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Southend-on-Sea City Council Strategy, Change & Governance

Executive Director: Stephen Meah Sims (Interim)

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30 June 2022

Dear Councillor

POLICY AND RESOURCES SCRUTINY COMMITTEE - THURSDAY, 7TH JULY, 2022

I refer to the Agenda for the meeting of the Policy and Resources Scrutiny Committee taking place on Thursday, 7th July, 2022, and now attach the following report that was unavailable when the agenda was printed.

Agenda Item No.	Item
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| 7. | Southend City Centre, Seafront and Adjoining Areas Public Spaces Protection Order Extension and Variation (Pages 1 - 98)
Report of Interim Executive Director (Strategy, Change and Governance) |
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Stephen Tautz

Principal Democratic Services Officer

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Southend-on-Sea City Council

Report of Executive Director of Strategy, Change and Governance

To

Cabinet

On

1st July 2022

Report prepared by: Giles Gilbert; Director of Legal Services
And Toby Breckels; Trainee Solicitor

Agenda
Item No.

7

Southend Town Centre, Seafront and Adjoining Areas Public Spaces Protection Order- Extension and Variation

Relevant Scrutiny Committee- Policy and Resources
Cabinet Member: Councillor Terry
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To invite Councillors to consider and agree extending the Southend Town Centre, Seafront and Adjoining Areas Public Spaces Protection Order (“the PSPO”) for three years and to include the proposed variations identified in this report under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) taking into consideration the results of the statutory consultation and further evidence as detailed in this report.
- 1.2 The purpose of the PSPO is to assist the Council and its partners in addressing persistent anti-social behaviour (ASB) within an identified area (“The Restricted Area”) as displayed in the draft order at **Appendix A**. It helps ensure that the law-abiding majority can use and enjoy these public spaces, safe from ASB.
- 1.3 Cabinet are required to consider all material considerations including proportionality i.e., are the proposed restrictions proportionate to the harm/nuisance that is being caused.

2. Recommendations

- 2.1 That the Council varies the Public Spaces Protection Order (PSPO) over the restricted area in the form annexed at **Appendix A** and plan at **Appendix B** and extend it to run for a further three years.
- 2.2 That the Director of Public Protection in consultation with the Director of Legal Services explore further options for authorising third parties, including South Essex Property Services (SEPS), to enforce the PSPO and take the necessary steps to implement and ensure that training is provided in accordance with the enforcement policy at **Appendix C**.

2.3 The Council extends the Drinking Control Area to include the Queensway Estate.

3. Background

- 3.1 On the 11th July 2019 the Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No1 of 2019 came into force. Under the Act this can only run for three years before expiring and requires a public consultation before the Council can agree that the PSPO is extended for up to a further three years.
- 3.2 On 22nd February 2022 a report was presented to Cabinet to decide whether to proceed with a public consultation on extending and varying the PSPO as provided in the Background papers.
- 3.3 The following ASB is currently prohibited in the Restricted Area:
 - 3.3.1 Urination, defecation, spitting and littering
 - 3.3.2 Sleeping in a public place in a manner that has a detrimental impact
 - 3.3.3 Erecting tents or other structures without permission from the Council
 - 3.3.4 Consuming alcohol or failing to surrender containers reasonably believed to contain alcohol within a drinking control area (hatched blue on **Appendix B**)
 - 3.3.5 Outside the drinking control area consuming alcohol and behaving in an anti-social manner or failing to surrender containers when required (within the area on **Appendix B** shaded pink)
 - 3.3.6 Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances
 - 3.3.7 Begging or approaching someone for that purpose
 - 3.3.8 Approaching or stopping someone to enter into arrangements for future charity payments or to collect information to assist in a future arrangement without the Council's permission.
- 3.4 Following complaints received by the Council the consultation also included possible restrictions on cycling and the use of e-scooters in pedestrianised areas and the ASB associated in using these in pedestrianised areas.
- 3.5 The report considered by Cabinet on the 22nd February 2022 also considered restrictions on Barbeques and on restrictions on use of Personal Water Craft (PWCs). These two items are subject to their own consultation and therefore not for consideration as part of this report.
- 3.6 Councillors are reminded that the purpose of the PSPO is to assist in tackling the repeat offenders whose ASB makes the Restricted Area a less pleasant place to be. The PSPO is intended as a last resort once all attempts of assistance by the

Council have been unsuccessful. Additionally, an Equality Analysis was undertaken following the consultation to consider the potential impact and different demographics and set out an action plan. This is included at **Appendix E**.

- 3.7 Failure to comply with a PSPO is a criminal offence and can result in prosecution which could lead upon conviction to a fine of up to £1,000 or a fixed penalty notice of £100.

4. Consultation and Evidence

Consultation

- 4.1 A four-week consultation was launched on the 27th of May 2022 until 25th June 2022, which included information promoted online.
- 4.2 The consultation could be accessed by residents and businesses by either:
- directly online on the Council's "Consultation Portal"; or
 - the opportunity to either download a hardcopy version from the website or a paper copy sent out by the Council so it could be completed by hand and sent in by post.
- 4.3 The Council liaised directly with Essex Police and the Police Fire and Crime Commissioner for Essex for comments as well as Southend BID and South Essex Homes.
- 4.4 The following responses were received:
- 4.4.1 The Police District Commander for Southend confirmed that he was really pleased with the proposals with some suggestions regarding the drafting of the PSPO regarding e-scooters that the Council has taken this into account.
- 4.4.2 South Essex Homes responded asking if:
- (a) That the Drinking Control Area is extended to include Queensway Estate. People sit on the raised walkway around the play area drinking. This is more prevalent in the Summer months and in the immediate vicinity of people's homes.
- (b) That South Essex Homes & South Essex Property Services (SEPS) CSAS Accredited Officers are authorised to enforce the PSPO and provided with adequate training. SEPS Staff carry out neighbourhood patrols across the Queensway estate, provide security presence at The Forum, Victoria Plaza and Bus Station. This will strengthen the CSP response to enforcement within the identified high crime/anti social behaviour locations.
- (c) In respect of new restrictions pertaining to cycling, it does not make it clear that this excludes motorised scooters (E-Scooters), this is expanded upon on page 4 under definitions however feel that a member of public would not specifically at the definition and assume an E-scooter could be ridden. Perhaps some clarity within the restriction would make this easier to understand.'

[nb. *The order has been amended to reflect this*]

4.4.3 Southend BID provided the following statement:

'Southend BID supports any provisions that will help and improve the experience of Southend City Centre for businesses, residents and visitors alike. Our view is that this PSPO aims to actively help combat some of the problematic issues that have continued to have a negative effect on the High Street in recent times and therefore Southend BID gives it our full support. We hope that its implementation will yield positive results for our City.'

- 4.5 A total of 372 people accessed the consultation, and 83 of those responded, with one additional emailed response. The full analysis report of the results from this consultation including the questions themselves is included at **Appendix D**

The key points that arose are:

- 4.5.1 98% of those who participated agreed that the existing restrictions need to be renewed for a further three years over the restricted area.
- 4.5.2 80% agreed the proposed restrictions of cycling and e-scooters in pedestrianised areas.
- 4.5.3 94% agreed to extend the drinking control area to cover the area by Toledo Road.
- 4.6 The analysis of the consultation results at **Appendix D** also contains all the submitted written comments, some of which opposed the proposed restrictions with concerns around inadequate facilities for cycling within the city. It is worth noting in response to these concerns that, as set out below, the proposed cycling and e-scooter restrictions bring existing restrictions together under modern legislation and enable wider and more consistent enforcement. There is no intention to restrict cycling where currently permitted such as cycle lanes, the highway, etc. The majority are clearly in favour of the additional PSPO restrictions.
- 4.7 Other areas of concern were also identified included, Ambleside drive, Absurham Road/ London Road, Shoebury High Street and Shoebury East Beach, Leigh Area (there is currently a PSPO for Leigh old Town), Westcliff Sea front (specifically noise concerns from excessively loud cars and people leaving the casino); and requests to include the entire City within the PSPO.
- 4.8 It should be noted that the results of the consultation are a guide. A significant majority of those who participated were in favour of continuing with the current PSPO and the additional Restrictions.

Cycling and Electric Scooters (e-scooters)

- 4.9 During the Covid19 lockdowns the Council saw an increase of cyclists and while the majority were responsible that cannot unfortunately be said for all. Further the Council also saw an increase in those cycling in pedestrianised areas such as the highstreet which saw accidents and complaints increase as a result.
- 4.10 Similarly, with the growing availability of electric scooters for purchase it is becoming common place to see them being used on the Highstreet and other public areas.

- 4.11 Currently there are restrictions against the use of e-scooters and cycling on the pedestrianised areas within the restricted area separate to the PSPO. These are:
- 4.11.1 Moving Traffic Speed Order 2006- The order attached at **Appendix G** prohibits cycling on the town centre in paragraph 4. The relevant entries in Schedule one of the traffic order starts at item 3624. Although this order is sufficient for banning cycling on the Highstreet, its enforcement is limited to police officers. Therefore the Council's authorised officers cannot enforce under this Order.
- 4.11.2 Section 72, Highways Act 1835-This legislation is enforceable by both police and community safety officers (CSO's) when restricting cycling and enforceable by the police when restricting e-scooters. However this legislation applies only to footpaths that are adjacent to roads. Whilst parts of the pedestrianised areas in the highstreet and on the seafront could be deemed to be covered by this legislation, by introducing the PSPO to include this ASB then enforcement is possible across all areas.
- 4.12 Therefore, whilst there are existing ways of dealing with cycling and e-scooters the PSPO brings them within one specific tool that can be used to combat such ASB.

Evidence

- 4.13 In making any decision the Council need to consider the attached evidence report (**Appendix F**) that provides statistics relating to the PSPO considering the volume of FPNs that have been issued. Southend-on-Sea City Council has a community safety team responsible for issuing fixed penalty notices. 129 Fixed Penalty Notices have been issued in the PSPO restricted area during the period identified 01st March 2020 to 28th February 2022.
- 4.14 Key Findings from the evidence report are as follows:
- 4.14.1 Covid -19 restrictions has had an impact on crime and anti-social behaviour (ASB) across the city. Crime reduced, ASB increased likely due to additional Covid breach recordings.
- 4.14.2 Footfall to Southend-on-Sea increased significantly once legal restrictions had been removed which caused an increase in crime and disorder in the PSPO area.
- 4.14.3 20% of crime reported in a two year period occurred in the PSPO area. An increase in Crime and anti-social behaviour (ASB) is likely to occur mostly at weekends, this is likely due to the increase in footfall to the area.
- 4.14.4 Community Protection Warnings/Notices and Fixed Penalty Notices are predominantly given to people for not surrendering/drinking alcohol in the area.
- 4.14.5 The report also provides data from other Council teams and Veolia confirm that there has been a significant increase in discarded drug litter (Figure 12 of

Appendix F) but a decrease in people sleeping in public places (Figure 13 of **Appendix F)**

- 4.14.6 There are reports regarding Barbeques, e-scooters and Personal Water Crafts however these are small in reporting numbers. This may be due to reporting mechanisms for these type of incidents/detections have not been previously set and will be addressed (save for e-scooters) within the report that considers these matters.
- 4.15 The volume of FPN's issued, 129, over a two year period could raise concern that this is a low volume and question as to why more FPNs have not been issued. In the alternative it could suggest that preventative measures are working without the need to resort to issuing a FPN, which is the overriding objective of the PSPO, prevention, not correction.

The Restricted Area

- 4.16 The Restricted Area considered as part of the Consultation has not in itself increased. Part of the area near Toledo Road and the Seaway roundabout was amended to fall within the Drinking Control Area as ASB associated with drinking has been identified as an issue in this area. Previously the area was outside the Drinking Control Area. This area is marked in green in the plan at **Appendix B.**
- 4.17 Not used.

Enforceability

- 4.18 Under the 2014 Act, authorised council officers have the power to issue a fixed penalty notice ('FPN') to anyone they reasonably believe is in breach of the PSPO. Whilst the 2014 Act sets out a framework for issuing FPNs, councils will also have their own wider protocols around issuing fines. The Council currently has an enforcement policy (**Appendix C**) for the Council's enforcement team to ensure fairness and best practice is exercised. This will be reviewed and updated following any future decision of the Council in relation to any additional restrictions that form part of any varied, extended or new PSPO.
- 4.19 A concern originally raised in 2019 was enforceability, which was highlighted by not only the then public consultation but also in consultation with Essex Police. A Southend Community Policing Team Inspector from Essex Police then advised that enforceability will be a challenge over the restricted area, and more so if the Council looks to increase it. The Inspector additionally warned of the risk of creating an expectation that will be difficult to deliver.
- 4.20 In considering the views of Essex Police at paragraph 4.19 above it is important to note that a key benefit of the PSPO compared to other enforcement options that may already be in place is that the PSPO provides enforcement powers to officers as designated by the Council. These include Community Safety Officers, hereafter referred to as "Authorised Officers" and could possibly include other officers, subject to training and consultation. This allows the Council to act on the

issues present in the Restricted Area whilst limiting the additional strain on Essex Police.

- 4.21 The comments from the Consultation also refer to enforceability and that the Council can provide the resources to tackle the ASB therefore this will remain an ongoing exercise in monitoring enforcement and if additional resource is required then a further report will come before Cabinet.
- 4.22 The Council has further considered the proposed restriction against the erection of tents and structures in the Restricted Area and there will clearly be times when they are permitted such as during festivals and markets in the High Street etc. Further specific licences for stalls to sell alcohol will not be caught by the restrictions.

Additional concerns

- 4.23 With regards rough sleeping, there are pro-active measures being undertaken by the Council to assist those in need and to address the underlying cause for some of these issues. Work continues to be done to support and aid those who are sleeping rough, and the numbers have been reduced considerably. The PSPO is not designed to target people based solely on the fact that someone is homeless or rough sleeping. The Council will continue to assist such individuals who require help and support.
- 4.24 For clarity, The PSPO does not ban rough sleeping itself and is not a tool to criminalise homelessness or the homeless. Paragraph 4(ii) of the Order at **Appendix A** is directed at those sleeping in public who are having a detrimental impact of the quality of life of those in the locality.

5. Other Options

- 5.1 The Council could choose not to continue with the PSPO, however this would lose the opportunity to continue this measure to tackle ASB which is having a damaging effect on our City Centre, Seafront and other areas identified in this report. Additionally, following the support of the PSPO that has been displayed in the consultation, choosing to not implement the Order could negatively impact the reputation of the Council within the communities worst affected by the ASB.
- 5.2 This would also result in the current PSPO expiring at midnight on the 10th July 2022 and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling ASB in the restricted area. The Police do of course have their own powers to deal with ASB, generally and the Community Safety Team have powers delegated from the Police that considers some elements of ASB, but not with regards to all the express ASB set out in the PSPO.
- 5.3 Alternatively the Council could retain the current PSPO and not include the additional restrictions concerning cycling and e-scooters, or not extend the

Drinking Control Zones as proposed at Queensway and adjacent to the Seaway carpark.

6. Reasons for Recommendations

- 6.1 A PSPO covering the Town Centre, Seafront, Southchurch Hall Gardens, Hamlet Court Road and York Road is believed to be an appropriate additional tool to tackle persistent and unreasonable anti-social behaviour (“ASB”) which is taking place. It can help provide realistic and proportionate enforceability to help reduce the ASB which discourages and prevents the law-abiding majority from feeling safe in, and subsequently using and enjoying, these public spaces.
- 6.2 The overwhelming majority of respondents to the Consultation supported the necessity and continuation of the PSPO including the New Restrictions
- 6.3 The Council considers that the requirements in S.59 of the 2014 Act are met and that the prohibitions are reasonable ones.

7. Corporate Implications

- 7.1 Contribution to the Southend 2050 Road Map
Safe and Well. Residents feel safe and secure in their homes, neighbourhoods and across the borough.
- 7.2 Financial Implications
- 7.2.1 Whilst the costs of enforcement of the PSPO will be undertaken within the existing resources of the Community Safety Team and Essex Police the Council needs to keep this under review to ensure the effective resourcing and visibility.
- 7.2.2 The costs of signage and their maintenance will be met from the existing services budget
- 7.3 Legal Implications
- 7.3.1 The introduction, varying or amending of a PSPO must be undertaken in accordance with the 2014 Act and the Statutory Guidance. Failure to do so could result in a legal challenge.
- 7.3.2 Under section 59 of the 2014 Act, local authorities must be satisfied that the follow two conditions are met to make a PSPO:
- (a) The first condition is that on reasonable grounds that the activity subject to a PSPO has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect).
- (b) If so, then the second condition is that the effect, or likely effect, of the activities:
- is (or is likely to be) persistent or continuing in nature

- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

7.3.3 Section 72 of the 2014 Act provides that the Council must carry out necessary consultation before making a PSPO. Similarly, under section 72 councils are required to have particular regard to articles 10 and 11 of the Human Rights Act 1998.

7.3.4 Before making, amending or varying a PSPO the Council must consider comments and representations received that have now been received following the Consultation.

7.4 Environmental Impact

It is considered there would be a positive impact on the environment as the PSPO would enable enforcement against littering and improving street cleanliness.

7.5 People Implications

There are likely to be some resource implications in terms of enforcement of any PSPO and this has been referred to within the report

7.6 Property Implications

None identified

7.7 Consultation

This report provides the results of the consultation.

7.8 Equalities and Diversity Implications

7.8.1 Under the Equality Act 2010, the Council must have due regard to:

- (a) Eliminating unlawful discrimination, harassment and victimisation and any other conduct prohibited by this act;
- (b) Advancing equality of opportunity between people who share a protected characteristic and people who do not share it; and
- (c) Fostering good relations between people who share a protected characteristic and people who do not share it.

