

Public Document Pack

Southend-on-Sea Borough Council

Legal & Democratic Services

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01 December 2020

THE COUNCIL - THURSDAY, 29TH OCTOBER, 2020 SUPPLEMENTARY PACK: QUESTIONS AND ANSWERS SHEETS

Please find enclosed, for consideration at the next meeting of the The Council taking place on Thursday, 29th October, 2020, the following papers that were unavailable when the agenda was printed.

Agenda No Item

4 Questions from Members of the Public (Pages 1 - 8)

Questions and Answers sheet attached

5 Questions from Members of the Public (Pages 9 - 18)

Questions and Answers sheet attached

Robert Harris
Principal Democratic Services Officer

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Question 1 from Tricia Cowdrey to the Leader of the Council

Question

Kursaal Ward has a high number of Houses of Multiple Occupancy. Whilst many private landlords are caring and conscientious, there are a significant number of bad, exploitative landlords operating in Southend.

In opposition and now in administration, the Labour group has attempted to introduce Landlord Licensing as one step in addressing these issues. Residents agree with me that this, alongside the introduction of Article 4 directions, will provide the additional protections needed to safeguard residents who experience issues with anti-social behaviour, crime, and noise pollution both as neighbours to or residents of HMOs where often some of our most vulnerable residents live at risk of exploitation.

With regard to this, would the Leader of the Council, please provide an update as to when we might be likely to see the introduction of Landlord Licensing in the Kursaal Ward?

Answer

A Mandatory Licensing Scheme for landlords of Houses in Multiple Occupation (HMOs) already operates borough wide. Under this scheme, large HMOs require a licence. The conditions for which being if all of the following apply:

- it is rented to 5 or more people who form more than 1 household
- some or all tenants share toilet, bathroom or kitchen facilities
- at least 1 tenant pays rent (or their employer pays it for them)

The potential for a Selective Licensing scheme for landlords is currently being considered by the administration and a public consultation will begin on 2nd November 2020. If approved, the designated areas for such a scheme would be determined by performance across a range of data points such as levels of Anti-Social Behaviour, deprivation and poor property conditions. The supporting evidence to demonstrate why certain areas of the borough are being considered for a potential Selective Licensing scheme will be included in the public consultation.

Question 2 from Tricia Cowdrey to the Cabinet Member for Environment and Planning

Question

The Localism Act 2011 provides the opportunity for the registration of those places and spaces important to residents for their health and well-being and social interests of the community. As highlighted on the Southend Council website, the local community has the right to nominate important local land or buildings for listing as Assets of Community Value. This means that if they are then put up for sale, local community groups can delay the sale so they can prepare a bid to buy the asset and take it over.

Having accessed the list of community Assets of value for Southend, I am surprised to see that, despite the rich variety of places and spaces right across the Borough, the list is currently blank.

Residents in Kursaal Ward have identified a number of places and spaces which are important to them.

Would the Cabinet member for Environment and Planning, please advise the councils current appetite for nominations of Assets of Community Value by local community groups and organisations and where they stand in relation to accepting and considering nominations?

Answer

There is detailed information on the Council's website explaining the process for nominating assets to be considered for inclusion on the List of Assets of Community Value along with information on the types of assets which may be considered and who can make nominations.

Note: weblink: <https://www.southend.gov.uk/council-land-property-rights-bid-challenge/community-right-bid-assets-community-value>

The onus is on the local community to bring such properties forward. However, I have to stress that Council resources are under great pressure, so whilst we would consider and process any nominations it is imperative that applicants carefully consider the merits of an application and only submit one where nominations are likely to have a good

prospect of success and where their listing may be genuinely beneficial and achievable should the property be placed for sale.

If nominated assets are agreed to be added to the list, the listing lasts for 5 years at which point they fall away.

Question 3 from Andy Atkinson to the Cabinet Member for Environment and Planning

Question

Dr Mervyn Miller, the leading world expert on the Garden City Movement, has called for the conservation protection of Ditton Court Road as has Hamlet Court Conservation Forum and 92.5% of 240 community survey respondents.

Why has Ditton Court Road not been recommended for conservation designation and where are the reasons for this reported, in line with the Council specification for the works issued to Purcell?

