

The Executive – 5 December 2012

Minutes of the meeting of **The Executive** held on **5 December 2012** when there were present:-

Chairman: Cllr T G Cutmore
Vice Chairman: Cllr K H Hudson

Cllr K J Gordon	Cllr M Maddocks
Cllr Mrs G A Lucas-Gill	Cllr C G Seagers
Cllr Mrs J E McPherson	Cllr M J Steptoe

OFFICERS PRESENT

P Warren	- Chief Executive
A Bugeja	- Head of Legal, Estates & Member Services
J Bourne	- Head of Community Services
S Scrutton	- Head of Planning and Transportation
C Cox	- Financial Services Manager/Chief Accountant
S Worthington	- Committee Administrator

255 MINUTES

The Minutes of the meeting held on 7 November 2012 were approved as a correct record and signed by the Chairman.

256 PERFORMANCE REPORT TO MEMBERS ON KEY PERFORMANCE INDICATORS FOR THE PERIOD JULY TO SEPTEMBER 2012

The Executive reviewed the Performance Report on key performance indicators.

There was specific discussion on timescales for determining major and minor planning applications and staffing in these areas, planning control enforcement cases, numbers in non bed and breakfast temporary accommodation and timescales for access to disabled facility grant works.

Resolved

That the progress against key performance indicators for the period July to September 2012, as set out in the report, be received subject to noting that:-

- The current age profile of staff has resulted in some cases of maternity/paternity leave, which has impacted on outputs.
- Employing one or more planning officers should help to improve performance on meeting deadlines on the determination of major planning applications; possible funding from applicants for major developments was being actively explored by officers.

- There were more nominations for alternative temporary accommodation in the first 7 months of 2012 compared to the previous 12 months, which should decrease the numbers having to be placed in bed and breakfast accommodation.
- A spate of Essex County Council occupational therapists terminating their employment had led to delays, however new therapists had been employed .
- The target for enforcement of planning control (LP1076) was an internal target.
- The commentary relating to building control workload would be reviewed for next quarter. (HF)

257 2013 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The Executive considered the report of the Head of Information and Customer Services outlining the revised proposals from the Boundary Commission for Parliamentary Constituency Boundaries.

Resolved

That a response to the 2013 Review of Parliamentary Constituencies be sent, as follows:-

- a) That the revised proposals for the constituencies of Rayleigh and Wickford and Rochford and Southend East are noted.
- b) That it is recommended that the name of the Rochford and Southend East constituency should remain, and should not be altered to Southend East and Rochford, as proposed. (HICS)

258 LOCAL COUNCIL TAX SUPPORT SCHEME – TRANSITIONAL FUNDING GRANT

The Executive considered the report of the Head of Community Services asking Members to decline Government transitional funding in return for the Council agreeing to a local Council Tax support scheme.

Resolved

That the Department for Communities and Local Government (DCLG) transitional funding be declined, which is being offered in return for the Council agreeing to a local Council Tax support scheme (LCTSS) that meets the 'best practice criteria' set out by the Government. (HCS)

259 COMMUNITY RIGHT TO BID

The Executive considered the report of the Head of Legal, Estates and Member Services seeking approval of the process for dealing with the Community Right to Bid.

Officers advised that the Assets of Community Value (England) Regulations 2012 require any appeal lodged by a landlord/owner against a decision of the Council to list an asset to be heard by a Council officer who had not been involved in the decision-making process. If the landlord/owner is not satisfied with the outcome of this appeal there will be the possibility of referring the issue to the Council's Appeals Committee for determination. Appendix 2, which outlines the process will be amended to reflect this requirement, as well as paragraph 3.12 of the report.

Responding to a Member enquiry relating to financial liability, officers advised that if a landowner is able to prove financial loss from a Local Authority's decision to include property on the list there will be an entitlement to compensation, although local authorities' liability will be subject to a cap of £20,000.

Resolved

- (1) That the procedures, as outlined in the report, be approved to ensure the Council complies with the statutory obligations placed on it in relation to the Community Right to Bid, including the authority to determine appeals and claims for compensation, subject to including a stage in the appeals process before referral to the Appeals Committee, to give applicants the opportunity to have an appeal determined by a Council officer not involved in the decision-making process and amending appendix 2 to the officer's report to reflect this.
- (2) That information be included in the Members' Bulletin on any buildings or other land included in the list of assets of community value.
(HLEMS)

260 LONDON SOUTHEND AIRPORT AND ENVIRONS JOINT AREA ACTION PLAN – PRE-SUBMISSION PLAN

The Executive considered the report of the Head of Planning and Transportation seeking approval of publication of the London Southend Airport and Environs Joint Area Action Plan (JAAP) – Pre-Submission Plan for public consultation.

Members had been provided with copies of a revised proposals map and revised plan of JAAP areas for change – subject to alterations (page 22 of the pre-submission plan). The revised proposals plan changes the operational boundary of the airport and excludes the green buffer on Southend Road, and the revised page 22 plan amends the position of the administrative

boundaries between the two Local Authorities.

Officers advised, in response to a Member enquiry relating to the timetable for public consultation, that this would commence at the end of January/early February.

Recommended to Council

- (1) That the London Southend Airport & Environs Joint Area Action Plan (JAAP), subject to the revised proposals map and revised plan of JAAP areas for change – subject to alterations (page 22 of the document) be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and that, following consultation, the plan be submitted to the Secretary of State for Communities and Local Government, prior to Examination in Public, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (2) That the inclusion of any minor amendments, which may result from *inter alia* analysis of the representations from public consultation and any additional evidence considered, be delegated to the Head of Planning and Transportation in consultation with the Portfolio Holder for Planning and Transportation. (HPT)

EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for the remaining business on the grounds that exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

261 ASSET REVIEW 2012

The Executive considered the exempt report of the Head of Legal, Estates and Member Services providing details of the asset review 2012.

During discussion there was reference to the inclusion of site 10 within the Council's allocations development plan document as open space. It was therefore deemed appropriate to exclude this site from further consideration, together with site 9 and area A of site 4.

Officers confirmed, in response to a Member enquiry relating to costs, that the proposals would ultimately release savings for the Authority.

Responding to a further Member question with respect to contaminated land, officers advised that land identified within the review had not been the subject of specific investigation beyond the information available in the statutory

contamination register. .

Resolved

- (1) That, with the exception of sites 4 (area A), 7, 9, 10, 11 and 12, the sites detailed in the appendix to the officer's report, be brought forward for consideration for development and disposal, subject to legal process, negotiations and planning approval on a phased basis with target phasing as follows:-

2013/14: Site 2

2014/15: Sites 1 and 5

2015/16: Sites 3 and 6

2016/17 and beyond: Sites 4 (area B only) and 8

- (2) That options for site 7 be considered as part of the Rochford Town Centre Study.
- (3) That site 12 be offered to Hockley Parish Council to be incorporated as part of the Plumberow Mount Public Open Space on the same terms as the current lease with the Parish. (HLEMS)

262 CHIEF EXECUTIVE'S APPRAISAL

The Executive received the exempt note of the Chief Executive's appraisal.

The meeting closed at 9.05 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.