7.8.2 It is therefore important to consider how the proposals contained within this report may positively or negatively affect this work. To support this consideration, an Equality Analysis has been carried out as attached at **Appendix E**. This Equality Analysis has looked at the anticipated (positive and/or negative) impacts of the proposals on people from Southend's diverse communities, and whether any group (or groups) is likely to be directly or indirectly differentially affected. In conclusion it is not anticipated that the

proposals will have a significant disproportionate impact on any of Southend's diverse groups.

7.8.3 The Council has also had regard to the rights and freedoms under Article 10 (freedom of expression) and Article 11 (freedom of assembly and association) as set out in the European Convention on Human Rights and is satisfied that the restrictions imposed by the proposed PSPO are lawful, necessary and proportionate.

7.9 Risk Assessment

Risks associated with the continuation and varying of the PSPO, particularly in terms of protecting vulnerable members of society and displacement have been considered within the report and continue to be relevant in updating the enforcement policy.

7.10 Value for Money

If the PSPO is extended, varied, or a further PSPO is made there may be a potential reduction in costs associated with crime and ASB. Further there may be a wider benefit to the community if footfall increases which will benefit local businesses.

7.11 Community Safety Implications.

Keeping Southend-on-Sea a safe and enjoyable place to live, work and visit is a key priority for the Council. Continuing with and varying the PSPO as set out in this report (subject to Cabinet approval) would retain an additional tool to the Council and its partners to tackle ASB.

8. Background Papers

[Public spaces protection orders: guidance for councils \(local.gov.uk\)](https://www.local.gov.uk/public-spaces-protection-orders-guidance-for-councils)

Report to cabinet dated 22nd of February 2022 and the corresponding minute.

9. Appendices

<u>Appendix A</u>	The Public Spaces Protection Order (Southend City Centre, Seafront and Adjoining Areas) No 2 . (Without Plan as provided at Appendix B)
<u>Appendix B</u>	PSPO Plan
<u>Appendix C</u>	Draft PSPO Enforcement Policy
<u>Appendix D</u>	PSPO Consultation analysis and comments
<u>Appendix E</u>	Equalities Assessment
<u>Appendix F</u>	PSPO Evidence report
<u>Appendix G</u>	Moving Traffic Speed Order 2006

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Appendix A- The Public Spaces Protection Order
(Southend City Centre, Seafront and Adjoining Areas)
No 2. (Without plan as provided at Appendix B)

DRAFT

ORDER
ANTI-SOCIAL BEHAVIOR, CRIME AND POLICING ACT 2014
SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by the Southend-on-Sea City Council (the 'Council') and shall be known as the Public Spaces Protection Order (Southend City Centre, Seafront and Adjoining Areas) **No2 of 2022**

PRELIMINARY

1. The Council, in making this order is satisfied on reasonable grounds that the activities identified below have been carried out in public spaces within the Council's area and have had a detrimental effect on the quality of life of those in the locality,
and that
the effect, or likely effect, of the activities
is, or is likely to be, of a persistent or continuing nature,
is, or is likely to be, such as to make the activities unreasonable, and
justifies the restrictions imposed by this notice.
2. The Council is satisfied that the prohibitions imposed by this order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring, or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this order are lawful, necessary and proportionate.

THE ACTIVITIES

4. The activities prohibited by this order are
 - i. Urination, defecation, spitting or littering
 - ii. Sleeping in a public space within the Restricted Areas (which includes car parks and shop doorways) in a manner which has a detrimental impact on the quality

- life of others in the locality. This includes but is not limited to causing an obstruction to member of the public or local businesses
- iii. Erecting tents or other structures anywhere within the Restricted Area, save for where so permitted by the Council
 - iv. In any Drinking Control Area, consuming alcohol or failing to surrender any containers (sealed or unsealed) which are reasonably believed to contain alcohol when an Authorised Officer has required such consumption to cease
 - v. Outside of any Drinking Control Area consuming alcohol and behaving in an anti-social manner or failing to surrender any containers (sealed or unsealed) which are reasonably believed to contain alcohol, in a public place, when an Authorised Officer has required such consumption to cease.
 - vi. Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances.
 - vii. Beg, begging or approaching any person for that purpose
 - viii. Save for where excepted at paragraph 12 of this order or otherwise permitted by the Council, approaching or stopping another person with the intention of asking that other person
 - a. To enter any arrangements which involve that other person making any future payment for the benefit of charitable or other purposes, or
 - b. For any information to assist in that other person being contacted at another time with a view to making arrangements for that person to make any payment for the benefit of charitable or other purposes
 - ix. Save for where excepted at paragraph 13 of this order or otherwise permitted by the Council, cycling:
 - a. on raised paved or asphalted paths for pedestrians,
 - b. where localised signage requires cyclists to dismount
 - x. The use of a cycle or cycles in a manner which has a detrimental impact on the quality of life of others in the locality and/or which poses or is like to pose risk to the health and safety of pedestrians and/or road users in the locality
 - xi. Save for where excepted at paragraph 13 of this order or otherwise permitted by the Council, using electric scooters:
 - a. on raised paved or asphalted paths for pedestrians,
 - b. where localised signage requires cyclists to dismount
 - xii. The use of electric scooters in a manner which has a detrimental impact on the quality of life of others in the locality and/or which poses or is like to pose risk to the health and safety of pedestrians and/or road users in the locality

THE PROHIBITION

5. A person shall not engage in any of the Activities anywhere within the Restricted Area as shown delineated by the red line and shaded pink on the master plan annexed at Schedule 1 and if applicable further identified as the 'Restricted Area'
6. This Prohibition is subject to the Exceptions stated below

THE REQUIREMENTS

7. A person who is believed to have engaged in a breach of this order or anti-social behaviour within the Restricted Area, is required to give their name and address to an Authorised Officer
8. A person who is believed to have engaged in a breach of this order, or in anti-social behaviour within the Restricted Area, is required to leave the area if asked to do so by a police officer, police community support officer or other person designated by the Council and not to return for a specified period not exceeding 48 hours
9. A person must clear up his/her belongings and/or litter if asked to do so by police officer, police community support officer or other person designated by the Council

THE EXCEPTIONS

10. Nothing in paragraph 4(iv or v) of this order applies to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980
11. The requirement in paragraph 4(vi) of this order does not apply where the substance
 - a. Is used for a valid and demonstrable medicinal or therapeutic purpose,
 - b. Is a cigarette (tobacco) or vaporiser,
 - c. Is a food product regulated by the food, health and safety legislation
12. Nothing in paragraphs 4(vii) and (viii) of this order applies to any person authorised by virtue of the Police, Factories (Miscellaneous Provisions) Act 1916 to undertake an on-street collection of Money
13. Nothing in paragraph:
 - a. 4(ix), (x), (xi) or (xii) of this order applies to cycle patrols undertaken by a police officer, police community support officer or other person designated by the Council,
 - b. 4(ix) or (xi) of this order applies to those using motorised or non-motorised mobility scooters, wheelchairs and mobility aids

OTHER

14. This order applies to a public place within the Council's area, The public place is delineated by the red line and shaded pink on the master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the 'Restricted Area'

15. The effect of the order is to impose the prohibitions and requirements detailed herein, at all times, save where specified exemptions apply or where the express permission of the Council has been given on the use of the Restricted Area

DEFINITIONS

16. For the purpose of this order the following definitions will apply

'Alcohol' has the meaning given in section 191 of the Licensing Act 2003;

'Authorised Officer' means a constable, a police community support officer or a person authorised in writing by the Council

'Beg' or **'begging'** means asking for or accepting money, personal, charitable or any other donations or approaching a person for that purpose, when to do so would cause, or is likely to cause, a nuisance or annoyance, harassment, alarm or distress to that person. Examples of nuisance, annoyance, alarm or distress include, but are not limited to, the following

- (a) Obstructing the path of the person solicited during the solicitation or after the person solicited responds or fails to respond to the solicitation
- (b) Using abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation
- (c) Continuing to solicit a person in a persistent manner after the person has responded negatively to the solicitation
- (d) Have in their possession any item of holding, inviting or receiving money for the purpose of solicitation
- (e) Placing self in the vicinity of an automated teller machine, taxi rank or public transport stop to solicit and or soliciting a person who is using, waiting to use, or departing from an of those services

'Cycle', Cycles and 'cycling' means any of the following and includes using any of the following: unicycle, bicycle, tricycle, or a cycle having four or more wheels whether power-assisted or not subject to paragraph 13 of this order.

'Drinking Control Area' means any such area within the Restricted Area whereupon there is in force a Council and Essex Police designated Drinking Control Area as at the date of this order, delineated by the blue line on the PSPO master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this.

'Interested Person' means an individual who lives in the Restricted Area or who regulatory works in or visits that area

'Public place' means any place to which the public or any section of the public has access, on payment or otherwise as of right or by virtue of express or implied permission

‘Psychoactive Substances’ has the meaning given by section 2 of the Psychoactive Substances Act 2016

‘Restricted Area’ has the meaning given by section 59(4) of the Anti-Social Behaviour, Crime and Policing Act 2014 and for the purposes of this order is shown delineated by the red line on the PSPO master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the ‘Restricted Area’

‘solicit’ means to request, in person the immediate provision of money or another thing of value, regardless of whether consideration is offered or provided in return, using the spoken, written or printed word, a gesture or other means

PERIOD FOR WHICH THIS ORDER HAS EFFECT

This Order came into force at midnight on [] 2022 and will expire at midnight on [] 2025.

At any point before the expiry of this three-year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency of or seriousness of those activities after that time. The Council may extend this order more than once.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse –

- a. To do anything that the person is prohibited from doing by a public spaces protection order, or
- b. To fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in a Magistrates Court to a fine not exceeding level 3 on the standard scale

FIXED PENALTY

An Authorised Officer may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti- Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £100. If you pay the fixed penalty within the 14 days you will not be prosecuted.

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the

restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated.....

THE COMMON SEAL of SOUTHEND ON SEA)
CITY COUNCIL was pursuant to a resolution)
of the Council hereunto affixed to this Deed in the)
presence of:-)

Proper Officer of the Council

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

(1) It is an offence for a person without reasonable excuse-

(a) To do anything that the person is prohibited from doing by a public spaces protection order, or

(b) To fail to comply with a requirement to which a person is subject under a public spaces protection order