Answer

A highly detailed piece of work to determine which parts of Hamlet Court Road and its surrounding area, including Ditton Court Road, might justify a Conservation Area designation has been undertaken by our specialist heritage consultants Purcell. Purcell carried out a full analysis of the area, undertook several site visits and drew conclusions based on their findings and responses received from the consultation to date, including the community survey undertaken by the Hamlet Court Conservation Forum. Purcell also undertook a site visit accompanied by council officers and a representative of the Forum, before concluding their work.

Dr Miller has not made representations to the Council directly as part of the consultations to date. However, the correspondence we have been provided with was also sent to Purcell for consideration.

On the basis of the evidence available, Purcell considers that Ditton Court Road does not warrant a Conservation Area designation. The analysis behind this and other conclusions are set out in the Draft Hamlet Court Conservation Appraisal, which will be the subject of formal consultation if approved at Cabinet on 3 November. Historic England has confirmed its support for the approach taken to date.

Dr Miller has confirmed that any link between Ditton Court Road and Sir Raymond Unwin, a leading figure in the Garden City Movement, remains unproven and coincidental. A further review of archive records at the Letchworth Garden City Heritage Foundation was also unable to evidence a link.

It should also be noted that a number of responses to the Hamlet Court Conservation Forum community survey raised points which are not able to be taken into account when determining if a Conservation Area should be designated.

The next round of consultation on the potential Conservation Area designation will be a further opportunity for interested parties to make further representations. Dr Miller will be consulted directly as part of this process

Question 4 from Andy Atkinson to the Cabinet Member for Environment and Planning

Question

When the potential conservation area designation of Hamlet Court Road comes to Cabinet will Cabinet be asked to consider the inclusion of the wider Hamlet Court area in the next public consultation, reflecting the 92.5% support from 240 respondents to the reported community survey, as opposed to the 7 respondents to the last Council survey and will the public that live and work in the area get the fair chance to give their opinion on this important local issue, and not just in the 'Any other comments' box?

Answer

The Cabinet, on 3 November will be asked to agree to formal public consultation on the draft Conservation Area Appraisal and the extent of the conservation area designation at Hamlet Court Road. This follows extensive work undertaken by Purcell, the Council's specialist heritage consultants who are currently reviewing all the conservation areas within the Borough. They have considered all of the representations made to date in relation to this work, including those of the survey referred to by yourself. The work takes account of all the engagement and research which has been carried out to date, including discussions you have had directly with Purcell, and currently concludes that Conservation Area designation is appropriate in the northern part of Hamlet Court Road only.

The purpose of this next round of consultation is to ensure that residents, businesses and any other interested parties have a further, formal opportunity to engage on this matter and express any views they wish to be considered. Before making any final decisions on what areas may or may not warrant a Conservation Area designation, Cabinet will be able to take account of responses received in respect of that consultation. I would therefore urge you to encourage these stakeholders to take part in the formal consultation process.

Question 5 from Robert McMullan to the Cabinet Member for Environment and Planning

Question

Over recent months many more people have been using and enjoying our local parks and they were essential for many residents during the 'Lockdown' period.

The council's policy to increase the number of trees in the Borough is welcome and a statement that the environment is to be at the centre of the Council's ambitions. With this in mind, and in reference to Eastwood in particular, what plans are there to make improvements in Eastwood and Oakwood Parks in respect of more tree cover, together with more benches and improved paths in Oakwood Park particularly for those less able to walk?

In addition does the Council have any plans to support and promote local community volunteer groups who wish to help improve our parks?

Answer

The increased use of the Towns Parks and Green Spaces during lockdown and the ongoing COVID-19 measures has been recognised by the Council.

The Council also understands the importance that public outdoor spaces have on the health and welling of many of our citizens.

The Council has had an ongoing policy of planting trees for many years and in 2019 committed to plant an additional 1000 standard trees in suitable locations over a three year period.

I can confirm that Tree planting has taken place in Eastwood Park over a number of years and that additional trees have been planted this autumn. Oakwood Park has also had trees planted in the past and we are currently considering the potential of this site for planting in future years.

The Parks and Open Spaces in Southend offer a range of habitats and recreational facilities which helps to maintain the Towns biodiversity and offer a range of activities for our citizens and visitors.

At this difficult financial time the Council do not have any plans to fund the installation of new paths at any of the Towns Parks and Green Spaces and this includes Oakwood Park. We also do not have any plans for new benches. However, both Eastwood Park and Oakwood Park are listed as available locations on the Councils popular donated bench scheme.

The Council already promotes and support citizens who want to add something back to the Town by volunteering, including within the parks. If Mr McMullan is interested in setting up a friends group for Oakwood Park or Eastwood Park we would be happy to assist in facilitating this.

