

# Public Document Pack

**Southend-on-Sea Borough Council**

**Legal & Democratic Services**

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19 December 2018

Dear Councillor

**THE COUNCIL - THURSDAY, 13TH DECEMBER, 2018: SUPPLEMENTARY PACK:  
ANSWERS TO PUBLIC AND COUNCILLOR QUESTIONS**

Please find enclosed, for consideration at the next meeting of the The Council taking place on Thursday, 13th December, 2018, the following report(s) that were unavailable when the agenda was printed.

**Agenda Item  
No**

**5. Questions from Members of the Public (Pages 1 - 14)**

Questions and answers attached

**6. Questions from Members of the Council (Pages 15 - 18)**

Questions and answers attached

Robert Harris  
Principal Democratic Services Officer  
Legal & Democratic Services



## QUESTIONS FROM MEMBERS OF THE PUBLIC

Council Meeting – 13<sup>th</sup> December 2018

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### Question 1 from Mr Webb to the Cabinet Member for Infrastructure

#### Question

In Westborough Ward, the full length of Westborough Road from Southbourne Grove to Wenham Drive all the lights above the road signs have been taken down. It is very dark in the winter months and motorists cannot see the one way and no entry signs.

What is the cost of the LED lights being put up and when will this start and be completed?

#### Answer

In the changes to the Traffic Sign Regulations and General Directions 2016, any sign within a 20 MPH Zone does not need to be illuminated.

The original illuminated signs within the Westborough 20 MPH Zone have been removed, thus saving both energy and the cost of the electrical installation. The average energy saving per illuminated sign is in the region of £50 per year and the average cost per electrical installation is in the region of £140.

The new signs are class 1 reflective as required by the regulations. These are used to ensure that they can be clearly visible by an approaching motorist under night-time conditions.

The boundary signs still require to be illuminated and these will be converted to LED before the end of this financial year.

## **Question 2 from Mr Webb to the Cabinet Member for Healthy Communities and Wellbeing**

### **Question**

It has been reported through the freedom of information request from a local paper that the true cost to scrap the plans for the cliff top museum has cost taxpayers 2.2 million pounds.

What are the specific figures for scrapping the plans for the cliff top museum at the expense of the tax payers and will this rise in the next 12 months?

### **Answer**

Thank you for your question, as you know the costs to date on the Museum project are well publicised at £2.2m. These costs encompass various stages of preparation in both recent and the initial design and feasibility. There are no specific or additional costs associated for terminating the project.

## **Question 3 from Mr Cowan to the Cabinet Member for Infrastructure**

### **Question**

Residents across St Laurence Ward have long since aired their concerns about speeding.

In some cases residents' concerns have been greeted with the installation of pressure cables which apparently provide an average speed for all traffic on the road. The siting of these cables can sometimes provide misleading data by being placed too close to junctions. As a result residents are told that the average speed is within legal limits and no speeding exists – a direct contradiction to the lived experiences of residents.

Could the Cabinet Member please explain the logic behind using average speed data and how it is possible for residents to have much desired and needed traffic calming measures installed when reckless driving is being masked by the Council's method of investigation?

## **Answer**

We carried out some traffic count surveys across the Borough during August/September/October 2018 using Automatic Traffic Count (ATC) loops. The main purpose of these surveys was to count vehicle numbers by direction, type of vehicle and time and this data will be fed into Southend's Computer Transport Model. The ATCs were positioned in order to collect data on vehicle numbers, not speed data. Traffic data was collected on most major roads within the Borough and also some of the major roads in St Laurence Ward. The locations were chosen for the collection of vehicle flows and not for the collection of speed data. Where the collection of speed data is the prime objective, speed loops are placed in locations to catch a representative sample of the speed of the vehicles in the area.

The results from the speed loops are a factual sample and not a perception. When assessing speeding as a contributory factor we look for patterns in the personal injury accidents and the 85<sup>th</sup> percentile of the speed survey. The analysis of the data is based on accepted industry practice which is used throughout the country and internationally. The use of the 85<sup>th</sup> percentile provides an accurate comparable benchmark to evaluate speeds; averaging speeds in the way suggested by Mr Cowan would not provide a truly representative picture of the manner in which the road is used and the speeds of vehicles.

Councillors have requested collection of speed data in, Green Lane, Gravel Road and Western Approaches. These requests have been placed on the list and will be installed as the equipment becomes available.

Enforcement of speed limits is primarily a Police matter and residents are urged to assist the Police by joining Speed Watch.