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale

(3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order

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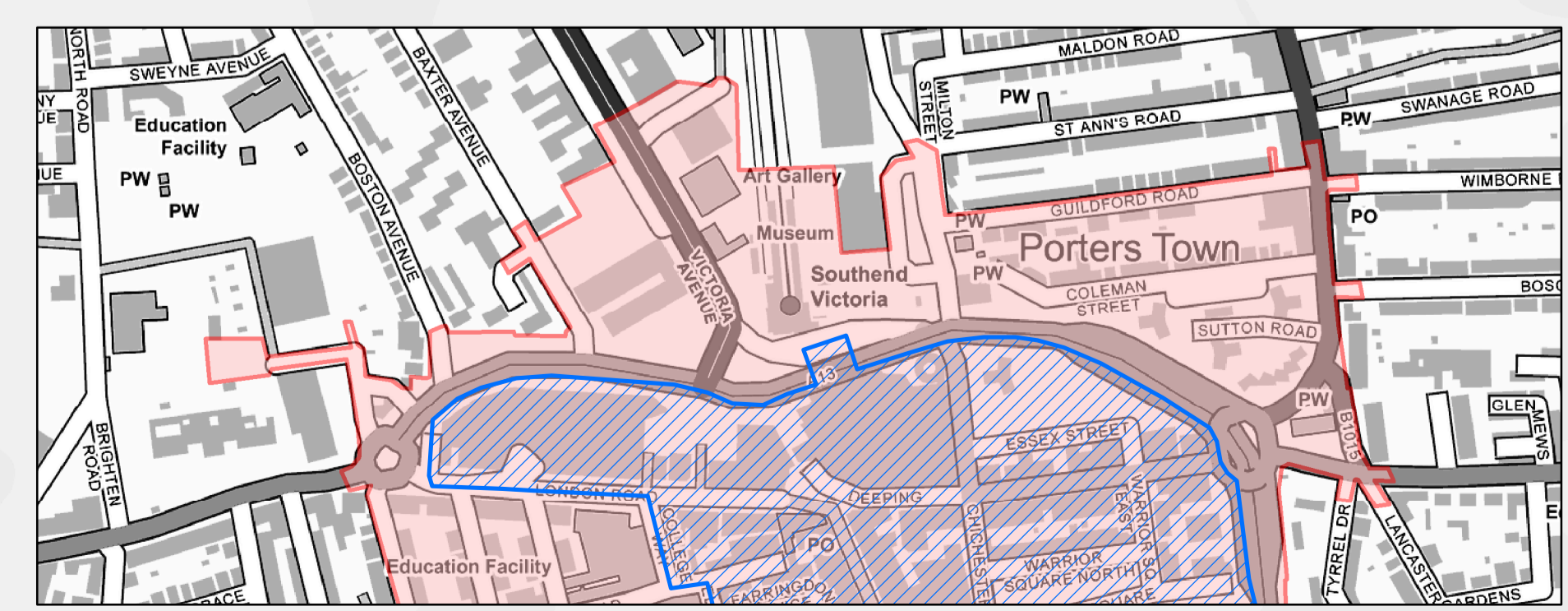
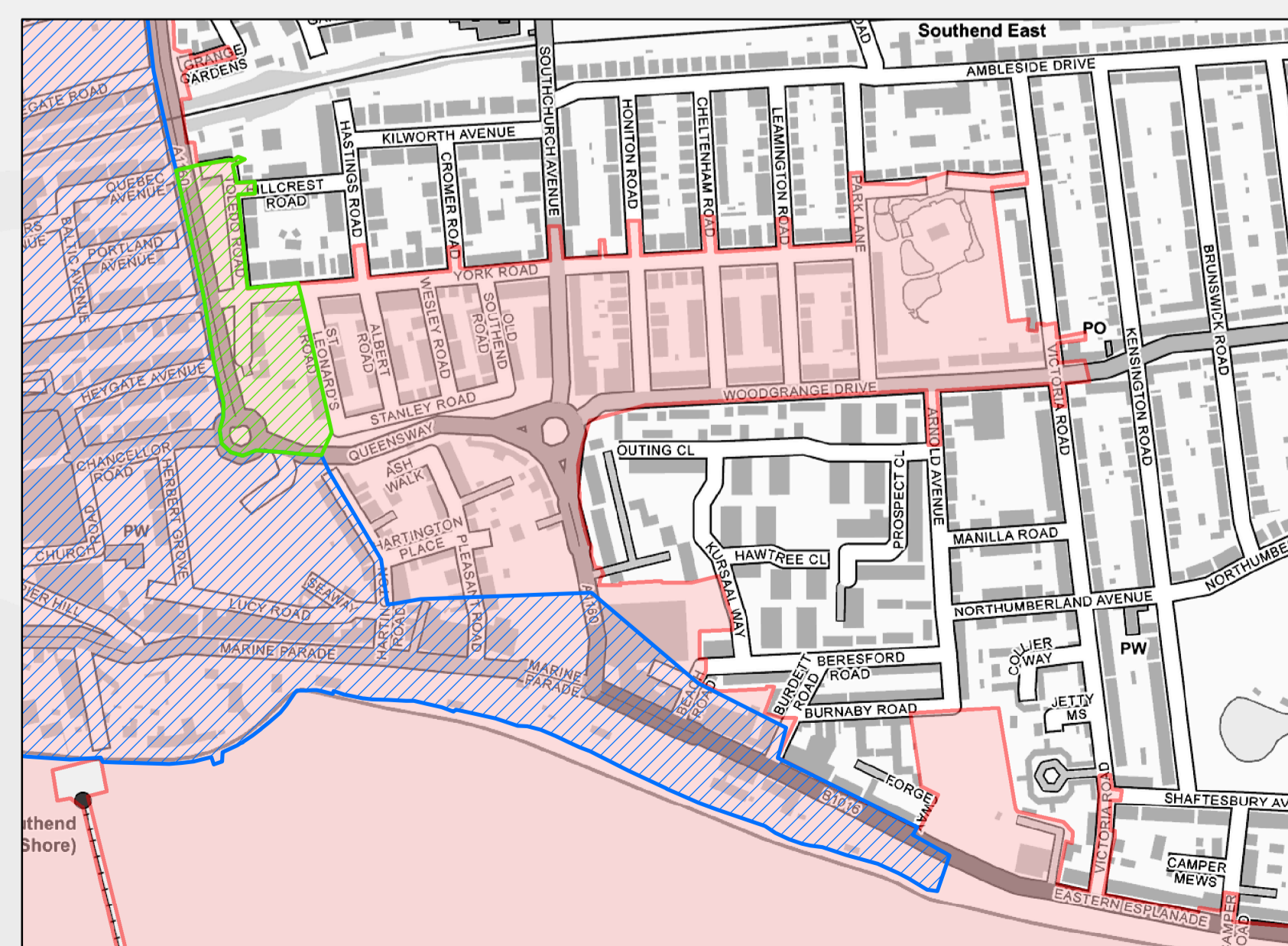
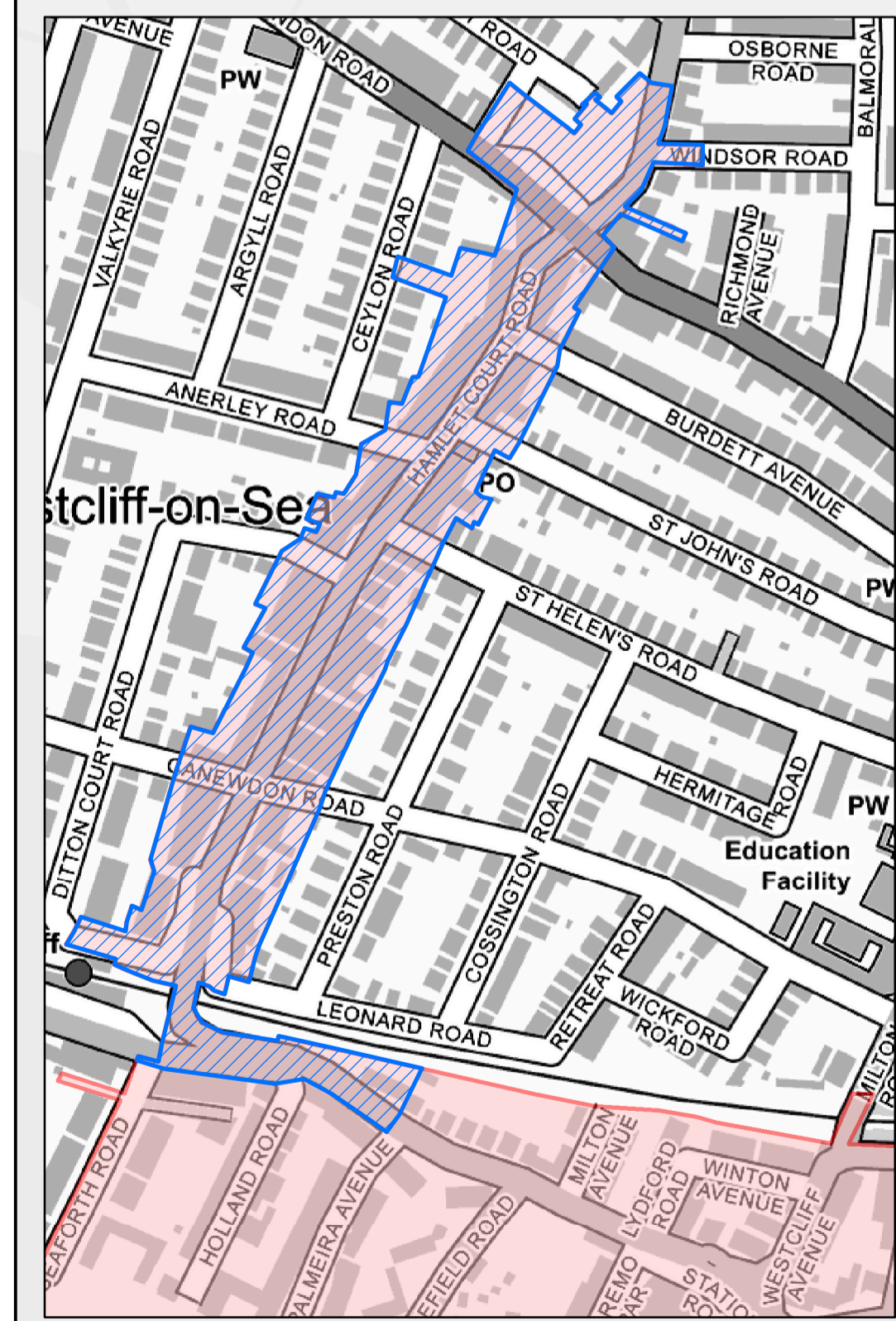
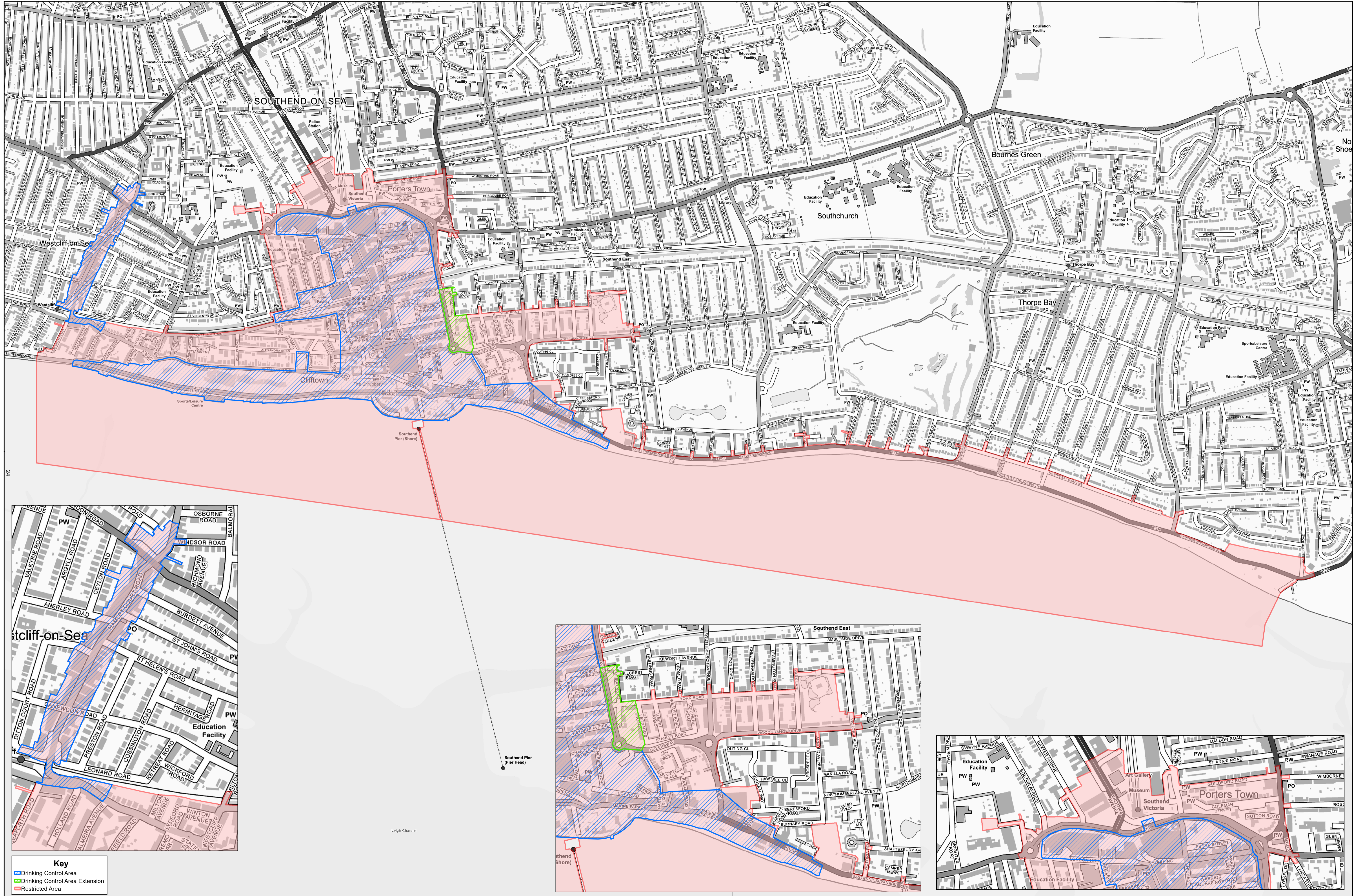
Schedule 1 to this Order

Master plan of the Restricted Area and detailed plans referred to as []

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Appendix B- PSPO Plan



Key

- Drinking Control Area
- Drinking Control Area Extension
- Restricted Area

Appendix C- Draft PSPO Enforcement Policy

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Public Space Protection Order (PSPO)

Enforcement Policy

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Summary

Purpose	Designed to stop individuals or groups committing anti-social behaviour in a public space.
Who can make a PSPO	Councils can make a Public Spaces Protection Order (PSPO) after consultation with the police, Police and Crime Commissioner, local residents and businesses as well as other relevant bodies.
Test	Behaviour being restricted has to: <ul style="list-style-type: none"> • be having, or be likely to have, a detrimental effect on the quality of life of those in the locality; • be persistent or continuing nature; and • be unreasonable.
Details	<ul style="list-style-type: none"> • Restrictions and requirements set by the council. • These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. • Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. • Can be enforced by a police officer, police community support officers and authorised Council officers.
Penalty on breach	<ul style="list-style-type: none"> • Breach is a criminal offence. • For a breach of a restriction involving alcohol a fine of up to level 2 on prosecution. • For any other breach a fine of up to level 3 on prosecution. Alternatively; • Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate.
Appeals	<ul style="list-style-type: none"> • Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. • Further appeal is available each time the PSPO is varied by the Council.
The legislation	Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014.
Protecting the vulnerable	<ul style="list-style-type: none"> • Consideration should be given to how the use of this power might impact on the most vulnerable members of society. • Consideration should also be given to any risks associated with displacement, including to where people may be dispersed to • There is value in working in partnership to resolve ongoing problems and find long term solutions.

Introduction

Anti-Social behaviour (“**ASB**”) is a term used to cover a wide range of behaviours that are capable of causing harassment, distress or alarm to individuals. This includes, but is not limited to, littering, urinating in public, begging and public drunkenness.

Due to the breadth of the term, and the fact that it can arise in a variety of circumstances, a coordinated approach is required between organisations to minimise such ASB. Police, Councils and social landlords need to work together to protect people within their authority and to prevent individuals from becoming victims of ASB.

The Anti-social Behaviour, Crime and Policing Act 2014 (“**the Act**”) provides a number of enforcement options to enable the appropriate authorities to address ASB, discourage the perpetrators and to protect the vulnerable within our communities that are unfortunately often the victims of this ASB.

What is a PSPO?

One of these powers is a public spaces protection order. Part 4, chapter 2 of the Act enables local authorities to make an order prohibiting activities within a restricted public area that have had/ are likely to have a detrimental impact on those in the locality. For the behaviour to qualify, the effect must be persistent or continuing to the extent that they make the activities unreasonable, and justify the restriction imposed by the order.

Existing Orders

- Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No.1 of 2022 (included at **Schedule 1**)
- Public Space Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No.1 of 2021 (included at **Schedule 2**)
- Dog Control Public Spaces Protection Order 2021 (included at **Schedule 3**)

Enforcement

The Order can be enforced by both the Police and officers authorised by the Council (“**Authorised Officers**”). Currently the Authorised Officers are the team of Community Safety Officers with others still under consideration. The decision as to whether to enforce will be down to the discretion of the issuing officer,.

The Council prioritises support and reaching out and offering help and assistance to those in need first. This is the stance the Council has adopted for many years and an approach that continues alongside the implementation of the PSPO. The PSPO is a tool that will be used to tackle the most persistent offenders that have rejected support and are behaving in a manner that deters others from enjoying our public spaces.

Fixed Penalty Notices (FPNs)

A breach of the PSPO is enforceable through the Magistrates' Court. However when supported by appropriate evidence, an Authorised Officer may issue a FPN. This notice enables the person who committed the breach to pay a sum of £100 to settle the matter and prevent the breach progressing to court. Once a FPN has been issued, the individual that committed the breach has 14 days to pay the amount, or appeal if they consider they have the grounds to do so.

At the time of the offence the officer will request the name and address of the individual that has committed the offence and issue them with the FPN.

FPN's will be issued to anyone over the age of criminal responsibility. However when anyone under the age of 16 is witnessed breaching the PSPO reasonable steps will be taken to contact their parents/guardians along with the appropriate services.

In instances where the individual in breach has carried out additional criminal behaviour Essex Police will be contacted to deal with as necessary. It will however remain the responsibility of the Council to prosecute the breach of the PSPO.

When an individual has been issued more than two FPN's and continues to display ASB, the Council will, if appropriate, look at the support that can be offered to the individual, and the actions that can be taken to prevent or reduce the detrimental impact of the ASB on others within the area.

Any money taken by the Council via FPNs issued due to breach of the PSPO or in court fines will be reinvested in the monitoring and enforcement of the PSPO and into the support services to provide assistance to those in need within the City.

Appeals

Though not a statutory requirement, the Council has included a process to allow the opportunity for anyone issued a FPN, who believes that they were issued a FPN in manifest error or mistake, to make representations as to why they should not have been issued a FPN. Not knowing the PSPO is in place would not be considered a reason to successfully challenge a FPN.

Should anyone wish to appeal against the issuing of an FPN they must make representations within 14 days of issue in writing to PSPO appeals, Southend on Sea City Council, Civic Centre, Southend, Essex, SS2 6ER or by email to PSPOappeals@southend.gov.uk.

Where any appeal is refused the appellant will be notified, and of the reasons for refusal, in writing/or by email (if the appeal was lodged by email) and will be required to pay the FPN from the date of refusal within 10 days. If the FPN is not then paid within the 10 days the opportunity then to challenge the allegation and plead not guilty to the alleged offence will be available to the recipient of the FPN. This will be by the way of prosecution for breach of the PSPO, on summons, and trial in a Magistrates' Court.

The appellant will also be notified in writing/by email where an appeal is upheld. All adjudications will be made and notified within 28 days of receipt. The decision to allow or refuse an appeal will ultimately be determined by the Director of Public Protection or such person authorised by the Director of Public Protection to discharge this function.

Where breaches are persistently occurring on a privately owned public area, the Council will seek to work with the land owner to remedy the situation and ensure any required support is offered to the individuals in breach. Where the landowner fails to engage, or to take appropriate action to remedy the impact the behaviour is having on others within the area, the Council will consider enforcement against the landowners, if such remedy is available.

Failure to pay

If a FPN has not been paid by the required date the individual in breach will be charged under S.67 of the Act and the matter will progress to the Magistrates' Court. In most instances under the PSPO the Court has the power to issue a level 3 fine (£1000). If the breach is for failing to cease consumption or surrender containers reasonably believed to contain alcohol when requested by an Authorised Officer the Court has the power to issue a level 2 fine (£500). Where the individual does not have the ability to pay such a fine the court has the discretion to use positive sentencing; for example, ordering the individual in breach to engage with the support services available.

Challenging the PSPO

Any individual that lives or regularly works or visits the area has the right to challenge the PSPO within the first six weeks of it being made. Such a challenge

must be made to the high court and can be on one of two grounds. Firstly that the Council does not have the statutory power to enforce some or all of the order, or that the Council did not meet all the procedural requirements for the creation of the PSPO. This six week period has expired.

Equality Act Considerations

The following characteristics are protected under the Equality Act:

- Age
- Disability
- Gender Reassignment
- Sex
- Sexual Orientation
- Pregnancy and Maternity
- Race
- Religion or Belief
- Marriage and Civil Partnership

The Council will monitor and evaluate the impacts of the PSPO on these protected characteristics. The Council will also correspond with the relevant support services to ensure that vulnerable individuals are assisted in accessing into support services.

Training

Enforcement officers issuing the Fixed Penalty Notices will have undertaken the appropriate anti-social behaviour and health and safety related training.

Essex police are responsible for their own training protocol for the issuing of Fixed Penalty Notices.

Safeguarding

All enforcement officers authorised by the Council will have undertaken the required safeguarding training as determined by the Council.

Regulators Code

The Regulators' code came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006 and provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate. Southend-on-Sea City Council will adhere to the Regulators' code; for example, by undertaking risk assessments of patrols.

Considerations

The Council will ensure there are no infringements on the freedoms permitted under article 10 and 11 of the Human Rights Act 1988, when drafting, extending varying or discharging a PSPO.

When defining the area restrictions should cover, consideration will be given as to whether prohibitions in one area will displace the problem behaviour elsewhere, or into a neighbouring authority. The neighbouring Authorities will also be consulted to mitigate this where appropriate.

The Council will consider how best the orders should be worded and establish an evidence base to support the proposals. The prohibitions or requirements imposed by a PSPO will be written in clear English, easily understood and should be able to withstand scrutiny.

The Council recognises that owners have a duty under the *Animal Welfare Act 2006*, to provide for their animal's welfare, which includes exercising them. In determining the area covered by restrictions, the Local Authority will therefore consider how to accommodate the need for owners to exercise their animals.

The area that a PSPO covers will be clearly defined. This may include mapping out areas where certain behaviours are either permitted or restricted.

Practical issues, such as effective enforcement and erecting signs in (or near) an area subject to an Order, as required by legislation, will be considered when determining the area an Order may cover.

Exemptions

Exemptions of a PSPO will be dealt with on a case by case basis, depending on a case by case basis, depending on what is proposed to be included into an Order and what that Order will restrict and/ or prohibit. It will look at who will be affected and how. An Order will also ensure that it does not discriminate a person.

Careful consideration will be under

Further information

Anti-social Behaviour, Crime and Policing Act 2004 -

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Local Government Guidance -

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Southend-on-Sea City Council PSPO webpage-

https://www.southend.gov.uk/info/200374/crime_and_anti-social_behaviour/926/public_spaces_protection_orders_pspos

The Code of Fundraising Practice

<https://www.fundraisingregulator.org.uk/code>

Guidance for Frontline Professionals

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf

Regulators code

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913510/14-705-regulators-code.pdf

Appendix D- PSPO Consultation analysis and comments

PSPO High St Consultation Analysis. - draft

Summary

A total of 372 people accessed the campaign which ran from 27th May to 25th June 2022 of that 83 responded online, 1 emailed a response, 323 people were aware, informed but chose not to comment. The consultation include a survey with questions and a free text boxes for further comments, the Public Space Protection Order was available to download or view online, which 44 used that option.