Question 6 from Simeon Brookstone to the Cabinet Member for Environment and Planning

Question

Residents within the Kursaal Ward have cited problem tenants leading to anti-social behaviour as a recurring issue. As Landlords and tenants seem to remain un-vetted, with HMO's containing a maximum of 6 rooms apparently sitting outside of any planning, regulation or monitoring, has the Council considered imposing the Article 4 direction with Kursaal Ward?

Answer

The Council could consider the introduction of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to increase the level of control the local planning authority has over the creation of new HMO's. However, this would not provide any additional controls over existing HMO's. It would, however, require a new proposal to obtain planning permission, but would not necessarily mean that such an application would be refused permission if it was acceptable in planning terms.

For an Article 4 Direction removing permitted development rights to convert houses into HMO's to be effective, there would need to be a clear body of evidence that new HMO's for up to 6 people are being created in the Kursaal Ward in significant numbers. If residents are able to provide any further evidence that the number of HMOs being created in the area is significant, we will look at the matter further, including whether or not the imposition of an Article 4 would be the most appropriate mechanism to deal with any issues arising, such as anti-social behaviour.

Question 7 from Simeon Brookstone to the Cabinet Member for Customer Contact and Community Safety

Question

In addition, to help alleviate the impact of anti-social behaviour, will the programme of CCTV installation which was scheduled for April 2020 to include the corner of Kilworth Avenue and Hastings Road, be reinstated or can you provide any update as to why this was never implemented?

Answer

The camera proposed to be installed at this location is still planned to be installed. There had been some delays in the process leading to procurement of the wider CCTV upgrade, however this contract has now been out for tender and the submissions are currently being considered.

It is anticipated that any new locations for cameras will be installed early in the 2021/22 financial year.

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Question 1 from Councillor Collins to the Cabinet Member for Environment and Planning

Question

Earlier this month, the UK had its wettest day on record, with enough rain falling to more than fill Loch Ness. Data shows Saturday 3 October, was the wettest day in records dating back to 1891.

I ask the Council to confirm that The Climate Change Emergency declared by this Council on 17th September 2019, remains a high priority for action and that as a coastal town, we must be alert to the consequences of not being proactive to make changes to our use of carbon based products and demonstrate leadership in our Town.

What actions are the Council taking?

Answer

The Council is currently drafting a series of long-term strategies that firmly embed and integrate both climate mitigation and adaptation into our decision-making process. These include:

- Climate Resilience and Urban Greening Strategy 2021-2025;
- Net Zero Strategy 2021-2025;
- Waste Strategy;
- Local Transport Plan;
- Local Plan.

As a result of the Climate Change Emergency and to support our Climate Emergency Declaration, which was signed in Autumn 2019, the Council has drawn up a Green City Action Plan. It presents an exciting opportunity for Southend to deliver upon its ambitions to become a 'Green City' prioritising five key areas to address the issues namely,

- Climate Leadership and Strategic Approach;
- Pathway to Net Zero Carbon;
- Building Climate Resilience across Southend;

- Future Generations, and
- Building Partnerships to Establish a Green City.

The Green City Action Plan will be published in early 2021. We are one of the few local authorities in England that has committed to publishing an annual Sustainability Report. It provides an update on the progress that we have made over the past 12 months. A copy of the 2018-2019 Report can be viewed on the following link:

https://www.southend.gov.uk/downloads/file/4676/low_carbon_energy_and_sustainability_annual_report.

The new National Flood and Coastal Erosion Risk Management Strategy (FCERM) for England was launched in the summer of 2020. Its long-term vision is to achieve a nation ready for, and resilient to, flooding and coastal change.

This resilience is key and is the corner stone of all flood & coastal schemes going forward. This includes developing the authorities Sustainable Drainage Systems (SuDS) Policy. The Council is also undertaking a catchment study in partnership with the Environment Agency, Anglian Water and Essex County Council. This will look to deliver a reduced flood risk from the brook to the surrounding roads and properties.

The New Local Plan will also take on board the aim and objectives of the new FCERM strategy. The Council's Local Flood Risk Management Plan and Surface Water Management Plan will be updated in 2021/22 as well as collaborating with the Environment Agency to update their National Flood Risk Management Plans (FRMPs).