## **Question 4 from Mr Cowan to the Cabinet Member for Infrastructure**

### **Question**

The local authority plans for Prince Avenue Academy on Hornby Avenue are well-known to be incorrect. As a result, the school currently does not have the correct signage and road markings outside their pedestrian entrance. Hornby Avenue is already used as a rat run from the A127 which puts the safety of the children at risk.

It is vital that the correct markings are painted outside the school as a matter of urgency before work commences at the Bell Junction. Could the Cabinet Member please confirm when these correct signs and markings will be installed outside Prince Avenue Academy and Nursery?

## **Answer**

The school access has been removed and this meant that the zig zag markings were in the wrong location. Although two of the markings have been amended, an additional pedestrian entrance to the school does not have the necessary zig zags markings, although there is some guard rail in front of the entrance thus providing protection. New markings will be provided.

The provision of these new zig zag markings require a legal process to be completed which will be put to the January meeting of the Traffic Regulations Working Party, seeking approval to progress the statutory consultation. We will also be looking to extend the yellow line markings outside the school as part of this proposal. We have raised orders with our suppliers for the existing school warning signs to be replaced.

## **Question 5 from Mr Thomas to the Cabinet Member for Growth**

### **Question**

Has the Council/planning department ever accepted a change of use from retail to sui generis category and if so, how many and which applications?

### **Answer**

To date in 2017 and 2018, the Local Planning Authority has approved ten applications for changes of use from retail to a sui generis purpose.

Should Mr Thomas wish to review further details of these applications, they can be found online in the Council's website. This is also the case for previous years.

## **Question 6 from Mr Thomas to the Cabinet Member for Growth**

### **Question**

Given that the planning department doesn't want to see the loss of retail space for anything else how does this tie in with the Deputy Leader's plan to alter the face of the high street and make it retail and entertainment?

## **Answer**

Every planning application submitted to the Council is assessed on its individual merits, taking into account all relevant material planning considerations. In appropriate circumstances, it is perfectly acceptable and compliant with the objectives of planning policies for retail floor space to be lost to other purposes.

These planning policies are set out in the Council's Southend Central Area Action Plan and Development Management DPP. Through the Southend Central Area Action Plan, the Council has introduced a more flexible planning framework recognising the changing retail context nationally. This approach, allows for a greater range and diversity of uses along the High Street including both retail and leisure uses.

## **Question 7 from Mrs Phillips to the Cabinet Member for Public Protection**

### **Question**

A few weeks ago there was a violent incident where a woman was stabbed in St Benet's Road in Prittlewell ward. Thankfully, this incident was non-fatal, but it follows a trend of rising violent crime in Southend, which worryingly is spreading into residential roads.

Can the Cabinet Member tell me what steps the Council is taking to address the rise in violent crime in the town, and whether he has confidence in the Police, Fire and Crime Commissioner to provide the policing resources required?

### **Answer**

We acknowledge the public concern about the issue but we have put in place the following:

The Council recently introduced a temporary Community Safety Team (CST) in response to the High Street Summit, and the has undertaken work across the borough, including Southend Town Centre, Hamlet Court Road in Westcliff and Leigh Road and Broadway in Leigh on Sea with its partners from the Community Safety Hub (including the Police, third sector agencies, other Council services and the BID Rangers).

Feedback from this work has been very positive, resulting in the fear of crime being reduced. Town centre crime and disorder, including street community issues, have also seen reductions. A number of individuals from the street community have been assisted into support services and into accommodation.

A new permanent CST, comprising 6 officers and a Team Manager, will be in place in the New Year, which will improve the resources available in the Community Safety Hub. In line with the Community Safety Partnership priorities, the CST will work across the borough to support the challenges in all areas of our town.

Yes, this Administration has confidence in the PFCC and we have frequent conversations with him with regards to the resources available in Southend. We would like more and are pleased to note that a further 12 new police officers who will be deployed to Southend in the New Year. Six of these officers will have specific town centre remits and the Council's CST and other partners will be working closely with them.

### **Question 8 from Mr Springett to the Cabinet Member for Growth**

#### **Question**

How, when 'Off The Street' have achieved so much in the short time they have been open at 505 London Road, can it be justified to refuse permission?

#### **Answer**

The retrospective planning application at 505 London Road for the change of use of the property into a homeless shelter (application reference 18/01728/FUL) was refused planning permission for two reasons, having taken account of all relevant material planning considerations, including local and national planning policy and the comments received on the application. Should the applicant believe this decision to be incorrect, they have a right of appeal to the Planning Inspectorate.

The first reason for the refusal of the application related to the loss of active frontage and harm to the character, amenity, vitality and viability of this designated shopping area. The second reason for refusal on the application related to the inadequate living conditions and level of amenity provided for future occupiers.