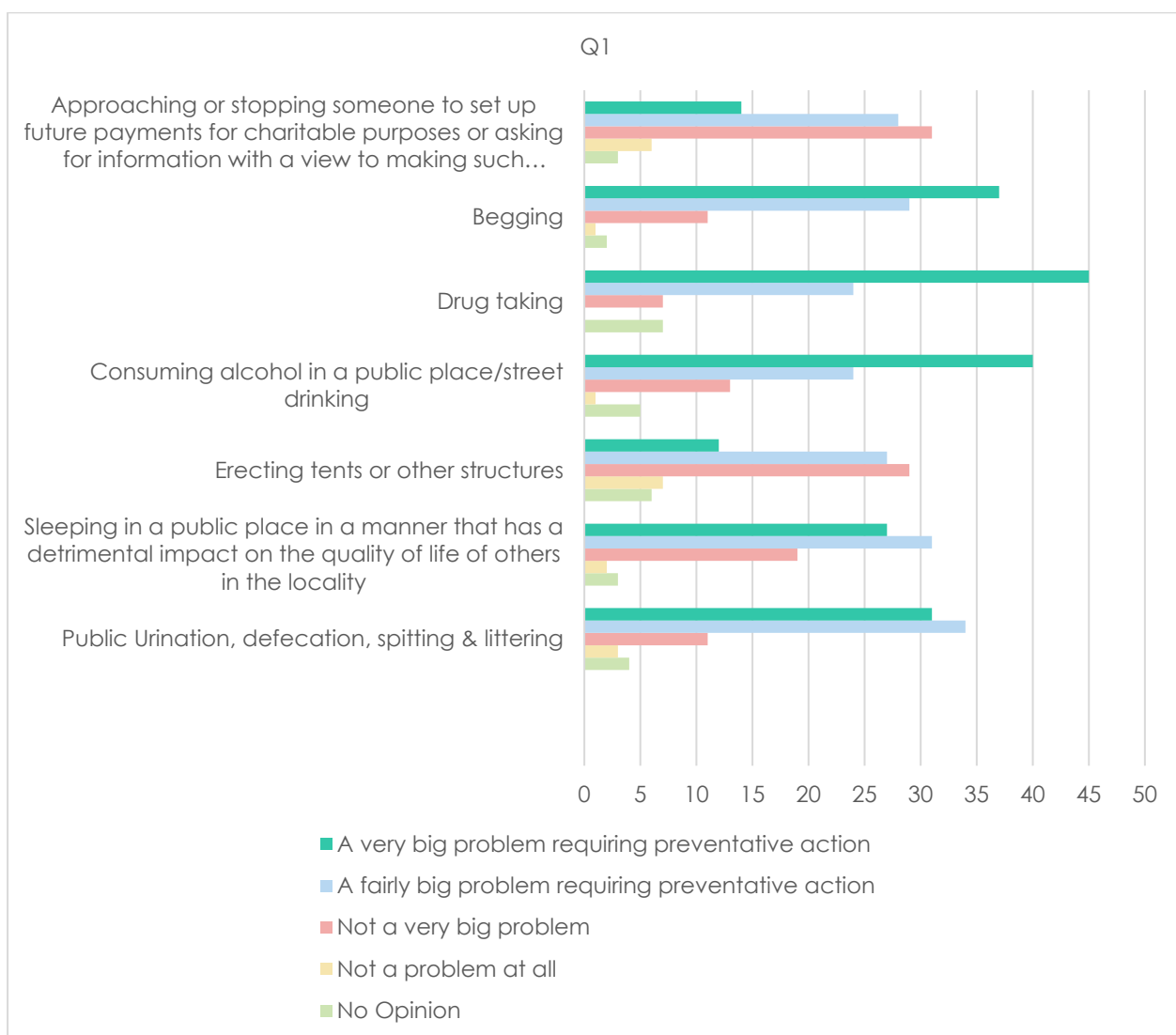
The consultation was promoted across social media and was available on the Councils interactive consultation portal <https://yoursay.southend.gov.uk/> it was also made available in a hardcopy format if requested.

The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO is required to cover existing provisions and extend them.

Some of the individual comments received identified the challenge on how it is to be enforced and monitored once the PSPO is adopted. There was a concern with pedestrian safety from e-scooters and cycling and drug taking was a very big problem across the identified area.

Full Breakdown of questions

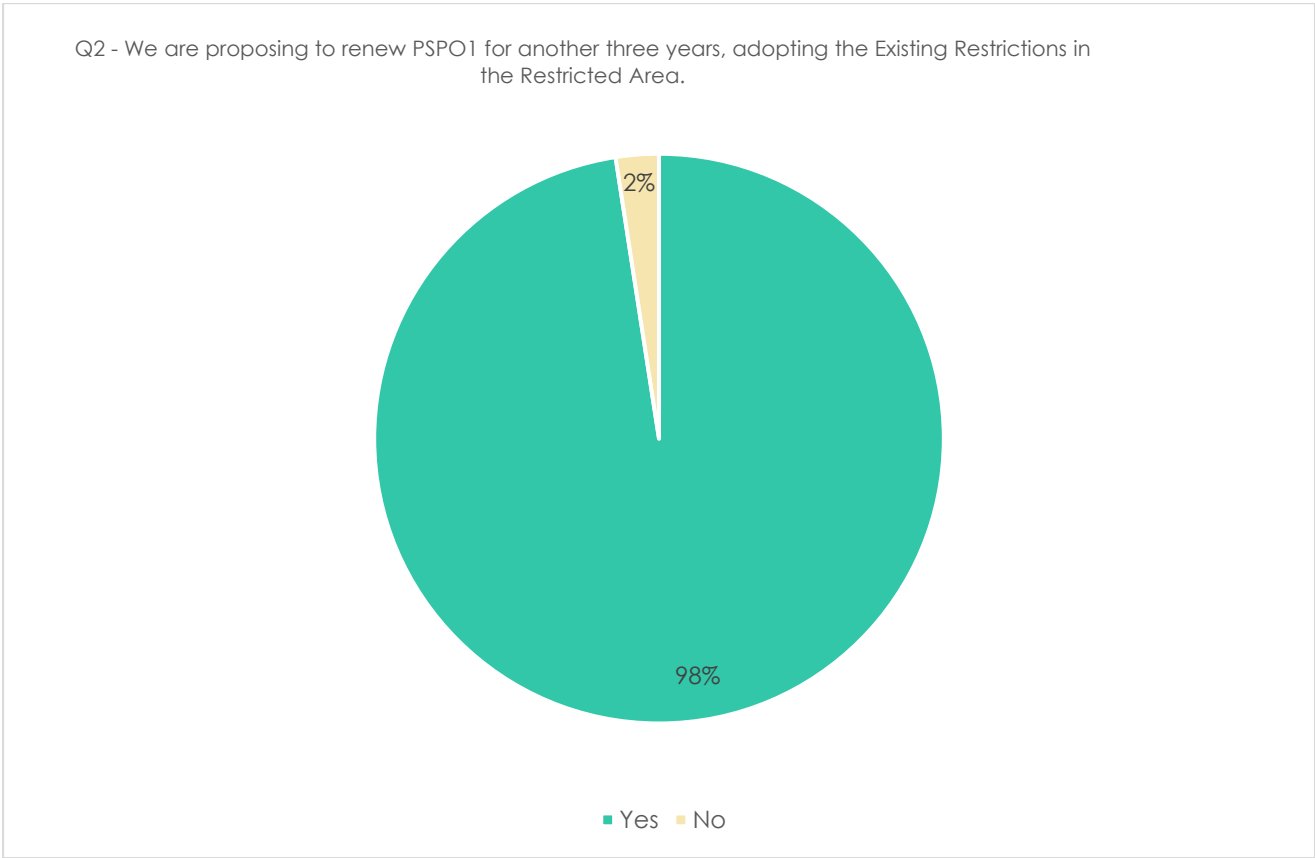
- Thinking about the Restricted Area, how much of a problem in that area is each of the following?
 - Public Urination, defecation, spitting & littering.
 - Sleeping in a public place in a manner that has a detrimental impact on the quality of life of others in the locality
 - Erecting tents or other structures
 - Consuming alcohol in a public place/street drinking
 - Drug taking
 - Begging
 - Approaching or stopping someone to set up future payments for charitable purposes or asking for information with a view to making such arrangements.



This was a multi-response question and of those responding 'drug taking' was identified as a **very** big problem requiring preventative action at 54%, closely followed by 'consuming alcohol in a public place/ street' and 'begging' at 48% and 46% respectively. It was indicated that 'public urination, defecation, spitting and littering' was a **fairly** big problem requiring preventative action at 41%. Overall the top 3 issues that were deemed requiring preventative action (these were either identified as a very big or fairly big problem)

- Drug Taking
- Begging
- Public urination, defecation, spitting and littering

2. Do you support continuation of the Existing Restrictions in the Restricted Area for another three years?



This was a single response with the overall majority agreed that the PSPO needed to be renewed for another three years.

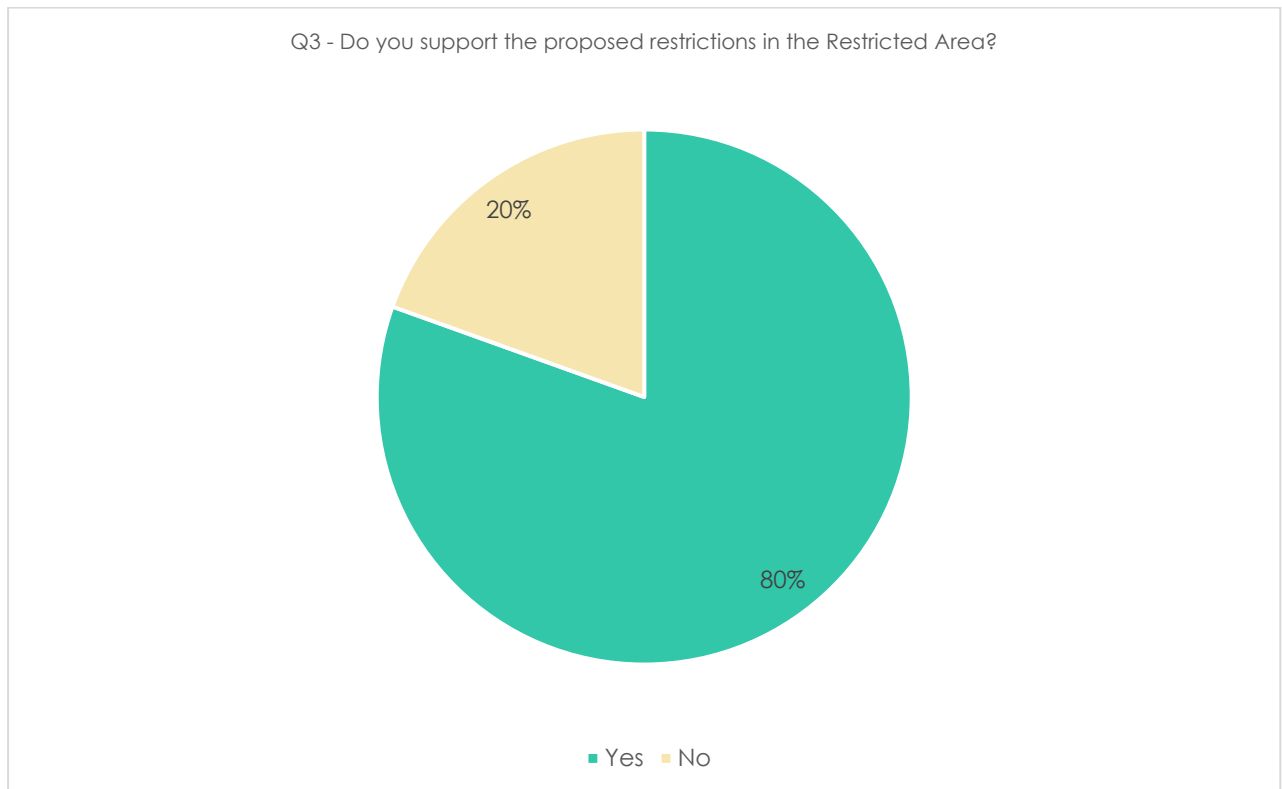
2.1 Please give your reasons why, to question 2*

This was an open text response following on from q2 above with 59 individuals responding, the main reason identified was Crime/ASB (Anti-social Behaviour) issues closely followed by the area having a perceived detrimental image and being unsafe.

One person commented in 2.2 that this was an unnecessary restriction.

**Please see Appendix 1a for a full list of comments received.*

3. Do you support the proposed restrictions in the Restricted Area?



This was a single response yes/no question with 80% of those individuals identifying they support the proposed restriction in the restricted area. 20% did not support this view

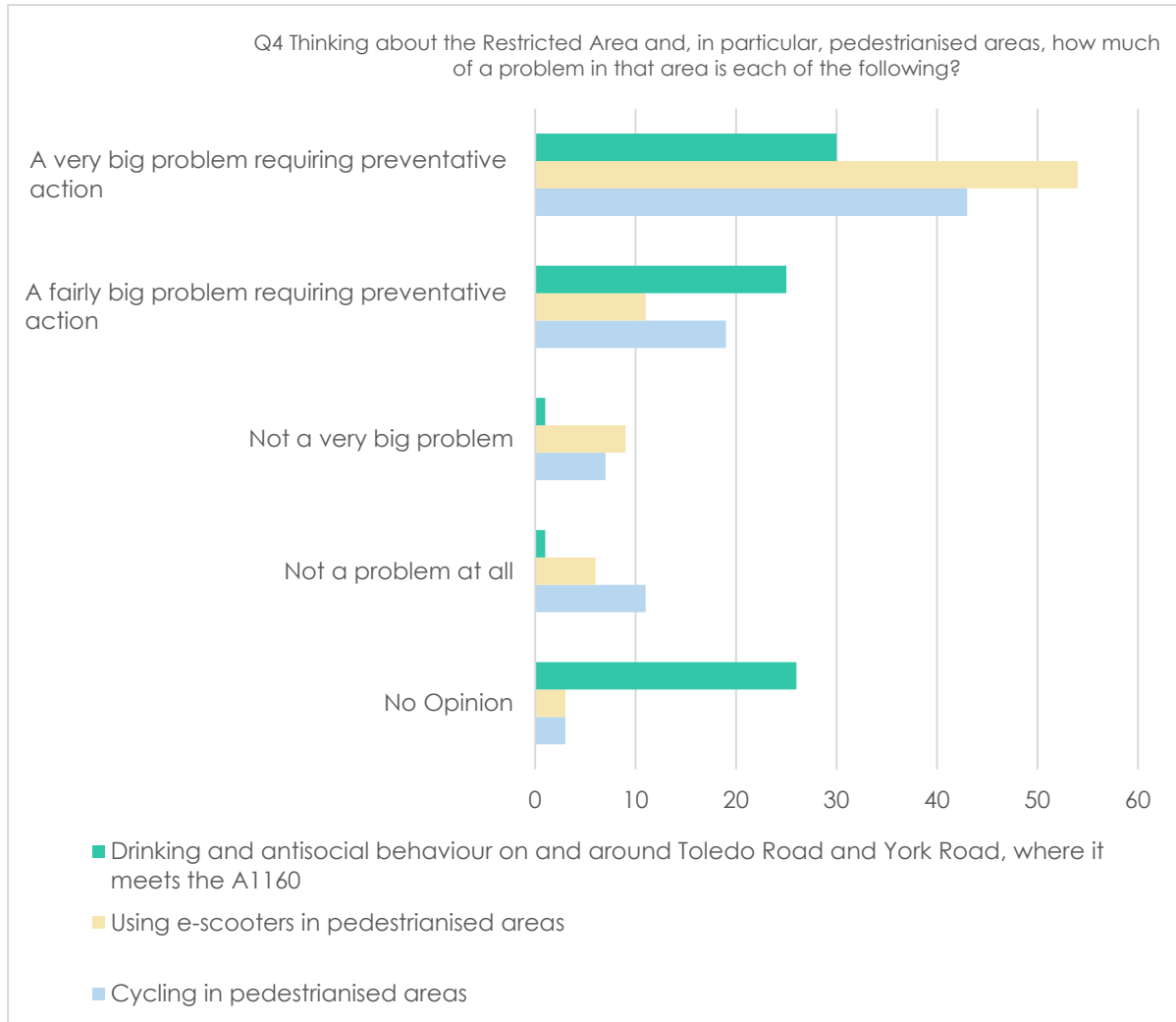
3.1 Please explain your response to question 3*

This was an open text response with 55 individuals responding, the main comments identified it was unsafe for pedestrians from e-scooters and cycling, a couple of respondents suggested a segregated area for the use of e-scooters/cycles. **Please see Appendix 1a for a full list of comments received.*

3.2 If you answered 'No', please specify the ward(s), Road name(s), parks/open space(s) which you think the proposed restrictions should cover and explain why:*