Some of the key projects now underway are:

- SPONGE-concentrating on sustainable drainage solutions;
- SARRC- using nature-based solutions to protect our shorelines from sea level rise and support flood risk management;
- Remedy Smart Local Energy Solutions Design - creating a pathway for a new localised energy system targeting decarbonisation and substantial cost reductions for households;
- Cool Towns and Nature Smart cities - examining issues around heat stress and using Green Infrastructure to mitigate the extremes of climate change and improve health and well-being.

These are just some of the 60 plus projects currently being pursued working with a variety of partners both locally and internationally (France Netherlands and Belgium).

We have recently secured further funding to provide four schools with an urban greening programme (Interreg France (Channel) England programme), which will help deliver greener infrastructure on selected school sites in Southend. Supporting our schools is a priority action for the Green City Action Plan.

We were the first local authority in the UK to become a Founding Local Authority Partner to Better Planet Schools. It is an initiative led by the Young People's Trust for the Environment and provides completely free learning and education materials to primary schools in Southend. Each participating school has saved at least 12% of its energy use through their involvement in the programme. With the average school's energy bill being £31,000 per annum this has resulted in significant carbon and financial savings for our borough's primary schools.

This is a continually evolving task and commitment being made across all the various disciplines of the Council and will involve all parts of our communities ages and demographics.

Question 2 from Councillor Dent to the Cabinet Member for Environment and Planning

Question

Can the cabinet member for Environment & Planning tell me whether there has been an increase in fly-tipping during the COVID pandemic and what measures are in place to track down those responsible and bring them to justice?

Answer

Number of Flytipping reports received by Veolia		
Month	2019	2020
March	409	355
April	445	294
May	402	409
June	347	608
July	381	621
August	447	546
Total	2,431	2,833

There has been an increase in the number of cases reported to our contractor, Veolia, as shown in the table above. It should be noted that most reports received are not genuine 'fly-tipping' incidents, rather residents presenting waste early, late or incorrectly, which may generate reports from their neighbours. The Environmental Care Team relies on evidence either being found within the waste or provision of a witness statement if the incident is observed by a neighbour. Where no evidence or witness statement is available the alleged culprits are usually written to, to reminding them it is an offence. Recent action to raise awareness and educate residents includes a new live web page, and an animation and leaflet that will be launched in the near future. There has also been an increase in engagement with both residents and businesses in line with the current Environmental Enforcement Policy. A further communications programme is being finalised at the moment and includes the use of a fly-tipping 'Council Aware' sticker for genuine incidents.

Question 3 from Councillor Dent to the Cabinet Member for Customer Contact and Community Safety

Question

Some two weeks ago, the MP for Luton North, Sarah Owen, led a very important and moving debate in Westminster Hall on the worrying rise of racism against Chinese and East Asian Communities since the start of the COVID-19 pandemic. Southend has a small, but significant, East Asian community. Can the cabinet member for Community Safety tell me whether there has been a recorded increase in hate crimes against them since the pandemic began, and what if any measures and initiatives there are in place locally to address this concerning national trend?

Answer

From March – September 2020 Essex Police have recorded 299 hate crimes occurring in Southend. 169 (56%) of these hate crimes is related to East Asian Heritage¹. The national concerns temporarily appeared locally in March (18 investigations) and April (13 investigations) 2020. This was explicitly tied to Covid-19.

East Asian heritage hate crime has increased by 75% (43 investigations) compared to the same period previous year. The increase is largely due to the increase in recording hate crime over the late spring and early summer months.

Essex Police engaged with local community leaders and Southend Council, promoting the different methods of reporting this crime type. Essex Police continue to monitor this concern.

Overall Hate Crime (including all victims heritage) year-on-year (October 2019- September 2020 compared to same period previous) has increased by 5%. A notable increase was seen during June and July 2020, however this was most likely due to an increase in recording hate crime, neighbour-on-neighbour disputes due to the national lockdown restrictions and It might also be suggested the increase is due to targeted awareness. Currently local Hate Crime is on trend with its seasonal expectations.

Hate crime remains a priority for Southend Community Safety Partnership (CSP) and is discussed at a monthly multi-agency community action group (CAG), problem solving any challenges that may be arising. A dedicated hate crime policing team has been developed to tackle this crime type. This is the only team of its kind across Essex. Training has been given to create Hate Crime Ambassadors, who provide advice to and signpost victims to report hate crime through a hate crime reporting centre (HIRC). Southend has 6 Hate Crime Reporting Centres, including Southend-on-Sea Borough Council. There are 15 hate crime ambassadors at Southend-on-Sea Borough Council.

