation to the detailed development in due course.

#### Condition 13 (Timescale for the implementation of Biodiversity Mitigation Measures)

The details of the timescales for the implementation of Biodiversity Mitigation Measures, including the amended mitigation measures for the site in relation to badgers, as set out in the Updated Ecological Assessment by SES dated August 2022, Ecological Condition Discharge Document: Conditions 13 and 16 Rev B by SES dated 18.11.22, the Ecological Condition Discharge Document: Conditions 13 and 16 Partial Discharge Relating to Badgers Rev B- by SES dated 08.11.22, the Badger Sett Location Plan dated October 2022 and email from agent dated 30.09.22 regarding Badger Mitigation are acceptable and partially agreed in accordance with the requirements of condition 13 of planning permission reference 20/01227/OUTM in relation to those measures relevant to the

construction of the raised development platforms only. A subsequent timetable for the full programme of Biodiversity Mitigation Measures will need to be separately agreed in relation to the detailed development in due course.

#### Condition 16 (Timetable for Ecological Enhancement Measures)

The details of the timescales for the implementation of Ecological Enhancement Measures as set out in the Ecological Condition Discharge Document: Conditions 13 and 16 Rev B by SES dated 18.11.22 are acceptable and partially agreed in accordance with the requirements of condition 13 of planning permission reference 20/01227/OUTM in relation to those measures relevant to the construction of the raised development platforms only. A subsequent timetable for the full programme of Ecological Enhancement Measures will need to be separately agreed in relation to the detailed development in due course.

#### Condition 17 (Botany Reports)

The Condition 17 Compliance Note by SES dated 18.11.22 and Ecological Condition Discharge Document: Conditions 13 and 16 Rev B by SES dated 18.11.22 are acceptable and partially agreed in accordance with the requirements of condition 17 of planning permission reference 20/01227/OUTM. Compliance with the translocation of key plant species will need to be demonstrated in due course.

#### Informatives:

01 Please note that all the conditions imposed on the Outline Permission 21/02034/OUT and the associated S106 agreement are in force and need to be complied with.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that the Council will 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. The developer will be held responsible for any mud on the road associated with the development and will be expected to address and clean this away promptly within the provisions of the approved CMP failing which the Highways Authority will seek to recover from the developer the Council's costs incurred in removing mud and cleaning the highway.

03 The applicant is advised that all aspects of the development must comply with Civil Aviation Authority CAP168 and EASA (European Union Aviation Safety Regulations) regulations including lighting, landscaping and renewable energy sources.

**526 22/01976/BC3 - Pavement Junction at Lynton Road with Thorpe Esplanade (Thorpe Ward)**

**Proposal: Install permanent sculpture comprising of a brick column sculpture (B) as part of the "made from this land" sculpture trail (Site 4)**

**Applicant: Miss Laura Bowen of Focal Point Gallery**

**Agent: N/A**

Resolved:- That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the following conditions and provided that any additional representations received up to the end of the consultation period on 1 December 2022 do not raise any new material planning considerations. In the event that representations are received and these raise new material considerations not addressed within this report, the application be brought back to this Committee for determination.

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 hereby permitted shall be carried out in accordance with the following approved plans, inclusive of the materials annotated: Location Plan; A010 Rev A; A201 Rev G.

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

03 The development hereby permitted shall be carried out and maintained solely in accordance with the details contained in the submitted document "Made from this Land", Emma Edmondson, Section 106 Southchurch Art Commission".

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.

#### Informatives:

01 You should be aware that in cases where damage occurs public during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing 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.