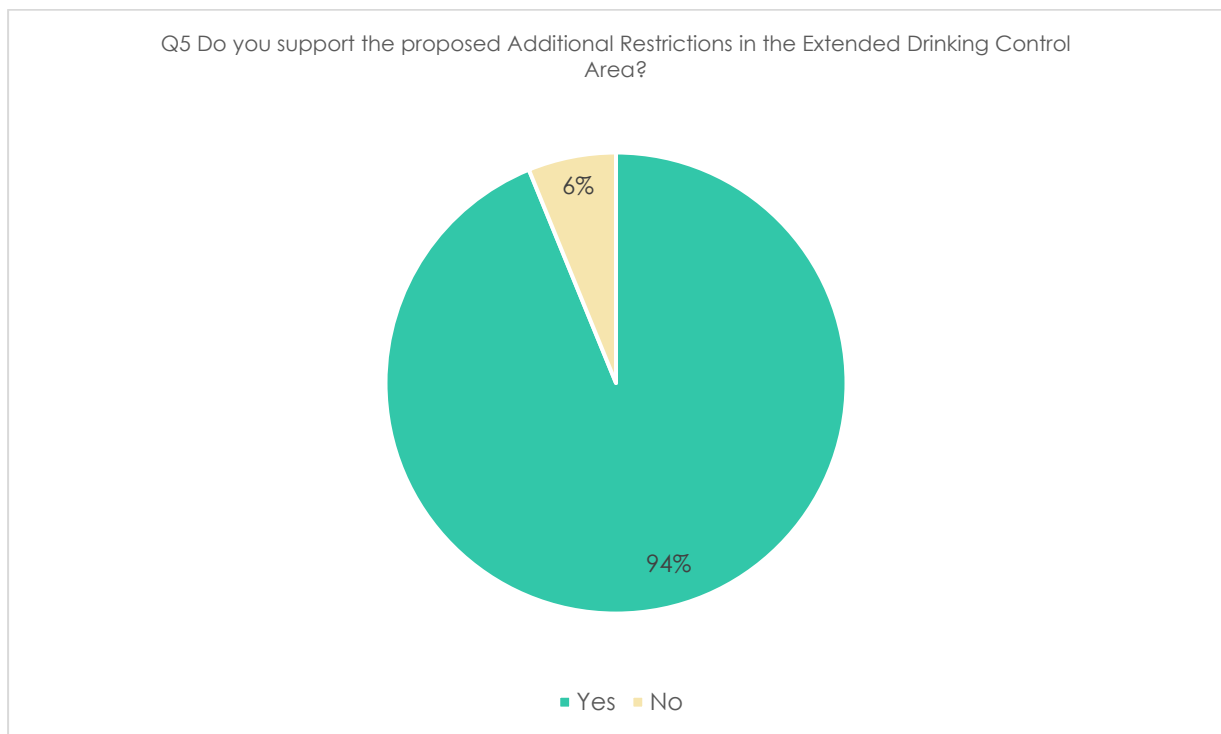
This was an open text response with 15 people responding, of that 8 people indicated that we should be promoting and encouraging green modes of transport. Other comments included improve the cycle infrastructure and the roads are too dangerous to cycle on. **Please see Appendix 1a for a full list of comments received.*

4. Thinking about the Restricted Area and, in particular, pedestrianised areas, particularly in the City Centre, the Seafront and Toledo Road, Hillcrest Road and York Road (where it meets the A1160), how much of a problem in that area is each of the following?
- Cycling in pedestrianised areas.
 - Using e-scooters in pedestrianised areas
 - Drinking and antisocial behaviour on and around Toledo Road and York Road, where it meets the A1160



This was a single response to each statement as you can see from the chart above using an e-scooter and cycling in pedestrianised areas has been identified as a very big problem requiring preventative action by the majority of respondents. 26 individuals expressed no opinion on the issue of drinking/ASB on or around Toledo Road and York Road.

5. Do you support the proposed Additional Restrictions in the Extended Drinking Control Area?



This was a single response with 94% of those responding supporting the ‘proposed additional restrictions’

5.1 Please give your reasons why in relation to question 5*

This was an open text response which asked for the reasons why individuals responded to question 5 the way they did, this had 48 responses and the general theme was it perceived to be an unsafe environment and had a detrimental image. An example of a couple of comments said

- drinking in public increases unruly behaviour
- People don't feel safe walking around the area and it discourages visitors
- I don't like to see it. It frightens me when I see drunk people.

**Please see Appendix 1a for a full list of comments received.*

5.1 If you answered ‘No’, please specify the ward(s), Road name(s), parks/open space(s) which you think the proposed restrictions should cover and explain why*:

This was an open response question which related to Q5, Four individuals responded, one identified the High Street and two had no further comment to make, the fourth comment was a general comment highlighting various observations such as the lack of licenced places to drink in the High Street and would rather see investment in active travel, better cycle routes and more policing. *Please see Appendix 1a for a full list of comments received.*

6. If you have any additional comments regarding the Council’s proposals to renew and vary PSPO1 tackling the antisocial behaviours identified above, please let us know in the space below

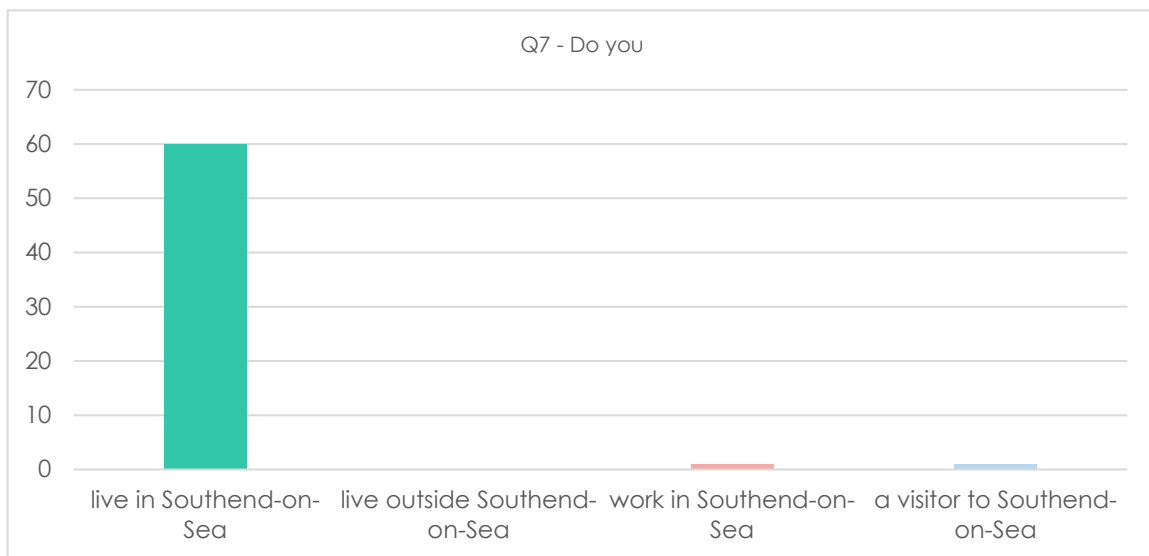
42 people made additional comments in relation to the renewal of the PSPO, with some concerns of enforcement of the PSPO. Other issues identified were loud music from cars, the need for more foot patrols around the area and picking up dog mess.

Other areas of concern have also been highlighted

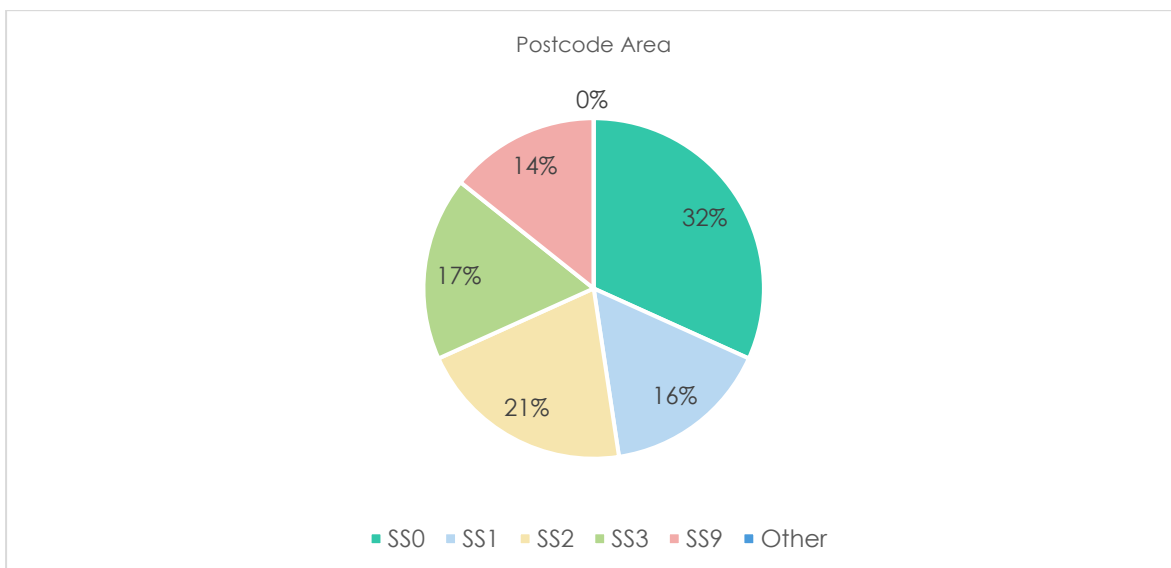
- Ambleside Drive
- Asburham Road/ London Road
- Shoebury High Street and East Beach areas
- Leigh Area
- Genting Casino (loud music from cars and people leaving the area being really rowdy and loud)
- Include the whole borough (City)

7. Do you

- Live in Southend-on-Sea
- Live outside Southend-on-Sea
- Work in Southend-on-Sea
- Visit/or are a visitor to Southend-on-Sea



8. Postcode Area



Most of those responding live in the City with the majority living in the SS0 Westcliff area which does not include the City Centre/ High Street area, this was closely followed by those in SS2 Southend but to the north of the City Centre/High Street.

We also received 1 email with comments these are included below

Emails	
1.	<p>In response to a message from [REDACTED] regarding the renewal of the PSPO that includes the seafront area by Genting Casino. I wanted to know, as do a lot of residents who live along Westcliff Parade, if noise nuisance caused by cars along the seafront (backfiring and unbearably loud music) at all hours of the night could be added to the PSPO this July. He advised that Southend have applied for Gatso noise detection cameras and if we don't get them (and it's highly unlikely we will for a few years yet!) the council might consider adding this to the PSPO next year. Please could [REDACTED] tell me why they can't just add it NOW. The disruption, stress and anxiety this anti social behaviour is causing hundreds of households along the area of Westcliff Parade needs addressing NOW! We have reported incidents to the police over and over again. But still we have to suffer this constantly..... I am dreading the summer because we can't have our windows open unless we want a sleepless night! Please could this be looked into before the current PSPO is renewed! Thank you on behalf of all the long suffering residents.....as I type this all I can hear are cars revving up and backfiringthe start of yet another noisy night 😞😞😡</p>

All comments from the Public Space Protection Order (PSPO) Consultation

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Q5.2 If no please specify the ward(s), Road name(s), parks/open space(s) which you think the Existing Restrictions should cover and explain why:	13
Q6 If you have any additional comments regarding the Council's proposals to renew and vary PSPO1 tackling the antisocial behaviours identified above, please let us know in the space below	13

Q2.1 Please give your reasons why for Q2

This was an open text response with 59 individuals responding, following on from Q2 the majority concerned with Crime/ASBO issues closely followed by the area having a perceived detrimental image and being unsafe.

1.	Will help with town centre regeneration. Make people feel safer
2.	It's required but we also need to make provision for the homeless. The hostels are often full.
3.	Since this came into force the amount of tents pitched, drinking and urination has improved significantly. Also the removal of the chuggers in the high street makes a visit much nicer
4.	There is still a problem with begging in the city centre, and people sleeping in shop doorways, which makes you feel uncomfortable. I'd rather shop elsewhere
5.	I have seen a change since it has been in place
6.	So long as the restrictions are enforced, they assist in making the designated areas more welcoming to visitors and residents alike
7.	This problem continues
8.	Our city centre is fast becoming a no go area especially after dusk. I recently suggested a trip to the cinema to my family and they actually expressed preference to go to Basildon rather than go into Southend.
9.	please issue fixed penalty notices. signs don't to crimes.
10.	Needs increased policing.
11.	All of the above behaviours are anti-social. Much more should be done to stop them and sanction those acting in an anti-social manner. Zero tolerance, on the spot fines. How can you be proud of a city centre when loutish people are making it look like an open prison? Remember, littering includes chewing gum cigarette ends and dog excrement. Why just these areas? These sanctions should apply everywhere and be seen to be enforced.
12.	Because there hasn't been a noticable improvement.
13.	Less crime
14.	It has had a massive positive effect. Removing it would see the problems return. It should be extended to cover the side roads up to Ambleside Drive. The unregulated open street brothel is medieval and disgusting. Sex workers enacting services in the street, leaving used condoms about. Alcohol cans left all over the place. ASB often in the night. Upwards of seven kerb crawler cars driving round and round in the middle of the night. Common knowledge that there is an issue with solicitation of minors. Multiple repeated rapes. The police enforcement response almost non existent.
15.	It can make you feel unsafe
16.	There is a lot of ASB in the city centre and a lot of begging etc as well.
17.	detrimental to the image of the town.
18.	Police/Community Support Officers need the extra powers to deal with anti social behaviour in the area highlighted
19.	There has been a noticeable improvement in the area. Although some may be due to pandemic.
20.	Because it improves the quality of life for ordinary citizens by removing a range of public nuisances.
21.	I don't feel safe going to Southend on my own when there are people drinking, taking drugs and making a nuisance of themselves. A few years ago I went there frequently and enjoyed being there. Now it's as little as possible. Last time I was there, people were yelling and threatening each other. They sounded drunk. Has put me right off and is not a good image for our city.
22.	Anti-social behaviour of the type mentioned remains a problem in Southend

23.	e-scooters and cycles on pavements are very dangerous and need to be banned
24.	They were proposed for a specific reason therefore should continue.
25.	Because it has been useful to have regulatory powers that can be used when education and persuasion don't work.
26.	All of the above reflect badly on our city discouraging both residents and visitors from using the amenities provided.
27.	Because the problems still exist
28.	Parts of Southend are increasingly becoming no-go areas. During both day and night-time. Enforcement of the current restrictions needs to be tightened up in order to make the areas safe for the vast majority of the residents and visitors
29.	There has been too much uncontrolled lawlessness and it needs to be stamped out.
30.	We're encouraging people to walk, but if you feel unsafe or intimidated you don't go out so much or you use your car
31.	Without some form of control of the above areas things would snowball out of control and be catastrophic to the community in these areas, to be honest I think it should be extended to all areas of SBC
32.	For the reasons given above there is a big problem with anti-social behaviour in the town and surrounding areas. I live in the Shoebury area alongside Fryer's Park. This whole area is in dire need of regular patrols by a Park Warden, who should have powers to enforce the rules. Regularly there are e-scooters on the footpaths. I have hearing problems (double hearing aids) and even with those it is almost impossible to know what is coming along the pathway behind me. Some of the shops in the Renown area do not seem to be applying due diligence in the serving of prohibited drinks to under age youngsters. The wooded areas adjacent to the ponds are regular haunts for fires being lit and, it is rumoured in this area, drugs being sold/used. The waste bins for dog waste are regularly kicked over, and if those responsible have been seen, the only response is foul language. The Council seem to be totally ignoring this parkland which, with enough consideration, could be a place to be enjoyed by all. I would hope that your plans for the public spaces could be enlarged to include some of the forgotten areas of Southend. It is a regular occurrence to see up-ended shopping trolleys in the ponds. I am elderly, but not, I hope, a killjoy. It is difficult for young people, but it is a fact that the park area close to me is sadly neglected, apart from the occasional grass cutting and bin emptying.
33.	This behaviour is generally unpleasant but it is often accompanied by more threatening behaviour, especially if one is considered to have observed or witnessed the offence, such that life-long residents such as my wife and I avoid these areas most of the time and certainly in evenings. This inevitably denies commercial enterprises such as retail shops, cafes and restaurants of much needed income and this in turn accelerates the decline of these areas.
34.	So that people can feel safe.
35.	The problems haven't been solved, a presence is still required.
36.	Because all of the issues that were there in 2019 are still there today
37.	There is a tendency for individuals to ignore the safety and well being of the public especial with those who use scooters and bicycles on pavement and footways with total disregard for anyone else. Littering and vandalism is also rife. So extending the PSPO1 further is a excellent way forward. Maybe the whole borough should be included.
38.	I live on Westcliff Parade and am constantly reporting tents pitched in the Cliff Gardens. There's drug dealing in the shelter at the top of the stairs.....I even inadvertently picked their stash out of the bushes when I was litter-picking one day! There are always people disappearing into the bushes to urinate particularly in the summer and sometimes they don't even bother hiding in the bushes!.... I'm fed up with beggars asking for money especially the smelly old lady who is always

	sitting along by Royal Terrace. e scooters and bikes are always whizzing by and the community safety officers never stop them! Also noisy cars should be on the list! We are constantly disturbed at all hours by them backfiring and cranking their music up to intolerable levels! I've lost count of how many times I've had to get out of bed to phone the police and complain! Apart from all that I love living on Westcliff Parade!
39.	It helps to ensure I feel safe especially when out alone
40.	People drinking often harass people walking by. Feel exclusion areas should include Westcliff Parade, and cliff gardens. Tents on cliffs, drug taking and drinking in shelters. Graffiti.
41.	ASB is causing a blight on the entire Southend community. It would worth considering noise pollution. i.e. those people who see it fit to play there music loud from there residential addresses or from vehicles, and loud vehicles from people who have modified there exhaust's.
42.	Very loud noises from many modified cars that drive up and down W Esplanade between Roberto's Cafe and Shorefield Road. Banging and flames from exhaust pipes are quite common between 7-30pm and half past midnight. They congregate around the Genting Casino who seem to have little control over who parks in their 'reserved spaces'. In the summer months this can happen three or four times a week inc weekends. The high number of vehicles and sound of 'normal' cars and motorcycles is perfectly acceptable and understood in a busy and popular town like Southend but these anti-social idiots think they are at Silverstone or some other race track. Not only the sound of the cars but also very loud music with enhanced bass coming from a lot of them. With all the streams of law enforcement in the area i.e. PCs , PCSOs, Street Rangers, Civil Enforcement Officers etc., I want some action to stop this quickly. They are just laughing at the authorities.
43.	We need these problem areas to have the support in place to deal with these constant issues.
44.	ALL ANTI SOCIAL BEHAVIOUR NEEDS TO BE STRONGLY OUTLAWED FOR THE BENEFIT OF THE COMMUNITY
45.	Within the pink shaded area of York Road is an area that suffers from continuous littering, drug taking and anti social behaviour. This problem has been made worse by the council allowing too many flat conversions institutions for vulnerable people, in such a small area. Drug addicts, alcoholics and special needs folk who need help with seeing that dumping their black bags on the pavement is dangerous and unpleasant for other members of the community. These black bags can contain open tin cans that if fallen onto can inflict injuries similar to those inflicted by a lethal weapon. During the 2019 to 2022 PSPO this order has failed to address these issues. Fly tipping has been and still is going on under the nose of the old and newly installed CCTV cameras and rather than relying on normal residents to continuously report such anti social behaviour, the council should ask Veolia to identify continuous addresses and the camera should be used to identify culprits. These culprits could be educated by being made to join in community service to clean the road rather than being fined money that they probably do not have. If the above suggestion was implemented the unnecessary burning of fossil fuels could be reduced, as Veolia would not need to drive out to the same address many time in one week.
46.	My local neighbourhood within York Road and surrounding streets has a serious problem with continuous littering, drug taking and anti social behaviour. This problem has been exacerbated by Southend Council, over the years, allowing in a very small area, far too many flat conversions, unruly HMO's and hostels, housing alcoholics, drug addicts and people who fail to understand and follow the laws of the land. For example:- serious offenders through to special educational needs, where people fail to recognise dumping black sacks on pavements at the wrong time is both dangerous and abhorrent. These black bags contain items such as