While this proposal was found to be unacceptable, the good intentions of the applicant to provide additional bed spaces for the homeless, are fully recognised by the Council. Should members of the community wish to deliver facilities of this nature in future, they are encouraged to engage with the Council to deliver a solution which is acceptable in all relevant regards.



## **Question 9 from Mr Spingett to the Cabinet Member for Cabinet Member for Adults and Housing**

### **Question**

Why when Southend has such an awful problem with homeless would you not support people that are doing everything in their power to help the poor unfortunate people?

### **Answer**

The Council supports entirely the Boroughwide approach to reduce homelessness, including the work of third sector and faith organisations. The Council is leading several programmes of work such as our statutory homelessness service, Community Safety Patrols and central government funded Rough Sleeper Initiative, each of which are proving successful in helping those that are homeless to access local services. The Council will continue to take a strong partnership approach to its work to tackle homelessness and rough sleeping and will continue to prioritise this work and ensure that all residents in Southend have access to care and support.

## **Question 10 from Mrs Byford to the Cabinet Member for Adults and Housing**

### **Question**

I would like to know what service you intend to replace all the amazing work the 'Off The Streets' team have done in the past few months and all the work they continue to do? They have achieved more in this short time than other well known services in Southend, namely Harp.

### **Answer**

I would refer you to the response to the previous question which addresses the question you have raised.

## **Question 11 from Mrs Byford to the Cabinet Member for Growth**

### **Question**

I would like to know why the planning application at 505 London Road wasn't taken to a public consultation and why it was just a couple of individuals who were able to decide the fate of near 100 homeless people in Southend?

## **Answer**

The retrospective planning application at 505 London Road for the change of use of the property into a homeless shelter for up to 10 people (application reference 18/01728/FUL) was the subject of a public consultation.

The consultation carried out, significantly exceeded the requirements of legislation for such applications and included displaying a public notice on site and sending letters to 76 surrounding properties. The Council received 232 representations in respect of the application (164 in support and 62 objecting).

The application was determined under the Council's Scheme of Delegation in accordance with the terms of the Council's Constitution. The good intentions of the applicant were fully recognised by the Council. However, the application was refused because it failed to meet the Council's planning policies, which take into account the impacts of any proposal.

## **Question 12 from Mr Cross to the Cabinet Member for Adults and Housing**

### **Question**

Considering the recent very strong indication that rough sleeping numbers in the UK are around 10 times higher than the Government estimate (figures from Joseph Rowntree Foundation indicate that actual rough sleeper numbers could be over 40,000) could the Council explain why there is support for closing what is currently the most successful resource in the town in tackling this issue?

### **Answer**

The Council is confident in its understanding of the extent of rough sleeping within the Borough and there are strong partnerships in place with a range of third sector and faith organisations in order to respond to this, as well as work undertaken directly by the local authority.

The Council will continue to take a strong partnership approach to its work to tackle homelessness and rough sleeping and will continue to prioritise this work.

### **Question 13 from Mr Cross to the Cabinet Member for Adults and Housing**

In light of the sheer weight of public support for the group 'Off The Streets' could the Council now commit (before any kind of action is taken) to holding a genuine public consultation on the quite reckless decision made regarding the change of use for the property currently used by 'Off The Streets' on the London Road as it is clear that a discrete shelter is a much better utilisation of the building than a semi-derelict and generally unused retail unit?

#### **Answer**

The consultation carried out significantly exceeded the requirements of legislation for consultation on such applications and included the use of a site notice and the sending of letters to 76 surrounding properties. The receipt of 232 representations on the application (164 in support and 62 in objection) suggests that the consultation carried out was successful in enabling the public to engage on this matter.

Off The Streets now have the right to appeal against the refusal to grant planning permission.

### **Question 14 from Mrs Foster to the Cabinet Member for Adults and Housing**

#### **Question**

With regard to homeless provision in the town could it be explained how the council can afford to evict one individual from a tent and put them up in temporary accommodation for a rough cost of £30 a night equating to £930 a month when the running costs of Off the streets providing not only shelter for 10 people but support, long term guidance and works to get individuals off the streets for good with lower running costs per month than the Council pays for 1 individual is not financially supported or backed as a project of success?

#### **Answer**

We cannot comment on the running costs of Off the Streets as it is an independently funded entity. With regards to projects funded or supported by the Council relating to homelessness and rough sleeping, the Council is careful to ensure that resources are effectively deployed and where things such as B&B are used, that these are supported by action plans to help people move beyond homelessness in a sustainable way.