02 You are advised that as the proposed development does not involve the creation of new floorspace it benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

**527 19/02377/DOV5 & 21/00783/AMDT - 939 - 953 London Road, Leigh-on-Sea (Blenheim Park Ward)**

**Proposal: (a) Modification of planning obligation to provide affordable housing (Section 106 agreement) dated 26.10.2017 pursuant to application 17/00563/OUTM as amended by Deed of Variation dated 06.11.2020 pursuant to application 20/00633/AMDT.**

**(b) Application to vary condition number 01 (approved plans) to alter fenestrations and layout to comply with Building Regulations (Minor Material Amendment of planning permission 17/02183/RESM dated 06.06.2018) and modification of planning obligation to provide affordable housing (Section 106 agreement) dated 26.10.2017 pursuant to application 17/00563/OUTM as amended by Deed of Variation dated 06.11.2020 pursuant to application 20/00633/AMDT.**

**Applicant: Mr Horban**

**Agent: DAP Architecture**

Resolved:- (a) That MODIFICATION of the Section 106 agreement dated 26.10.2017 pursuant to application 17/00563/OUTM as amended by Deed of Variation dated 06.11.2020 pursuant to application 20/00633/AMDT be GRANTED to allow:

(i.) The removal of the obligation that the developer provides affordable housing on site.

(ii.) The securing of a financial contribution of £100,000.00 for the provision of affordable housing off site to be paid prior to first commencement of construction works, other than demolition, above ground floor level.

(iii.) The inclusion of a Late-Stage Viability Review Mechanism that would allow an additional contribution towards affordable housing

(b) That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the modification of the section 106 agreement referred to (a) above and subject to the conditions set out below:

01 The development hereby permitted shall be carried out in accordance with plans 100; 350.01; 351.00; 352.00; 353.00; 354.00; 355.00; 356.00; 357.00; 358.00; 359.00; 360.00.

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

02 The development shall be carried out solely in accordance with the details of external materials shown on the approved plans 350.01, 351.00, 352.00, 353.00, 354.00 and 355.00 prior to first occupation of any development hereby approved.

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

03 The hard and soft landscaping shall be undertaken in accordance with the approved details of application 17/02183/RESM and as shown on drawing 601a submitted and approved with that application. The approved hard landscaping works shall be fully completed prior to first occupation of the development hereby approved and the soft landscaping works shall be completed within the first planting season following first occupation of the development and maintained in perpetuity thereafter.

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

04 A 1.5m high obscure glazed (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) privacy screen to the northern edge of the communal amenity deck shown on drawing 359 shall be installed prior to the first occupation of the residential flats hereby approved. The privacy screen shall be permanently retained thereafter.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential occupiers of the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

05 One car parking space per residential and per commercial unit shall be provided with active electric vehicle charging facilities. Every car parking space shall be future proofed with passive electric vehicle charging point provision, with measures such as, but not exclusively, four-way duct and draw pits to all parking bays, so that electric charging points can be installed when demand requires. The charging infrastructure shall be permanently maintained for use by occupiers/users/visitors of the relevant dwelling and commercial units.

Reason: In the interests of providing sustainable transport choices, including electric vehicles, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Core Strategy (2007), Policies DM3 and DM15 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Electric Vehicle Charging Infrastructure for New Development Supplementary Planning Document (2021).

(c) In the event that the planning obligation referred to in part (a) above has not been completed before 7 December 2022 or an extension of this time as may be agreed by the Director of Planning or Service Manager - Development Control, authority is delegated to the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control to refuse planning permission for the application on grounds that the development will not secure the necessary contributions to provide affordable housing off-site and would not provide any secondary education contributions to mitigate the impact of the

development. As such, the proposal would be contrary to national and local planning policy.

**Positive and Proactive Statement:**

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

**Informatives:**

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

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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.

- 528**     **22/01808/AMDT - 35 Belfairs Drive, Leigh-on-Sea (Belfairs Ward)**  
**Proposal: Application to vary condition 04 - to allow the main bedroom window in rear dormer to have clear glass with openable windows - (Minor Material Amendment of Planning Permission 21/00240/FULH dated 30/03/2021) (Retrospective)**  
**Applicant: Mr Faysal Mahmud**  
**Agent: Mr Sam Milne**

Mr Moore, a local resident, spoke as an objector to the application. Mr Mahmud, the applicant, responded.