	<p>opened tins and tin lids. If a pedestrian stumbled on one of these bags they could sustain serious injuries similar to those inflicted by knives or other lethal weapons. Residents within the neighbourhood feel intimidated by rough sleeping, alcohol abuse and drug taking. This type of behaviour is also an appalling example for young children and teenagers making their way too and from school. Allowing this type of behaviour to go on unabated could be seen as a form of abuse. During the previous PSPO period there seemed to be limited success in improving the problem of fly tipping. Each week members of the local residents association report the same houses, sometime more than once in a week. Veolia come out and pick up the rubbish and the next week the cycle starts up again. It would be good for Veolia to notify the council of repeat offenders and the local CCTV be used to identify the culprits who are then fined or offered an alternative community payback punishment. Quite often the fly tipping is going on directly in front of the CCTV camera!! Successfully reducing this never ending cycle of fly tipping, would be good for the environment, less wasteful of tax payer money and educational for the offenders. Some residents believe developers are deliberately devaluing the area, by running slum accommodation, flooding the area with undesirable residents and even encouraging fly tipping, to maximise returns on redevelopment. Hopefully the extended PSPO1 could address some of these issues...</p>
47.	Individuals who are not held accountable for their actions take advantage of the situation if they are not told to adhere to the rules.
48.	Because I live in York Road and see first hand the above issues on a daily basis and ordinary tax paying residents can't be expected to live with this. It's essential the PSPO1 is renewed
49.	I would like this order to continue and include as suggested bikes, e-scooters and electric mobility. I understand that some of these need to be used (electric mobility) though could there be a speed limit on there use, as sometimes they are too fast. My main concern is e-scooters and bikes. This is a concern I find most in and on the high street, where delivery drivers are riding to and from the restaurants. Ideally I would like it to be no vehicles on the high street, walk them to and from and get off the high street, or park them on a side street and walk to and from. This is because I have three young children and yesterday my two yr old was almost run over by an electric bike that came onto the high street at speed. I was in so much shock I did not take a picture. Though I do believe this is mentality issue, they are all racing to earn as much as they can. This should not be at the expense of lives. My son was grazed by the bike, I am so grateful that it was not worse. There are a lot of bikes on the high street which I had always believed was not allowed.
50.	These PSPO1 restriction orders should also include Shoebury High Street and East Beach areas
51.	I have returned to Southend after living overseas and I am disheartened to see that anti social behaviour in Southend has increased dramatically over the past 3 years. Putting measures in place is a step towards tackling these issues but a more visible enforcement of the PSPO needs to be seen. At the moment without a visible police presence or clear deterrent to stop individuals conducting such behaviour, this will continue to flourish, limiting opportunities for new investment and development in the centre.
52.	During the summer months there is constant antisocial behaviour in this area, drinking drug abuse, urinating shouting using foul language. constant rubbish including empty food waste and cans and bottles on the grass area by toledo food. Local residents who have to walk there digs have to put up with this all summer.
53.	Anti social behaviour as listed has certainly not decreased so further action with correct levels of enforcement is required if we are to change things
54.	Further improvements need to be made

55.	There are problems (some of which are identified in part 1. above) in the area that need to be addressed. The more so now that we have city status and should expect higher standards of behaviour.
56.	as things are so bad with the existing restrictions, they will only be far worse without them
57.	These restrictions make a lot of difference to older people being confident of using the streets and therefore making purchases and using the facilities available putting money into the aea.
58.	If you do nothing things will get worse
59.	Needed

Q2.2 If no to Q2 please specify the ward(s), Road name(s), parks/open space(s) which you think the Existing Restrictions should cover and explain why:

One individual responded below.

1.	I think this is an unnecessary restriction.
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Q3.1 Please give your reasons why for Q3

This was an open text response with 55 individuals responding, the main comments highlighting it was unsafe for pedestrians.

1.	Make it safe for pedestrians
2.	Make people feel safer
3.	People don't use designated cycle paths and it's hazardous.
4.	Pedestrianised areas should be a safe place to walk without worrying about careless cyclists/scooter riders mowing you down. I have a severe hearing disability and cannot hear something approaching from behind.
5.	I have seen many near misses where pedestrians have to move for cyclists on pavements , this is difficult for the less mobile and people with prams
6.	Power assisted cycles and scooters are particularly hazardous for pedestrians
7.	Dangerous for elderly and young children on pavements
8.	E-scooters especially are an extreme hazard. Their speed limiters are easily disable and they are virtually silent.
9.	e scooters are illegal, take them away.
10.	Anti social behaviour.
11.	I was under the impression the above behaviours were illegal anyway. Cyclist belong on the road. E-scooters (with rare exceptions) are illegal to use in a public place anyway. Seize them and crush them.
12.	I feel they are very dangerous when used on the pavements as some of the users are to young to have driving licences, mot or insurance.
13.	We need a PSPO to get people to stop riding on the pavement? Thought this was not allowed and police should be handing out punishments.
14.	My husband is severely sight impaired and we often have issues with bikes and particularly e-scooters. It is difficult for my husband to move out of the way of these vehicles when they are speeding along the High Street. I'm sure this will be a problem experienced by many older or less mobile people.
15.	Several times I have almost been hit by bikes or e scooter. They have no thought for pedestrians. This is another reason why I don't want to go to Southend.
16.	E scooters continue to be used in a way that could cause injury
17.	E-scooters and cycles are very dangerous and riders think they can simply race straight at you and if they hit you then it is your own fault for not moving out of the way. Modern cycles do not have bells fitted only small flashing lights on the handle

	bars, likewise scooters do not have anything so if they approach from behind you have no warning they are approaching and if you are blind or partially sighted you cannot see them racing towards you, so they need to be banned from all public pavements and footpaths to make the pavements a safer place for everybody. Southend High Street should also be included as it is meant to be a pedestrian precinct only. I have been subjected to harassment by e-scooters and cycles and report already submitted to Southend PCSOs.
18.	This has been a problem for a number of years, In actual fact previous crime commissioner Nick Alston, through a consultation with myself, with reference to cyclists in a pedestrian places namely Southend through a councillor conducted a survey, (as a side issue included pavements etc.) Further to this due to the fact we now have anti-terrorist ? boxes and posts through the to town centre has without doubt made the problem worst, where scooters and bikes weave in and out at speed. This has been highlighted by those that do venture into the High Street, as I personally take peoples concerns on board, and endeavour to highlight to the councillors and at residential police meetings. I note the press state effects the elderly, whilst I am one, there is without any doubt equally at risk the very young, where mothers have young children walking and in some cases alongside children in buggy or prams. My observation it has got worse, not to forget mention (while business has to try get their lives and profits in order, I feel sorry for them) the fact now have cyclists with large delivery package bags on their backs also speeding through the town centre. Finally over two years ago pre-pandemic, at resident police meeting, supported by council representatives, we were advised that LARGER no cycling were on order, or underway to replace the inadequate signs in the High Street, which clearly has not happened. One factor, and I say " good luck with", (is if as I hope action is approved), the difficulty to apprehend these people.
19.	I have witnessed some very close misses - 1 or 2 personally - from people on bikes, e-bikes and e-scooters. These are usually moving at speed and are silent!
20.	E scooter users and cyclist are becoming more and more of a safety hazard for pedestrians.
21.	At any time of the day, or day of the year a minimum of 70% of cyclists are cycling where they shouldn't - i.e. the pavement. The bulk of these are cycling in a way that is disrespectful to pedestrians at a minimum - and in many cases is downright dangerous to both pedestrians and the cyclist themselves. The problem is getting worse, and the entire length of London Road should also probably be included.
22.	People in e-scooters and bikes can travel fast on pavements, I have seen this happening. My daughter goes to Chalkwell infant school and adults on bikes can go fast as children are leaving or going to school. I feel that an accident could occur one day due to this.
23.	I have seen, since lockdown, an increase in cyclists using the pavements, that is not a problem, but many are older people who should know better.
24.	I can't believe how many cycles use the pavement, especially where are adequate cycle lanes, electric scooters are not legal in Southend there not a day when you don't see in use on pavements or pedestrian area.+they go faster than they are legally intended, and no one care!!
25.	Without it the areas would dissolve into complete chaos with increased crime
26.	Please see my general comments above
27.	To start with, it is not necessary. There are ample roads with low traffic loading and a great cycle path along the sea-front. It also encourages ant-social behaviour. I have been driven into, deliberately, and then threatened by the cyclist lifting his bike over his head as if to drop it on me. It is contrary to the Highway Code which states that pavements are solely for pedestrians.
28.	Bicycles and scooters have taken over pavements. I have been abused and screamed at to get out of the way. It is already an offence to ride on the footpath

	but police do nothing about it just drive passed. Something needs to be done before someone is seriously injured or killed.
29.	Every time I'm walking along paths I've encountered people riding bikes and e-scooters - they go ridiculously fast and ride past really close to me and my granddaughter. It is a serious accident waiting to happen! I totally support the problem of cycling and e-scooters being tackled in the state areas and beyond. When I come out of my house, I look both ways before stepping onto the path now because cyclists of all kinds whizz down my road!
30.	e-scooters are particularly dangerous for pedestrians and I believe are unlawful on roads and pavements. They can be ridden very fast and usually by idiots
31.	For safety reasons (bother rider and pedestrians)
32.	All of these vehicles highlighted are dangerous to pedestrians, the elderly, children and dog walkers. And should be banned from public areas. Fines or confiscation should be imposed. There is virtually no signage relating to restrictions anywhere. Insurance and registration identification should be compulsory.
33.	E scooter are very dangerous.....they come up from behind and you can't hear them. I just wish the Community Safety Officer would stop them....and the cyclists!
34.	It makes me very uneasy when I see them. They go too fast and are silent so one doesn't know if they are behind you
35.	I am a pedestrian, get fed up with cyclists and scooter riders coming up close behind me , nearly knocking me over, coming towards me expecting me to move out their way when they shouldn't be there in the first place. ,
36.	I am a pedestrian too many times have I nearly been run over by these things . Actual "Action" needs to be taken.
37.	E-Scooters are mechanically propelled vehicles and shouldn't be allowed without a driving licence and insurance, this falls under the road traffic act. Those that cycle on the pavements at alarming speeds, weaving around pedestrians must show a duty of care when cycling to other users of a public space.
38.	Too many people cycle very fast in pedestrianised areas, where there are young children and elderly people who are at danger from these activities. E-scooters have become a particular problem. They are still illegal in public spaces. Why is nothing being done to stop their use in the whole of the city, not just restricted areas?
39.	Far too many bicycles on the pavement on Westcliff Parade and Station Road.
40.	E scooters are a nuisance on the paths. People are using them on the school run send having near misses with kids.
41.	they present a danger & have no insurance
42.	I would like to see the introduction of cycle lanes to the east of Southend as cycling helps reduce a person carbon footprint.
43.	It clearly is dangerous for young and unqualified cyclists to run amok on pavements, however I do wish that far more cycling paths be introduced around the east side of town, so that cycling can become more accessible and safe. Not only would this reduce carbon output but also allow a healthy alternative to driving. I generally agree with the use of e-scooters but also understand the need for scooter design to meet agreed criteria and riders to have basic training in road safety.
44.	Individual cycling and e-scooters are regularly observed on pavements where pedestrians are walking. Bicycles and e-scooters of individuals breaking the law should have their bicycles/e-scooters confiscated and destroyed to send a message that this type of behaviour will not be tolerated.
45.	It's a menace as they don't follow the rule but weave between the roads and the pavements as they see fit annoying pedestrians
46.	I would also like the restrictions on bikes, e-scooters to be more, talking about the high street, as stated above it is not safe with bikes, e-scooters on our high street which is supposed to be a walk way.

47.	Cyclists appear to have little regard for pedestrians on the pavement High Street and surrounding areas. They use it as an extension of the road. This should also include Shoebury.
48.	The increased use of e scooters in heavily pedestrianised areas poses a danger to the public, resulting in nuisance and potential injury. The High Street should be open to foot traffic only and the numbers of men riding at speed through crowded areas poses a danger to the public. People engaged in drug activities use bicycles and e-scooters as a quick and effective method of getting around, they drive at speed through the High Street. Restricting access to these areas makes it more difficult for them to engage in drug related activities, but this has to be enforced with a visible police or community presence. The Council should enforce a zero tolerance policy and issue bans or enforcement orders where necessary.
49.	e-scooters are a public menace and despite being illegal no enforcement happens lets use the tools we have available and confiscate the scooters!
50.	They are a potential hazard to pedestrians
51.	I assume you are talking now about the proposed additional restrictions. There are loads of cyclists and scooter riders in the restricted area every day and they are a menace/danger to pedestrians, particularly the elderly. The riders are often young males. A real issue here is a lack of preventive action by uniformed council officials on site who are often chatting away with one or more colleagues in a group or busy scrolling through their mobile phones. As for the police, forget it - they are rarely to be seen.
52.	the users of bicycles & e-scooters on the pavements, are a 'law unto themselves', who have TOTAL disregard for the safety & well being of the pedestrians
53.	Cyclists have taken over the footpaths & are often abusive to pedestrians. I have had several 'near misses' & walk in the road in quieter areas because it's safer.
54.	There are cycle lanes in Southend and would prefer to have these used rather than pavements
55.	Bicycles are dangerous to pedestrians when you get those that ride fast on pavements, same for mopeds and e-scooters.

Q3.2 If no please specify the ward(s), Road name(s), parks/open space(s) which you think the Existing Restrictions should cover and explain why:

This was an open text response with 15 individuals responding.

1.	I don't think this should apply on the top of the cliffs where lots of children cycle. Agree that e-scooters should be stopped in these areas, but without anyone to enforce it not sure what difference it'd make.
2.	Unless proper segregated cycle lanes are provided safe shared spaces should be used
3.	City Beach was supposed to be "shared space". That needs to be encouraged not banned!!
4.	We need to encourage more people to cycle, when the roads are too dangerous and there are no cycle paths you should expect to share the pavement with a bike. If people ride recklessly or fast that is a different issue and you should t punish all cyclists for that. This town cannot only be catering to intolerant older people.
5.	Parents, trying to encourage children to use a bike, often need to cycle with their children to keep them safe. The danger to young children from being forced to ride their bike on the road is greater than the danger to pedestrians from that child riding on the pavement. I only support the inclusion of cycling prohibition in these areas with an exception for children under the age of, say, 10 years, and for accompanying parents or guardians and when travelling slowly.
6.	We should be encouraging use of green modes of transport.