**Question 15 from Mrs Carthy to the Cabinet Member for Adults and Housing**

**Question**

Do you agree with HARP that Off the Streets is well run and has had a positive impact on people's lives?

**Answer**

As Southend Council does not commission Off the Streets it is unable to comment on this.

**Question 16 from Mrs Kirsty Fields to the Cabinet Member for Adults and Housing**

**Question**

Is the portfolio holder upset to see Off the Streets has been refused change of use and what does he say to those people who have used the service and found it saved them?

**Answer**

The Southend voluntary sector has a rich and proud history of working with the homeless. Since taking over the Portfolio since May I have tried to work with all groups to reduce and tackle the homeless problem.

As this was a formal planning decision and could be subject to an appeal, it would be inappropriate to comment personally at this time.

**Question 17 from Mrs Karen Fields to the Cabinet Member for Adults and Housing**

**Question**

Given that the number of people in Southend according to the official count has dramatically fallen what does the portfolio holder attribute this to? Does he agree the role of Off the Streets has played a part in this?

## **Answer**

There has been a wealth of resource mobilised recently in order to ensure that those that are homeless or rough sleeping can be engaged and provided access to services. Recent mobilisation of Community Safety Patrols and assertive outreach funded by the central government Rough Sleeper Initiative, alongside existing presence in the town centre from the BID street rangers and third sector groups, has ensured that those that wish to can be effectively connected to services they may need. HARP provide a 7 day 'sit-up' service that offers emergency respite to individuals every night of the week. Crucially we are also confident that through this combined effort lots of individuals are moving into alternative solutions away from the streets.

## **Question 18 from Mr George to the Cabinet Member for Public Protection**

### **Question**

Given the recent improvement in the appearance of the High Street would the Portfolio Holder accept that if the proposals made by the Opposition Parties regarding the creation of a community safety team at the Full Council meeting in February this year had been agreed by the Administration then the problems which occurred in the High Street over the Summer may have been substantially reduced?

### **Answer**

The Administration wanted to await the outcome of the in-depth scrutiny project before making any firm commitment about how to tackle the challenges in the High Street.

While the scrutiny project reported in February, there has been a process of considering the wider Community Safety Partnership's developing priorities as well as the re-alignment of strategic priorities through Southend's four Strategic Partnerships. It was also important to properly consider how the new resources would be funded.

We were keen to see any new resources in place as quickly as possible, but with proper planning in place. Therefore, as part of the recent High Street Summit held between decision makers, the Council made a commitment to implement the resources in October.

It has been important not to consider issues in isolation, so implementing the team in conjunction with the developing High Street Action Plan has ensured the maximum impact from the team working with its partners, including the Police, Third Sector agencies, other Council services and the BID Rangers.

Without a coordinated and planned approach, no, the administration does not believe that introducing the team earlier would have had the same impact.

### **Question 19 from Mr George to the Cabinet Member for Adults and Housing**

#### **Question**

Given the Portfolio Holders comments at the Policy and Resources Scrutiny Committee meeting regarding enforcement powers in relation to 'bad landlords' could he tell us how many times and what type of enforcement powers have been used by Southend Council against them in the last 12 months?

#### **Answer**

It is difficult to provide a precise response to this question as Private Sector Housing Officers are authorised to enter premises for the purposes of executing the duties conferred on the Council by over 20 Statutes/Legislation, the main being:

- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(Amendment)(England) Regulations 2012
- Housing Act 1985 and 2004
- The Housing Health and Safety Rating System (England) Regulations 2005
- Energy Performance of Buildings (Certificates and Inspections) (England and Wales)(Amendment) Regulations 2018
- Local Government (Miscellaneous Provisions) Act 1976
- The Management of Houses in Multiple Occupation (England) Regulations 2006

During the financial year 2017-2018, Private Sector Housing has responded to 600 cases and pursued incremental interventions with many landlords. This includes serving twelve Improvement Notices, one Prohibition Order and two successful Prosecutions under the Housing Act 2004.

## **Question 20 from Mr Small to the Cabinet Member for Children and Learning**

### **Question**

Does the Cabinet Member for Children and Learning look favourably upon my idea of voluntary disclosure for Young Carers responsibility's whilst at school which should encourage more young carers to come forward and if the need arises, receive dispensations or further assistance from schools to ensure their learning isn't affected by their role at home?

### **Answer**

Thank you Mr Small for your question. In short, yes, I fully support your proposal to support young carers, who are at times a "hidden" issue for young people. Young carers as you know perform an invaluable service for those to who they care, often unsung, and also often at some personal cost, including potentially adversely affect their schooling.