Resolved:- That planning permission be REFUSED for the following reason:

The provision of a clear glazed and openable rear bedroom window would result in loss of privacy and give rise to a harmful degree of actual and perceived overlooking of private amenity space and habitable rooms at Nos. 30 and 32 Eastwood Road to the significant detriment of the residential amenity of occupiers of these dwellings. This is unacceptable and contrary to 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).

- 529**     **22/01199/FUL - 171 West Road, Westcliff-on-Sea (Prittlewell Ward)**  
**Proposal: Change of Use from Dwellinghouse (C3) to 7 bed Large HMO (Sui Generis) (Retrospective)**  
**Applicant: Mr K Virk**  
**Agent: Mr G Miles of Miles Design**

Resolved:- That planning permission be REFUSED for the following reason:

The development would provide an inadequate quality of living environment by failing to provide sufficient external space to meet the needs of existing and future occupiers to the detriment of their amenities. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

- 530**     **TPO 5/2022 - Southchurch Hall Gardens, Southchurch Hall Close (Kursaal Ward)**  
**Proposal: Tree Preservation Order Confirmation**

Resolved:- That Tree Preservation Order No TPO 05/2022 be CONFIRMED without modification.

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

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Policy and Resources Scrutiny Committee

**Date: Thursday, 1st December, 2022**

**Place: Council Chamber - Civic Suite**

# 21

**Present:** Councillor D Garston (Chair)  
Councillors D Nelson (Vice-Chair), M Borton, H Boyd, D Cowan,  
T Cowdrey, T Cox, M Davidson, F Evans, A Jones, A Line, R McMullan,  
M Sadza, I Shead, C Walker and P Wexham

**In Attendance:** Councillors S George, P Collins, C Mulroney and S Wakefield (Cabinet Members), Councillors K Evans and R Woodley, J Chesterton, S Meah-Sims, A Richards and S Tautz

**Start/End Time:** 6.30 pm - 9.20 pm

#### **531 Apologies for Absence**

There were no apologies for absence from the meeting.

#### **532 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillors S George, P Collins, C Mulroney and S Wakefield (Cabinet Members) - Interest in the called-in items, attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.

(b) Councillor A Jones – Minute 535 - Resourcing Better Outcomes: Finance and Corporate Performance Report 2022/23 (Period 6)) - Family member employed by the Council. Councillor Jones withdrew from the meeting during the discussion of all matters related to officer pay.

#### **533 Questions from Members of the Public**

The Committee noted the responses of the Cabinet Member for Corporate Matters and Performance Delivery to questions presented by Mr David Webb.

#### **534 Minutes of the Meeting held on 13 October 2022**

Resolved:

That the minutes of the meeting of the Committee held on 13 October 2022 be confirmed as a correct record and signed.

#### **535 Resourcing Better Outcomes - Finance and Corporate Performance Report 2022/23 - Period 6**

The Committee considered Minute 453 of the meeting of the Cabinet held on 8 November 2022, which had been called-in for scrutiny, together with a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

The relevant Cabinet Members undertook to provide written responses to questions raised by members of the Committee, with regard to:

- (a) Whether the budget provision of £80,000 allocated for the work being undertaken by Grant Thornton was a one-off cost, or whether further resources would be required to support this work.
- (b) The cost of the engagement of interim/agency staff to fill Executive Director positions, compared with the cost of the recruitment of permanent officers to such establishment positions and the process for the appointment of existing interim Executive Directors to permanent positions.
- (c) The process applied to the procurement and award of the Council's new waste disposal contract (including the circulation of the report considered by the Cabinet in this respect to all members of the Committee).
- (d) Whether the current budget provision for ensuring that dwellings across Southend-on-Sea meet the Decent Homes Standard is sufficient, and the arrangements currently in place for the assessment of Council dwellings to ensure that they meet the Decent Homes Standard.