7.	E scooters are so much better for the environment and cheaper given the cost of petrol. It should be encouraged
8.	Restricting bicycles will discourage environmentally friendly transport. We must encourage cycling, not discourage.
9.	As e-Scooters become legal in the UK, more people. will use them, barring them from the city centre - which is effectively what this does, bars people from using an incredibly eco-friendly method of transport to the high street store. This further cements the role of car being the only method of reaching the high street, which comes with more and more pollution, parking issues and traffic chaos in the summer. Technically they are currently banned remember as they are no UK legal, but many use them due to the incredible convenience. I have no issue with enforcement of anti-social use of scooters or of bicycles, but effectively banning both from the high street feels incredibly short sighted and almost like the people making the rules do not understand that not everyone has a car and even if they did, if they would like to battle with the traffic and the aggression on the car parks. For Bicycles, they are currently not permitted on the High street - there are no cycling signs everywhere. I OFTEN cycling down the high street at 6AM on a Sunday though - partly because I am a rebel, but also because there is no convenient or even vaguely usable cycle route that takes you from Victoria station to the Pier head. I am aware that you can take the side roads past the bus station, but whoever designed that is someone that has never ridden a rod-brake equipped 1939 Raleigh Superb on the roads around Southern. Or any other bicycle for that matter. The major issues that I see are..... 1. The cycling infrastructure that exists is dreadful. 2. You want to punish people though fines rather than spend money on an the infrastructure, DESPITE the obvious demand. (I am sure you stopped reading here, but) I have no issue with fines for anti-social cycling or e-Scooter riding, but you need to extend that to include personal mobility things - I've been hit by several of them and the old folks that ride them are utter menaces....
10.	cyclist dismount signs are not enforceable and information only and should remain that way so that considerate cyclists are not penalised. we should be encouraging cycling and all forms of active travel not hindering them
11.	I don't think there should be restrictions. There is plenty of space for cycles and pedestrians.
12.	My answer is part-yes and part-no, so I have chosen "No" and elaborated here. I agree that cycling should be banned from pavements. I thought that was the law already? If it is, why isn't that already being enforced? Regarding e-scooters, you can't just lump them in with bicycles like you have done in the question. They are currently classified as "powered transport", the same category as cars. This is patently ridiculous, as the infrastructure for this is not in place: it's impossible to buy number plates, vehicle excise duty or an MoT for an e-scooter. They should be in the same category as either electric bicycles or mobility scooters, each of which are legal but have restrictions on their use, such as where they can go and what speeds they are limited to. What the Council should be doing about e-scooters is: a) setting a up formal trial for them (like the ones in Chelmsford, Cambridge and many other places) and b) influencing the national authorities to get them recategorised to a more appropriate category. After that, then yes, take appropriate steps to regulate them which reflect the category they are moved to.
13.	None
14.	I think this is an unnecessary restriction.
15.	Irrelevant. Provide cycle paths and then there is a case for restriction. The roads are too dangerous to cycle on.

Q5.1 Please give your reasons why for Q5

This was an open response question which related to Q5, 48 individuals responded, most of those responding feel that the area is unsafe and has a detrimental image.

1.	To reduce antisocial behaviour
2.	Seems a good idea
3.	Sensible controls allowing police additional discretionary powers
4.	It is required to prevent anti social behaviour
5.	The individuals partaking of alcohol on these streets pose a threat to their own safety and that of others.
6.	Issue FPN
7.	Really? Having drunks and druggies on our streets is intimidating to many people, it will keep descent people away from the city centre and allow it to become a ghetto for the feral.
8.	Cut down the homeless drinking in the streets
9.	Less antisocial behaviour
10.	I agree with the general idea of discouraging consumption of alcohol in public open spaces
11.	The streets should not have drunk people hanging about using as a sort of open pub. ASB, urination, violent crime results. People hanging about gives cover to other criminals.
12.	It's a known area that homeless people gather to drink which can intimidate everyday people
13.	seeing people drunk and drinking on the high street isn't a good image for Southend and puts a lot of visitors off
14.	as a user of Queensway footpath it can be very intimidating encountering rowdy groups of drunks at or near York Rd
15.	Although I don't know this area, drinking in the street often causes public order issues.
16.	The fact that you have got this a section on the questionnaire suggests it is a problem which needs addressing, but I have no personal experience of it.
17.	Anti -social behaviour worsens when people have been drinking. There is no need to be drinking alcohol in public places.
18.	drunk people do silly things and is not a good impression for our City.
19.	This a difficult one to answer as in moderation not a major concern, but where parks can be a major issue especially late evening or at night, where it also affects residents. Further to this to police this a very difficult one.
20.	Because it is a problem that needs solving. However, I am concerned that the problem will simply move elsewhere to e.g. the green area adjacent to the roundabout near the Seaway carpark and/or the green areas between Stanley Road and Queensway.
21.	I have always been against people drinking alcohol in the street. It's uncouth.
22.	Anti-social behaviour linked to drinking and drugs is a constant problem in that area
23.	A problem that needs nipping in the bud.
24.	These area should be safe for all our communities, specially young children
25.	As it is I see people getting away with it on a daily basis
26.	Please see my general comments above
27.	It is not necessary by any definition and the restriction does not offend any fundamental human right. On the contrary, such behaviour offends our human right to peaceful and safe existence.
28.	t's scary walking passed these people. I no longer go into town after 6pm.
29.	Problems around these areas haven't been eradicated. If restrictions are lifted, it wouldn't take long for the problems to increase again.

30.	it is antisocial
31.	Because all of the issues that were there in 2019 are still there today
32.	Coming across those drinking alcohol in public can be an intimidating and unpleasant experience for some people.
33.	I don't like to see it. It frightens me when I see drunk people
34.	Pubs are for drinking in, not public spaces
35.	For all concerned in the area .
36.	street drinking has a knock on effect, usually they occupy public seating areas, they gather in groups, and then discard there litter on the street
37.	People don't feel safe walking around the area and it discourages visitors.
38.	I live in this area and we are having issues every single day with people drinking/taking drugs on the grass, fighting, using the grass as a toilet. Also coming onto our properties to do the above as well. Since Harp had bought so many properties in this small area, the problems are doubling all the time.
39.	anti social
40.	I remember when a greater area including Kilworth Avenue, York Road, Cromer Road and Hasting Road were all in a no drinking zone. I can't imagine why, just before introducing a lot of hostel's for vulnerable, drug addict and alcoholics, these sign were removed. It could be to do with deliberately making the area undesirable, in order to maximise profits on redevelopment. Any reintroduction would be favourable but preferably the whole of the original area, which seems to have been erased from old documentation.
41.	I would like to see the no alcohol zone that was previously in Kilworth Avenue and surrounding streets reinstated. However, if that is not going to happen I would be pleased to see any extension, given our area is used to house people with alcohol and drug problems.
42.	Drinking in public which is not on a premises or in public spaces licensed to do so, should be strictly controlled and those doing so should be held accountable for their actions and fined accordingly.
43.	I live in York Road and am witness to the absolute mayhem caused on the green by Toledo Road every time the weather is a little better, they are spending the whole day there drinking, smoking, fighting, swearing, defecating, urinating and even having sex by the bushes. Each time we leave our house we have to encounter this most of the time with our children in tow. Even if we have the windows open or sitting in our back garden we get to hear the delightful language. A lot of the times they start fights whilst on the green which spills onto York Road and in front of our driveways. It is important that the drinking control area is extended to the above mentioned areas
44.	Public drinking in Southend is a huge problem. It is anti social and gives visitors to Southend a bad impression of our City. If a first time visitor gets off a train at Southend Central their first impression of our city is beggars, drug dealers and alcoholics. We can't improve our surroundings while anti social behaviours are allowed to continue. The High Street should be a friendly, welcoming place. Not somewhere you are afraid to walk in broad daylight, let alone after dark.
45.	drinking in public only increases unruly behaviour
46.	Generally they seem a good idea.
47.	My reasons ought to be obvious by now. We should expect and enforce higher standards of acceptable behaviour.
48.	Too much drinking causes bad behaviour for sure, particularly if people are on holiday.

Q5.2 If no please specify the ward(s), Road name(s), parks/open space(s) which you think the Existing Restrictions should cover and explain why:

This was an open response that requested additional comments in relation to question 5. Four individual comments were received

1.	Public drinking is hardly a huge crime, but again, you already have laws, drunk and disorderly conduct, anti-social behaviour laws. etc, you can already use them quite effectively to curb bad behaviour. By adding signage to discourage drinking in specific places, you are adding to existing laws that already deal with it. By all means spend £100 on some signs, but really, the problem is not so much that people are drinking in public - but their behaviour either through drinking, or just because they are anti-social people to begin with. The high street has few licensed places, if you want a tasty cold beer after a morning of riding your bike or eScooter up and down the high street, you either have to nip into the Last Post (a 'spoons place that most will not be seen dead in), or you get a 4-pack of cider from the off licence. Given the price delta a quad pack of Strongbow wins every time. Also given the dearth of cycle / scooter lock provisions at the pier end of the high street, means that any thirsty rider is going to sit on a bench and guard their precious transport while they imbibe refreshments. So thats £200 please - no scooter, no adult beverages. Truly I would rather we spent the money on active travel, on banishing cars from the high street, on better cycle routes and maybe on a couple of high street beat-bobbies that can dish our on-the-spot ASBO's. Oh and secure cycle / scooter parking and re-surface the cycle path along the seafront. !
2.	I have no comment for central Southend.
3.	High Street
4.	N/a

Q6 If you have any additional comments regarding the Council's proposals to renew and vary PSPO1 tackling the antisocial behaviours identified above, please let us know in the space below

42 people made additional comments in relation to the renewal of the PSPO, with some concerns of enforcement of the PSPO. Other issues identified were loud music from cars, the need for more foot patrols around the area and picking up dog mess.

A other areas of concern have also been highlighted

- Ambleside Drive
- Asburham Road/ London Road
- Shoebury High Street and East Beach areas
- Leigh Area
- Genting Casino (loud music from cars and people leaving the area being really rowdy and loud)

1.	Cycling on pavements is a very big issue on the seafront and it's especially annoying where there's the cycle lane that goes unused. What matters is not the PSP01 but the enforcement of it.
2.	issue FPN, people are dropping litter, urinating around Ashburnham Rd London Road junction. Increase number of street lights on Ashburnham Rd. The problem is that Ashburnham road is a dark street at night compared the adjacent street Gordon Rd, which has 4 street lights for it's 14 properties were as Ashburnham Rd has 3 lights for 24 properties. Dark streets invite Anti Social Behaviour.
3.	The council has plenty of rules it doesn't enforce now like dogs on beaches and barbecue restrictions. Will more rules make a difference? E-scooters are illegal but I've never see them stopped.

4.	You need to do a campaign about spitting, it really is dreadful. It's all over the pavement and I hear men do it every day. This is a new phenomenon that needs a culture change to make it unsociable and frowned soon again.
5.	I have been nearly hit by an elderly person driving a mobility scooter on the pavement at high speed. My understanding is that such vehicles should be limited to 4mph or similar when used in pedestrian areas but this person was going more like 10mph. I request the proposal be slightly amended to ensure those people driving above this limit on pavements are also liable to enforcement action on the basis of public safety. There should not be a 'global' immunity clause for those in mobility scooters who are abusing the rules. Finally, I do not think e-scooters should be included since the law is already clear that such vehicles are mopeds and are prohibited from use in ALL public spaces unless they are registered and insured and used in the road. Thus, any issue with their increasing use in ANY area is a shortfall in Police enforcement of existing legislation which should be used in preference to introducing new rules
6.	A PSPO covering Ambleside Drive is about 20 years overdue. It is outrageous what has been allowed to fester there. The council and police should be ashamed of themselves.
7.	Perhaps tackle the causes, rather than the issues? Public urination - highly likely due to the lack of public toilets and locked ones late at night? Sleeping in public - where else are homeless to sleep - perhaps invest in a hostel? Tents - see. previous point Drugs and Booze - yep - totally should not be done in public Begging - our social conscience should not permit people to fall into poverty, these people need help, not fines / prison.
8.	See my comments on e-scooters above.
9.	Sadly some people fail to see the adverse effects of their actions.
10.	E-scooters and cycles are very dangerous and riders think they can simply race straight at you and if they hit you then it is your own fault for not moving out of the way. Modern cycles do not have bells fitted only small flashing lights on the handle bars, likewise scooters do not have anything so if they approach from behind you have no warning they are approaching and if you are blind or partially sighted you cannot see them racing towards you, so they need to be banned from all public pavements and footpaths to make the pavements a safer place for everybody. Southend High Street should also be included as it is meant to be a pedestrian precinct only.
11.	I think and hope I have covered to the best of my ability and knowledge the above comment boxes. Only to state "FACT", people's comments about going into Southend High St, prefer to shop elsewhere, and of course to mention parking issues, but I feel not for this survey.
12.	There are many contradictions in the council's approaches to sustainable transport. Until there are properly provided cycle paths that link together well, with logical signage and no random obstacles, broken glass, junctions, paths ending without warning signed to start elsewhere then not starting etc... you should be PROMOTING careful, sensible cycle riding EVERYWHERE. Traffic levels in the city are ridiculous. It is not safe even for the most experienced riders on the roads. And as for children... where are they supposed to gain the required level of proficiency? It is highly hypocritical to promote Clean Air Day whilst attempting to restrict cycling. Use your common sense and use existing methods to prevent individuals on a case by case basis if they are being unsociable.
13.	No further comments.
14.	The proposals will only work if resources exist to enforce them
15.	The City is becoming a 'not-nice' place to be. It is not possible to walk anywhere without having a cyclist / e-bike / e-scooter either treating the pedestrian as part of an obstacle course, or in many cases bullying the pedestrian out of the way. The pavement cyclist also creates difficulties for the motorist - I suggest watching the

	antics of Belfairs pupils for instruction on this. The High Street is unpleasant with aggressive beggars on occasion. On the occasions that current security and / or police officers are seen in the areas that this order covers there is invariably a cyclist / drinker / beggar and unfortunately nothing is said to them. I struggle to believe that this order will therefore make much difference.
16.	Can we add people who do not clear up their dogs poo to the list of antisocial behaviour please as in the last few years there has been an increase in the amount of poo left on our streets. Thank you
17.	I have heard of so many problems occurring in the Leigh area that have gone unchallenged I cannot believe that this is the town that I was born and brought up in. People should be able to enjoy what we have to offer without fear of physical harm. We need better policing.
18.	It would be good to see some action instead of just talking about,
19.	please extend it to include the entire Borough
20.	Please see my general comments above
21.	Such restrictions are only of value if they are going to be supported by the police and other authorities including the courts.
22.	Would it be possible to have an initial crackdown on cycling on pedestrian spaces in more areas than those stated to show that Southend won't tolerate that kind of antisocial behaviour anywhere? As stated before, every time I'm walking along the paths I encounter all manner of cyclists riding extremely fast along the paths. I worry when I'm going round a corner with my granddaughter in the buggy that one is coming along and will crash into her. We've had someone coming up behind us riding really fast on an e-scooter,, squeezing between us and the wall! It really made me jump and my blood runs cold at what could have happened if the rider had lost control. I often step to the side of the buggy to check she's ok, someone riding on the path wouldn't be prepared for that and would plough straight into me. It's ridiculous to be so fearful whilst walking along the paths.
23.	tackling the antisocial behaviours should be every area not just a select few
24.	Please add skateboarders to the list for safety reasons
25.	If the Council follows through on upgraded proposals, can it ensure that there are staff and officers to enforce the regulations.
26.	As mentioned above this should include antisocial behaviour by car owners who race along the seafront with their cars backfiring at all hours also parking up by Genting Casino and cranking their music up so loud it makes our windows vibrate! Goodness knows what it does to their eardrums! Also customers leaving Genting Casino all through the night. I'm woken up several times every night by people coming out and talking very loudly....I can hear what they're saying and I live on Westcliff Parade! I have spoken to the manager but still it continues. Midnight, 1am, 3am.....and so it goes on! Driving me mad. I never get a good night's sleep.... the cars go home and the revellers start coming out of the casino! I can't have my windows open at night and am dreading the summer when I need to open my windows!
27.	Car meetings, loud music, revving engines, back firing, on the seafront, particularly around the casino area should be included as antisocial behaviour
28.	As a Police officer on patrol in Barking and Dagenham, where there are similar PSPO's are in place, unless they are policed properly and seen to be being policed properly by members of the public there isn't any issues. Street wardens mustn't be afraid to issue tickets, put them in groups of two or three, give them the correct training allow them to be sympathetic but firm! But issue the tickets!! those that cant pay, put them on community pay back schemes. Those that don't provide a valid name and address, get a uniformed police officer, Section 50 Police Reform Act means that anyone committing an offence of anti social behaviour must provide his name and address, otherwise its a straight forward arrest. Talk with the Police,

	encourage more Stop and Searches, Trust me it works! When the public see a proactive law enforcement you'll get positive feedback.
29.	Noisy vehicles and their excessively noisy music is the main problem and has to be sorted out.
30.	Please stop Harp from buying any more properties in this area. We are over run with the people that use their services. Their houses should be more spread out and not just concentrated in our neighbourhood. They don't have the staff to police this area, so no more, please!!
31.	areas of anti-social behaviour are usually also dirty areas & often used a fly tip locations
32.	We could do better, within the area east of Southend that is known as the golden square mile. This area should be an attraction to tourists due to the location of our grade 1 & 2 listed buildings and grand architecture. I personally believe that the relocation of the homeless shelters and various hostels to the old civic centre building, after the council has relocated to Victoria shopping centre, would be preferable. It would allow the police to be close by to answer the emergency calls that so often arise within this group of people and also allow the golden square mile to return to a desirable residential area and holiday hotspot.
33.	The golden square mile of Southend should be an area for working, relaxing and holidaying. Sadly at present notorious slum landlords/ developers appear to be allowed to run the area into the ground. One such landlord has even made it into Parliaments Hansard report for behaving badly, for a relatively brief period of time, towards residents in Bures. However, this same slum landlord has been made a multi millionaire in Southend by running slum properties for rent, for a long period of time. Relocating the homeless shelter and hostels away from our area would help the occupants of these premises make a swifter recovery away from the temptations of the seafront. Given the Grade 1 & 2 listed buildings and grand architecture, our neighbourhood should be a desirable residential area, that provides hotels for holidaymakers due to its proximity to the main tourist beach and attractions. Unfortunately at present, improved policing would be required to reduce the constant anti social behaviour that arises deprivation and neglect.
34.	There needs to be more foot patrols along the seafront to act as a deterrent. For example, on Saturday, 11th June 2022 at about 9:30 p.m., there was a group of young adults kicking a rugby ball literally in the street of the Thorpe Esplanade with a few individuals actually sitting on top of a beach hut - this display was anti-social behaviour.
35.	Stop bikes, e-scooters on pedestrian areas
36.	Shoebury High Street and East Beach areas should be included in these proposals
37.	I think the Council are doing a fantastic job in trying to tackle this and make our city more pleasant to be in and to stamp out anti social behaviour. But without a visible enforcement presence this behaviour cannot be tackled and dealt with. Please ensure the police are committed to taking action on this with you.
38.	I can only plead with the police to enforce the laws already in place. The rate payers of this town deserve a better level of service.
39.	The use of e-scooters on our paved areas in Southend are becoming a potential hazard to pedestrians and riders. e.g. Regularly you can see a mother taking her child along Wyatts Drive pavement to Greenways School, Thorpe Bay, with the child standing on the e-scooter without the mother or child wearing any head protection.
40.	The High Street is a particular problem area regarding cyclists and scooter riders, the more so in the pedestrianised parts. Food delivery cyclists, e.g. Deliveroo are a common sight and they tend to be in a rush. The signage prohibiting these activities should be enlarged and increased. Enforcement action should be enhanced with on the spot fines and seizure of cycles and scooters. Robust action is called for, the sooner the better.