An updated delivery plan for the Essex Hate Crime Action Plan 2018-2021 was launched this month (October). The delivery plans actions fall into the following 5 themes;

1. Understanding hate crime
2. Preventing hate crime
3. Increasing the reporting of hate crime
4. Increasing access to support for victims
5. Improving the operational response to hate crime

Community safety has met with Essex Police and Victim Support Services to discuss the actions needed to be taken to achieve the above 5 themes.

National Hate Crime Awareness week was hosted between 10th and 17th October 2020. Community Safety and Hate Crime Ambassadors were actively involved in promoting awareness and contributing to social media posts. Community safety officers also wore the national hate crime awareness t-shirt. Victim support released an information pack which encouraged both public and practitioners to report hate crime to the service. A county wide film was produced and released, with partners across the county answering commonly asked questions about hate crime. Southend Police released a media statement regarding the work achieved by their dedicated hate crime team – Op Quartz.

Question 4 from Councillor Aylen to the Cabinet Member for Business, Culture and Tourism

Question

Will the cabinet holder for property explain if Southend council owns any property or land at Garons Park including the leisure and tennis centre and Garons Golf course?

Answer

The freehold to the Leisure and Tennis Centre is owned by the Council, although some of the outside courts and parking areas are leased in from Garon Trust.

The Council also hold the freehold for the facilities to the south of the leisure centre; the athletics track and club, the soft play business, the sports and social club, the redgra pitch and the associated parking areas.

The land and pitches, and the football changing rooms at the Youth Commemoration Ground are also held by the Council but as trustees of the Youth Commemoration Ground.

The Golf Course and associated sports and leisure facilities north of the leisure Centre including the cricket pavilion and pitches are owned by the Garons Trust.

Question 5 from Councillor Aylen to the Cabinet Member for Business, Culture and Tourism

With trip advisor placing Belfairs park as one of the top ten places to visit in Essex would the cabinet holder for parks be prepared to invest in Belfairs park , repair the many broken fences maintain existing footpaths and signage and look to restoring the gardens of the park to similar standards as priory park, South church park , marine gardens leigh, cliff gardens southend , southchurch hall, Chalkwell park, prittlewell square, and the list goes on that leaves Belfair as the very poor cousin?

Answer

The fact that many of the Towns Parks and Green Spaces, and the attractions within them, received high praise on Trip Advisor and Google, is acknowledged and shows the enjoyment these facilities bring to our citizens and visitors and the strength of feeling they have about them by placing a comment.

Belfairs Park is one of the boroughs most visited parks and received a Green Flag award, along with six other parks in the town this year.

Most of the Towns Parks have something different to offer and for many, it is the woodland and naturalised areas that they enjoy about Belfairs Park and comment on.

Over the last decade, Belfairs Park has seen the largest investment in improvements of all Parks within Southend-on-Sea with over £1.5 million invested by the Council and external funders, enabling the building of the Belfairs Woodland Centre, replacement sports drainage on the golf course, new signage, new overflow parking area, children's play equipment and other enhancements.

Belfairs Park is not a poor cousin to other parks in the town, with high maintenance of facilities, such as the golf course, requiring ongoing Council funding.

We are all aware of the financial pressures facing the Council and the need for repair budgets to be targeted at those elements with the greatest benefit to health, wellbeing and safety for the whole Borough.

Concerning the points raised about fences, paths and signage, work on all these items has taken place in the Belfairs Park over the last year. However, as with all Parks in the Town, the works are prioritised and therefore it will be the case that a broken fence may not be repaired as the risk associated with the damage is minimal and the resources need to be targeted towards a more urgent repair.

To place additional financial pressures on the Council at this time by introducing high-maintenance floral displays in the gardens at Belfairs Park or to invest capital funding in recreating the formal garden area which was re-landscaped in the 1950s, would be inappropriate.

It is important that our Parks and Green Spaces meet the changing needs of our citizens, support biodiversity and adapt to the changing climate. Therefore they will need to continue to evolve and change.

The passion for the environment and the increasing importance local citizen's place on the Towns parks and green spaces has seen an increased interest in volunteering and friends groups. We have a number of successful groups run by volunteers such as those at Southchurch Hall Gardens and Leigh Library gardens. If Cllr Aylen would like to set up such a group I can confirm that officers will provide the necessary guidance.

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