Resolved:

That the following recommendations of the Cabinet be noted:

"That, in respect of the 2022/23 Revenue Budget Performance, as set out in Appendix 1 to the submitted report:

- 1. That the forecast outturn for 2022/23 for the General Fund and the Housing Revenue Account as at 30 September 2022, be noted.
- 2. That the management action taken and to be taken to reduce the forecast overspend of the Council's revenue budget for 2022/23, be noted.
- 3. That the planned budget transfers (virements) of £400,000 from earmarked reserves, be approved.

That, in respect of the 2022/23 Capital Budget Performance, as set out in Appendix 2 to the report:

- 4. That the expenditure to date and the forecast outturn as at 30 September 2022 and its financing, be noted.
- 5. That the requested changes to the capital investment programme for 2022/23 and future years, be approved.
- 6. That the Corporate Plan Performance Report as at 30 September 2022, as set out at Appendix 3 to the report, be noted."

Note: This is a Council Function

Cabinet Members: Councillors S George and Councillor P Collins

### **536 The Victoria Shopping Centre and Utilisation of Council Buildings**

The Committee considered Minute 459 of the meeting of the Cabinet held on 8 November 2022, which had been called-in for scrutiny, together with a joint report of the report of the Executive Director (Growth and Housing) and the Executive Director (Finance and Resources) setting out the range of opportunities the Victoria Centre presented in the context of the City Centre, the centre itself and other parts of the Council's operational estate including the Civic Campus and the Tickfield Centre.

At the request of the Committee, the Cabinet Member for Asset Management and Inward Investment agreed to include a position statement on the financial performance of the

Victoria Centre within the regular Finance and Corporate Performance report made to the Cabinet.

The relevant Cabinet Members undertook to provide written responses to questions raised by members of the Committee, with regard to the income streams generated to the Council arising from the purchase and operation of the Victoria Centre, the annual level of any income received and whether such income covered the interest applied to the cost of the purchase of the Victoria Centre.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That the following guiding principles to develop plans for the work to proceed, be approved:

(a) The Victoria Centre provides a thriving mix of uses right in the heart of the City Centre with opportunities for businesses to thrive, and residents and visitors to shop, play, live and work.

(b) That the Council will seek to move administrative (and where appropriate other) functions into the Civic Centre, to establish the optimum volume and type(s) of space required for its future operations and then, subject to detailed feasibility, relocate the Council to the Victoria Centre. This will in turn release the Civic Campus for regeneration and provide opportunities to redeploy, sell, develop or lease other buildings with the Council’s estate vacated as part of the rationalisation and to exit leased-in premises.

2. That a feasibility budget of £250,000 to support the next stages of work and enable the propositions to be developed and progressed, be approved. This will be funded by £75k from existing Civic Centre efficiencies capital budget with the balance of £175k met from the Business Transformation Reserve initially. This budget will be paid back through estate efficiencies and capital receipts as the project progresses.

3. That the procurement options be developed.

4. That the officers actively seek out external funding sources which may support this work.”

Note: This is an Executive Function  
Cabinet Member: Councillor P Collins

### **537 Association of South Essex Local Authorities - Joint Committee**

The Committee received the draft minutes of the meeting of the Joint Committee of the Association of South Essex Local Authorities (ASELA), held on 20 October 2022.

Resolved:

That the draft minutes of the meeting of the Joint Committee of the Association of South Essex Local Authorities held on 20 October 2022, be noted.

Note: This is a Scrutiny function

### **538 In-Depth Scrutiny Project 2022/23 - ‘Developing Strong Governance & Strengthening Joint Working between all Councillors and Officers’**

The Committee received an update on progress with regard to the in-depth scrutiny project for 2022/23.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

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



# Southend-on-Sea City Council

## Report of Executive Director (Strategy, Change and Governance)

To  
Council

on  
15 December 2022

Report prepared by: Colin Gamble  
Head of Democratic Services

Agenda  
Item No.