I am also aware of the sensitivities that we owe to young carers. They care out of love for their family member, often undertaking care that would normally not be expected by someone of their age. I am also aware that many young carers choose not to make this more widely known to the school authorities, and would not wish for anything that detracts from their right to confidentiality.

I know you have spoken with Senior Officers already in the Council including the Director for Learning. I will ask my officers to continue to work with you to offer young carers the option, if they choose, to inform school leaders of their caring responsibilities, and should need arise, for the school to consider if any additional support or dispensation can be made available if required by the young carer, which robustly retaining the right for privacy and confidentiality. Any scheme must be elective, and within the control of the young carer.

Lastly, in a generic sense, we can also make all young people better aware of the current services we offer to young carers, including the young carers' forum, which can serve as a strong sense of personal support.

I look forward to hearing of the progress we make with your proposal.

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## QUESTIONS FROM MEMBERS OF THE COUNCIL

Council Meeting –13<sup>th</sup> December 2018

### Question 1 from Councillor Terry to the Cabinet Member for Public Protection

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#### Question

Does the Portfolio Holder acknowledge that the levels of crime and disorder in all parts of the Borough of Southend on Sea are unacceptable and that the recent Operation Southend, temporarily surging police numbers, proved beyond doubt that we need many more permanent police not temporary fixes?

#### Answer

Whilst a 28.9% reduction of crime within a targeted area was noted during Operation Southend, it should be made clear this operation ran concurrently with Southend Community Safety Partnership Days, with up to 21 different agencies visible and interacting with members of the public in the same targeted area. In addition, a results analysis of this operation, highlights a seasonal reduction of crime usually occurring during this period. Therefore, a definitive conclusion that Operation Southend was the sole reason of the success cannot be determined.

Current Southend crime figure trends are in line with Essex and wider national figures, which all show increases at the moment. In part, this is due to new police recording methods, particularly around violence, which now includes malicious communication reports (email, social media, facebook etc.)

The Council and partners are working together to tackle a range of challenges, and have recently introduced a new Community Safety Patrol Team in the town centre. Fear of crime has significantly reduced since the introduction of the team, and town centre crime and disorder, including street community issues, have also seen reductions. Police and Council teams are now tackling other areas in the Borough where there has been displacement from the town centre as a result of the new deployments.

Southend will be getting additional police resources next year and Cllr Flewitt is in the process of arranging a meeting for Cllr Terry with the Police Borough Commander.

## **Question 2 from Councillor Terry to the Cabinet Member for Public Protection**

### **Question**

Does the Portfolio Holder agree with me that the ESSEX PCFC is not giving us the proportional resources we should be getting and why is he and his Administration unable to get them?

### **Answer**

The Essex Police, Fire & Crime Commissioner (PFCC) has agreed to provide 12 additional Police Officers to Southend. They will be in place in 2019, with 6 of those being focused on the town centre, and others supporting across the Borough. Alongside the new Community Safety Team (CST) introduced by the Council, this will greatly improve the wider Community Safety Partnership resources in Southend.

The priorities of the Community Safety Partnership will ensure the resources are deployed across the Borough in all of our 'town centres', and we have already seen joint initiatives in Hamlet Court Road in Westcliff, and in Leigh Road and Broadway in Leigh, as well as the very positive work undertaken in Southend Town Centre.

The Police have been fully supportive of the actions put in place as a result of the recent High Street Summit, which have already resulted in reductions in crime and disorder in the town centre, as well as a reduction of the fear of crime in the town.

With our partners, we continue to work closely with the PFCC to ensure Southend has the resources it requires, and very recently a number of partners met with the PFCC in Southend, including our business partners, to discuss current challenges and the resources required to tackle them. It is acknowledged, however, that the PFCC has to get the balance right between increasing his share of the precept and asking the Government for more funding

### **Question 3 from Councillor Ayling to the Leader of the Council**

#### **Question**

Now the cut-off date of 10<sup>th</sup> December, for the original agreement with Turnstone Estates has now been reached, with no planning permission approval, will the Council now put the development out to open tender and potentially obtain a development that will be good for our seafront, our High Street and our town?

#### **Answer**

I have given a commitment that Cabinet will receive a report on the matter in January 2019 so that the matter can be considered in the context of the deal, the economic impacts and the timescales, especially now that the planning application has been received.

### **Question 4 from Councillor Aylen to the Cabinet Member for Infrastructure**

#### **Question**

The public transport and bus working party was replaced by a new working party, when is this going to meet?

#### **Answer**

The meeting of the Access, Parking and Transport Strategy Working Party has been arranged for Tuesday 22<sup>nd</sup> January 2019 at 6.30pm.

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