22

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### Change to the Constitution

#### Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

- 1.1 For the Council to agree a minor amendment to the terms of reference of the Licensing Committee.

#### 2. Recommendations

- 2.1 That a minor amendment be made to the terms of reference of the Licensing Committee as highlighted in **Appendix 1** to this report and that the Constitution be amended accordingly.

#### 3. Background

- 3.1 The terms of reference of the Licensing Committee enable it to consider and determine all applications relating to the Licensing, Certification and Registration functions of the Council. However, the remit of the committee does not cover the consideration and determination of matters of licensing policy and procedure.
- 3.2 The need to vary the terms of reference of the Committee has arisen following Government guidance concerning taxi and private hire vehicle standards. There is a clear expectation now that local authorities should use the National Anti-Fraud Network national register of taxi and private hire vehicle drivers (NR3) to record details of where a taxi or private hire vehicle driver's licence has been refused or revoked and allows councils to check new applicants against the register. The aim is to prevent individuals who have had a licence revoked by one authority from simply going to another area to secure a licence.

- 3.3 A small variation to the terms of reference of the Licensing Committee is proposed to enable it to determine all aspects of licensing policy/procedure which will allow consideration of the draft Southend policy that has been developed regarding the disclosure and use of information stored on the National Register of Licence Refusals and Revocations.

**4. Background Papers**

None

**5. Appendices**

**Appendix 1** – Proposed amendment to the terms of reference of the Licensing Committee.

## 6.2 Licensing Committee

### 6.2.1 Membership

15 Councillors<sup>1</sup>

Substitutes: Permitted in accordance with Standing Order 31  
Proportionality: Applies

### 6.2.2 Quorum

As per Standing Order 38.1

### 6.2.3 Terms of Reference

(a) To consider and determine all applications relating to the Licensing, Certification and Registration functions of the Council as set out in Part B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), including:

- the licensing of sex establishments
- the control, care and treatment of animals and birds and the licensing of all premises relating to the same including slaughterhouses, knackers yards, pet shops, zoos, riding establishments and premises for the boarding of animals
- the regulation of Hackney Carriages and Hackney Carriage Drivers and private Hire Cars and Private Hire Car drivers
- the ordering, control, registration, licensing and regulation (including the provision of all necessary facilities and ensuring the safety of persons using the same) of all premises (including clubs) to which members of the public are admitted including safety or sports grounds
- the licensing of street and house to house collections and the control of and licensing of street trading, including permits under the Essex Act 1987
- the issue of Pawnbrokers Certificates and Moneylenders Licences
- the licensing and regulation of persons, premises and the carrying on of any trade or business not within the Terms of Reference of any other Committee
- the licensing of caravan sites
- The Licensing Act 2003
- The Gambling Act 2005

(b) To hear appeals against decisions made by officers carrying out delegated licensing functions.

**(c) To determine all aspects of licensing policy/procedure (excluding the determination of the Council's Statement of Licensing Policy)**

### 6.2.4 Status of Meetings

Open to the public (in part)

### 6.2.5 Procedure at Meetings

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<sup>1</sup> Minimum number permitted under Licensing Act 2003.

Meetings of the Licensing Committee shall be conducted in accordance with appropriate legislation and procedures, which shall take precedence over Council Standing Orders. Applicants, objectors and their representatives are entitled to attend meetings to give evidence as required.

**6.2.6 Reports to**

Council

# Southend-on-Sea City Council

## Report of Executive Director (Finance & Resources)

To  
Council  
on  
15th December 2022

Agenda  
Item No.

23

Report prepared by: Tracey Nicola  
Benefits Service Manager

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### Local Council Tax Support Scheme 2023/24

Executive Councillor: Councillor Stephen George

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#### 1. Purpose of Report

To adopt the Local Council Tax Support Scheme for 2023/24.

#### 2. Recommendations

2.1 That the current Local Council Tax Support Scheme be re-adopted for 2023/24.

#### 3. Background

3.1 For each new financial year, each billing authority must consider whether to revise its Local Council Tax Support Scheme (LCTSS) or to replace it with another scheme. The design of the LCTSS must be finalised by 31 January each year at the very latest. Failure to provide a scheme by this date would trigger the imposition of the Government's default scheme. The Government default scheme would require the Council to revert back to the level of support that would have been provided under the national Council Tax Benefit arrangements. Reverting to this scheme would mean that the Council would have to find in the region of circa £1.1 million from elsewhere in its annual budget.

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

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

3.4 As the scheme impacts on the Council Tax base, a key component in estimating the resources available to the Council, it is deemed prudent to confirm the scheme in December allowing Cabinet to agree a Council Tax base in January 2023 for the financial year 2023/24.

#### 4. Current Scheme

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

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

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

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

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

| Year    | % collected in year   |
|---------|-----------------------|
| 2013/14 | 73.6                  |
| 2014/15 | 76.2                  |
| 2015/16 | 77.8                  |
| 2016/17 | 80.2                  |
| 2017/18 | 80.2                  |
| 2018/19 | 80.8                  |
| 2019/20 | 81.0                  |
| 2020/21 | 89.5                  |
| 2021/22 | 85.08                 |
| 2022/23 | 56.99<br>(end of Oct) |

- 4.5 Although pensioners only account for 39% of the caseload, they account for 48% of the total cost. This is a consequence of the Government's requirement that the LCTSS must leave pensioners entitlement to assistance unaltered from the previous Council Tax Benefit arrangements, with any reduction in entitlements only affecting those of working age.
- 4.6 There have been relatively few complaints about the criteria of the scheme and the majority of people affected have accepted that they need to pay something. Council Tax officers continue to offer flexible payment arrangements to those on differential incomes and they can use the exceptional hardship fund for those who absolutely cannot pay.

## **5. Current developments**

- 5.1 The managed migration onto Universal Credit which was originally due to begin in January 2019 and conclude by 2020 has continued to be postponed. At the latest budget statement the new date for full rollout has been given as 2024, although this is expected to move again given previous precedent. An official timetable for any managed migration of current caseload onto Universal Credit has not been released. Due to continuing delays, at this stage Southend-on-Sea Council do not know when the managed migration will commence or where they will fall in the schedule of that roll out.

## **6. Impact of Covid-19 and Cost of Living Crisis**

- 6.1 The impact of the Covid-19 pandemic has been far reaching since the first lockdown in March 2020 and the current Cost of Living Crisis is creating impact now. There have been numerous changes to Government Policies and various grant schemes set up to support people affected throughout the year by both of these factors. There is continuing uncertainty about what further changes these may bring and the toll of its impact on the economy and peoples lives, especially for the Working Age population.
- 6.2 The Government introduced the Council Tax Energy Rebate Scheme this year which gave £150 to everyone in Council Tax bands A to D, and a Discretionary Fund which as a Council we used to provide support to people in receipt of LCTS in bands E to H, council tax payers where a Severely Mentally Impaired exemption or discount was held, a carer disregard was held, a disabled band relief was applied. An additional payment was also made to pensioners in receipt of Council Tax Reduction.
- 6.3 The Government have also provided £2.8m in Household Support Fund for the 2022/23 year which has allowed us to further support vulnerable people with the increased cost of their fuel and food bills.
- 6.4 It should be noted that the percentage of people making no payments when on Council Tax Reduction has decreased, with just 14.77% of individuals yet to make a payment in this financial year. The collection of tax for those in receipt of Council Tax Reduction is positive also, with approx. 82% of the total debt billed collected each financial year; in the current financial year, 56.99% of the debt raised had been collected on 31<sup>st</sup> October 2022.

The case numbers of people in receipt of LCTS in this financial year have steadily decreased, with the caseload now similar to that pre-covid.

- 6.5 The pandemic effected large numbers of Southend's residents. Many were furloughed during the lockdowns, with reduced incomes bringing financial and mental health stresses. Whilst the number of people seeking assistance from the benefits system has started to drop back to pre covid levels over the last year it is worth noting that the unemployment rate in Southend is at 4.2% compared to a UK average of 3.8% so people are still clearly feeling the effect of current cost of living crisis.
- 6.6 It is worth noting that the Council has provided additional support to people affected throughout the pandemic to help ease their financial pressures. This support will continue to be offered through the remainder of this financial year and will help to ensure the residents of Southend are in a stronger financial position moving into 2023/24.

| <b>Support Offered</b>  | <b>Description</b>  |
|---|---|
| Council Tax Energy Rebate Scheme<br>£10,260,250.00<br>71,213 households supported | The main scheme gave £150 to households in Council Tax bands A to D, 66,424 households. The discretionary scheme provided additional support for 4789. This was awards to people in receipt of LCTS in bands E to H and pensioners in receipt of Council Tax Reduction, council tax payers where a Severely Mentally Impaired discount or exemption was held, a carer disregard was held or a disabled band relief was applied. |
| Household Support Fund<br>£1,413,078<br>18,848 households supported               | The grant was used to support vulnerable households between 1st April 2022 and 30th September 2022. Provided free school meals in the holidays for those that qualified and provided grants for food, fuel and other essentials to vulnerable households in the city.   |
| Household Support Fund<br>£1,413,078  | The grant will be used to support vulnerable households during the winter months, to the 31 <sup>st</sup> March 2023. It will provide free school meals in the holidays for those that qualify and provide grants for food, fuel and other essentials to vulnerable households in the borough   |
| Essential Living Fund<br>£270,000   | This is the local welfare provision in Southend. It provides food, fuel, clothing, furniture and white goods for people under exceptional pressure or settling in the community.  |
| Discretionary Housing Payments<br>£409,532  | This is available for people who have a shortfall between their rent and the Housing Benefit or Universal Credit Housing Costs entitlement. It is designed to help secure tenancies or support people in the short term whilst they look for more affordable housing.   |



|                                       |  |
|---------------------------------------|--|
| School Uniform Grant<br>£25,000       | This is available for parents or guardians under exceptional circumstances, either, changed schools after being housed by the Local Authority as homeless, changed schools after being placed in a refuge or having lost clothing due to a fire or flood   |
| Council Tax Exceptional Hardship Fund | This is for people struggling on a low income and unable to meet their Council Tax payments. They can request a reduction to the charge of 100%. This is means tested assessment and is only awarded in exceptional circumstances, and after all the available discounts/exemptions have been exhausted to assist with the reduction and management of the debt. |

## 7. Reasons for Recommendations

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

## 8. Corporate implications

### 8.1 Contribution to Council's Southend 2050 Ambition

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

### 8.2 Financial Implications

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

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

### 8.3 Legal Implications

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

- For each financial year, each billing authority must consider whether to revise its scheme or replace it with another scheme

- The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect

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

#### 8.4 People Implications

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

#### 8.5 Property Implications

There are no specific property implications.

#### 8.6 Consultation

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

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

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

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

#### 8.7 Equalities and Diversity Implications

An equality impact assessment was undertaken as part of the adaptations of the scheme from April 2018 and is available as a background paper to this report

#### 8.8 Risk Assessment

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

#### 8.9 Value for Money

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

#### 8.10 Community Safety Implications

There are no specific community safety issues identified.

## 8.11 Environmental Impact

There are no specific environmental impacts identified.

## 9 Background Papers

Latest Equality Impact Assessment Report

## 10 Appendices

None

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