41.	dreadful NOISE, NOISE, NOISE - from, cars tuned to extremely LOUDLY back-fire & VERY loud motorcycles, which goes on until the early hours of the mornings at weekends
42.	with the recent issues that have been experienced at East beach I think it would be beneficial to extend the restricted area to cover East beach as well.

Appendix E – Equalities Assessment

Southend on Sea Borough Council -

Equality Analysis

1. Background Information

1.1 Name of policy, service function or restructure requiring an Equality Analysis:

Public Spaces Protection Order (PSPO).

1.2 Department:

Neighbourhood and Environment

1.3 Service Area:

Community Safety within Public Protection

1.4 Date Equality Analysis undertaken:

20 June 2022

1.5 Names and roles of staff carrying out the Equality Analysis:

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Public Protection
Toby Breckels	Trainee Solicitor	Legal and Democratic Services

1.6 What are the aims or purpose of the policy, service function or restructure that is subject to the EA?

The Anti-social Behaviour, Crime and Policing Act 2014 gives the local the authority to make a public protection order on reasonable grounds, provided that two conditions are met:

(a) activities carried on in a public space within the authority's boundary have had a detrimental effect on the quality of life of those in the locality, or

(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect

And

(a) It is likely to be, of a persistent or continuing nature

(b) Is, or is likely to be, such as to make the activities unreasonable, and

(c) Justifies the restrictions as to make the activities unreasonable.

PSPO1 was introduced on 22 July 2019 for a period of 3 years which, it aimed to address the concerns (behaviour and activity related) raised by consultees during a public consultation. The PSPO was introduced to provide a key enforcement tool for the Police and the council to deliver a long-term solution to persistent anti-social behaviour which was affecting the 'restricted area'. It is proposed to renew (PSPO1) to enable the council and the police to continue to take appropriate action against those that commit anti-social behaviour so that Southend-on-Sea is an enjoyable place to live, work and visit.

1.7 What are the main activities relating to the policy, service function or restructure?

The purpose of renewing PSPO1 is to continue to assist in tackling repeat offenders whose anti-social behaviour makes the 'restricted area' a less pleasant area in which to live, work and relax. Its use is intended as a last resort, following unsuccessful attempts have been made to stop anti-social behaviour in the 'Restricted Area' which includes:

- Urination, defecation, spitting or littering
- Drinking alcohol or failing to surrender any containers believed to contain alcohol when an authorised officer has asked someone to stop
- Taking drugs or substances believed to be psychoactive
- Begging
- Approaching or stopping someone with the intent of asking for details to set up payment for the benefit of charitable or other purposes, unless authorised by the council
- Sleeping in a public place in a manner that has a detrimental impact on the quality of life of others in the locality
- Putting up tents

PSPO1 seeks to renew the existing restrictions in the designated area and vary the PSPO1 to:

- (a) Prohibit cycling in pedestrianised areas within the Restricted Area, and to prohibit cycling in the Restricted Area in a manner which has a detrimental impact on the quality of life of others in

the locality and / or which poses is likely to pose risk to the health and safety of pedestrians and / or road users in the locality. Cycling includes the use of E-Scooters.

- (b) Extend the Drinking Control Area to include Toledo Road, part of Hilcrest Road and part of York Road (marked on the map).

2. Evidence Base

2.1 Please list sources of information, data, results of consultation exercises that could or will inform the EA. Source of information	Reason for using (eg. likely impact on a particular group).
PSPO Evidence Report 2022 a complaint and report data collated by the Council's community safety team and the Police.	Impact on all users of the Restricted Area. It demonstrates the conditions of PSPO1 are met.
Regulating electric scooters) E-scooters) by David Hirst House of Commons Library 1 September 2021	Extension of cycling ban to include E-Scooters, review by government on legalising their use following a consultation. Assess against air quality objectives and health and safety of use in pedestrianised area and with respect those with a disability.
Operation Union Summer update	Impact on all users of the Restricted Area. It demonstrates the conditions of PSPO1 are met.
The Southend-on-Sea Borough Council (Various Roads) (Consolidation of Moving Traffic and Speed Limit Order 2006)	Prohibits cycling with the pedestrianised area of the High Street. PSPO1 will extend the enforcement of this activity to authorised officers of the council.
Equalities Analysis – Action Update 1819 EA 062	Reporting on PSPO1 actions.
Nomis data	Data relevant to Southend. Population figures, broken down by age and ethnicity.
UK Prison Population Statistics by Georgina Sturge House of Commons Library 29 October 2021	Age profile of prisoners and gender and ethnicity as related to Southend population.
https://data.justice.gov.uk/prisons	Sentenced offence type relating to PSPO1
Ward data	Evidence of deprivation indices
Housing situation	Interventions for rough sleepers

Resident's Perception Survey	Perception of feeling of safety both during the day and at night.
PSPO Consultation response	Consultation campaign ran from 27 May to 25 June 2022, promoted across social media and available on the Council's website. Consultation included all interested parties.

Please Note: reports/data/evidence can be added as appendices to the EA.

- 2.2 Identify any gaps in the information and understanding of the impact of your policy, service function or restructure. Indicate in your action plan (section 5) whether you have identified ways of filling these gaps.

There is no data on ethnicity on the individuals of those being enforced against in the PSPO1.

There is no data on ethnicity of rough sleepers.

3. Analysis

- 3.1 An analysis and interpretation of the impact of the policy, service function or restructure should be undertaken, with the impact for each of the groups with '*protected characteristics*' and the source of that evidence also set out against those findings.

The 'Restricted Area' of the High Street and seafront has been identified as in the top 10% most deprived areas in the country, and Hamlet Court Road as in the top 20% in the country. Through renewing and extending PSPO1 it aims to ensure these two high streets remain safe places to live, visit and work. This has a positive effect on society as well as helping to assist with the economic development of these Town Centres.

PSPO Consultation

A full consultation campaign ran from 27 May to 25 June 2022. The consultation was available on the Council's website and promoted through social media. The consultation included interested parties. It is noted that the consultation response was supportive of the PSPO and the equalities issues raised supported the exclusion of e-scooters and cycles within the Restricted Area.

Residents Perception Survey 2021

The Resident's Perception Survey showed a 49% dissatisfaction rate for services for rough sleepers, 55% of residents reported feeling unsafe after dark. The findings of the survey suggest that the pandemic has increased the importance of a number of local issues. In particular, parks and open spaces and safe streets have become more important to residents, along with

addressing crime and ASB. When asked specifically about safety during the day, whilst 81% felt safe this was a reduction of 4% since the last survey, with 13% feeling unsafe, an increase of 6%. Older groups in particular are more likely to indicate that street safety and addressing crime are more important to them. It was felt that in order to live a good quality of life in Southend residents one of the most commonly identified needs was to improve safety and security.

The Residents Perception Survey has been weighed by ward, age and gender and the aims of PSPO1 is to address those concerns that residents have to have streets and reduce anti-social behaviour to make the 'Restricted Area' a safe place to live, visit and work.

PSPO1 details specific behaviours, which includes rough sleeping, putting up tents and begging. These behaviours may be due to a number of reasons, including mental or physical health problems, drug and alcohol use. These may be behaviours of those being released from prison, as it is known that the level to which prisoners are prepared for release into the community, helps reduce the likelihood of re-offending. The last audit of prison services showed that only 17% of prisons achieved the target for accommodation on the first night following release and only 4% achieved the target for employment at six weeks following release.

Those sentenced by offence type in prisons were:

Violence against the person 31%
Sexual offences 18%
Drug offences 16%
Theft offences 9%
Robbery offences 9%
Other offences 16%

Those offences relevant to the PSPO1 include drug, theft and robbery offences, and public order offences which are reported under other offences. Those leaving prison are less likely to have housing or employment and may need to resort to rough sleeping and begging if they have not got employment.

UK Prison Population Statistics

Age Profile of Prisoners England and Wales June 2021

Age	Number	%
15-17	363	0.5%
18-20	3,520	4.5%
21-24	8,392	10.7%
25-29	13,138	16.8%
30-39	25,211	32.2%
40-49	14,569	18.6%
50-59	8,140	10.4%
60+	4,991	6.4%

The report identifies that the age profile of prisoners is getting older, also that people with minority ethnicities made up 27% of the prison population compared with 13% of the general population and are overrepresented. Those engaged in drug and alcohol services are represented by 30% between 30-39 and 36% between 40-49 which does not fully correlate with this profile.

As at the end of June 2021, just over a quarter of the prison population was from a minority ethnic group – this figure has stayed relatively constant since 2004.

Ethnicity of prisoners and the general population England and Wales; June 2021

	Number	Prison population	% point change on 2004	Share of the general population
White	56,275	72%	3.0	88%
Mixed	3,832	5%	2.4	2%
Asian or Asian British	6,451	8%	3.1	7%
Black or Black British	9,994	13%	-0.7	3%
group	1,153	1%	0.5	1%
Not stated/Unrecorded	619	1%	-8.3	.
Total	78,324	100%	..	100%

The male prisoner population is higher 152 / 100,000 than the female 14 / 100,000 in 2022. Those engaged with drug and alcohol services are 2/3 men and 95% white ethnicity.

The figures provided by the Drug and Alcohol team indicate those known to their services are represented by a 95% white population, which correlates to the ethnic population of Southend. Those engaged in services will be for a variety of reasons and not just from the prison population. However, given that ethnic groups are over represented in prison, and that those released are less likely to have immediate accommodation or employment, it is expected that those presenting to the team should be higher.

Rough Sleepers

The number of rough sleepers documented in the annual count has dropped from 72 in autumn 2017 to 11 in autumn 2018. There have been some fluctuations, numbers recorded a regular count over subsequent years have overall remained significantly lower than the 2017 figure. For example, in March 2022 the monthly snapshot count figure was 1, in April 2022 it was 5 and in May 2022 it was 10. In line with experiences in many seaside locations, there is often a slight increase in the warmer months.

To support those individuals who may be carrying out activities that are not permitted through PSPO1, the council monitored the equalities issues raised following its implementation and reflect that the actions were carried out with respect signposting support to HARP and STARS. This reporting will continue for the renewed PSPO.

Support for Rough Sleepers

There is also support through funding by the Ministry of Housing, Communities and Local Government's rough sleeping initiative. This enables the Council to continue to provide:

- A team of assertive outreach/ inreach officers,
- A 12 bed rapid assessment hub providing emergency relief and wraparound support
- A full time Rough Sleeping Coordinator
- A team of Rough Sleeper Navigators, including a focus on people with restricted eligibility
- Personal budgets to increase engagement opportunities and allow individuals to access accommodation/appointments/comfort
- Additional B&B capacity for surge periods
- Specialist Housing Solutions Officers and Private Sector Solutions Officer

The Council also uses a link worker to provide both a residential and outreach delivery of a housing first model of supported accommodation for a small number of people with complex needs. There is also partnership working in other areas:

- Rough Sleeper Task & Target meetings (Chaired by SCC) - multi agency approach for a wraparound support plan for rough sleepers
- Mental Health Forum- Chaired by EPUT, attended by broader local partners.
- Southend Homeless Action Network (volunteer run multi-agency/multi faith group, regularly attended by various council teams, soup kitchens, Street Pastors, Police etc.).

Other services commissioned by Southend-on-Sea City Council for current and former rough sleepers include:

- Specialist help in drug and alcohol based services,
- Supported housing at YMCA, Sanctuary Supported Living, Homegroup Safe Steps.
- Tenancy sustainment and rent & deposit schemes specifically to support those with an offending history and a history of rough sleeping

Support from Drug and Alcohol Team

Figures for Southend show that at first presentation to drug and alcohol treatment services, 11% of individuals reporting having an urgent housing problem, no fixed abode, by comparison the national rate is 8%. A further 12% state that they have a housing problem (may be at risk of losing tenancy), this compares to a national rate of 14%. Since 2021 Southend has been identified by the Office of Health Improvements and Disparities (OHID) as requiring additional funding to address its high rates of drug and alcohol use in its larger than average cohort of rough sleepers and homeless. There is a Rough Sleeping Drug and Alcohol Treatment Grant (RSDATG) to target work with this population. This currently funds additional outreach workers from the Council's specialist treatment service, STARS, plus funding psychologist support to develop trauma informed care across the service to work with the homeless. There is no data that confirms that those that are rough sleeping are part of the prison population but may be represented in that cohort.

The RSDATG team for Southend is aware of 151 individuals who have experienced a period of rough sleeping since the start of the first lockdown (March 2020). Of this 151, in the last quarter 65 have been assessed for their substance use during that quarter, and a total of 90 have been accessing treatment for their substance use. Of the 151 individuals, 90 are engaged with services to address their mental health. Just over 2/3 of those who have experienced a period of rough sleeping are male, 9% are under 50, 30% are between 30-39 and 36% are between 40-49, the remainder are over 50. 95% of these individuals are of white ethnicity.

The PSPO has been expanded to include E-Scooters. It is currently legal to buy and sell E-Scooters, but not to ride them on public roads, pavements or cycle lanes. E-Scooters have been included in the PSPO because there has been an increase in their use, and complaints. The PSPO has been amended to allow for the enforcement of both cycles and scooters.

The government has:

- recognised that their use could reduce congestion and improve air quality in urban areas, however, their short life-span means their potential environmental benefits may not be realised.
- there are safety related aspects with respect to other road users, particularly pedestrians and those with a disability.

- the parking of E-Scooters on pavements increases the amount of street clutter, presenting obstacles to pedestrians, particularly those with disabilities. Conversely, they could offer new transport choices for those who are less mobile.

The Report highlights that the UK is currently out of step with Europe and much of the rest of the world, in that it doesn't currently allow E-Scooters to be used on roads, pavements or cycle pathways. Trials are underway which will inform the government policy on their use. If the use of E-Scooters is legalised, the council will continue to prohibit their use within the 'pedestrianised and footpath areas within the Restricted Area', in the way that cycles are. All mobility scooters will continue to be permitted in those areas for disabled riders.

There is a network of cycle paths available to promote safe cycling across the City.

In addition, the Council has identified the need to assess the impact of a policy, service function or restructure on carers, looked after children (as part of the age characteristic) as well as the socioeconomic impact of different groups, such as employment classifications.

Initial assessment of a perceived impact of the policy, service function or restructure. The impact can be positive or negative (or in some circumstances both), none or unclear:

	Impact - Please tick				
	Yes			No	Unclear
	Positive	Negative	Neutral		
Age (including looked after children)	√				
Disability	√				
Gender reassignment			√		
Marriage and civil partnership			√		
Pregnancy and maternity			√		
Race		√			
Religion or belief			√		

Sex	√				
Sexual orientation			√		
Carers			√		
Socio-economic	√				

Descriptions of the protected characteristics are available in the guidance or from: [EHRC - protected characteristics](#)

3.2 Where an impact has been identified above, outline what the impact of the policy, service function or restructure on members of the groups with protected characteristics below:

	Potential Impact
Age	Older groups are more likely to indicate that street safety and addressing crime are more important to them following the pandemic. The renewal of PSPO1 would improve their perception of safety. There is no prohibition on any specific age group, the application of the PSPO applies to all age groups without singling out any group.
Disability	The banning of e-scooters and reduction in street furniture is reported as positive for those with a disability. Mobility scooters will continue to be allowed where there are mobility needs.
Gender reassignment	There is no impact in relation to gender reassignment
Marriage and civil partnership	There is no impact.

Pregnancy and maternity	There is no impact relating to pregnancy and maternity
Race	Non-white ethnic groups are over-represented in prison populations and release audits confirm poor compliance for accommodation and employment targets. Support is in place to sign post individuals to appropriate services.
Religion or belief	There is no impact on religion or belief.
Sex	There may be a positive effect of the PSPO on women through the perception of safety.
Sexual orientation	There is no impact on sexual orientation
Carers	There is no impact on carers.
Socio-economic	The wards where the Restricted Area is proposed are within the highest % of deprivation in the country. The intent of the controls on anti-social behaviour is to improve the area, making it a safe place to live, visit and work. This has a positive effect on society as well as helping to assist the economic development of the High Streets. The order would support the Purple Flag initiative to manage the evening and night-time economy.

4. Community Impact

4.1 You may also need to undertake an analysis of the potential direct or indirect impact on the wider community when introducing a new/revised policy, service function or restructure.

None

4.2 You can use the [Community Cohesion Impact Assessment](#) as a guide, outlining a summary of your findings below:

5. Equality Analysis Action Plan

5.1 Use the below table to set out what action will be taken to:

- Ensure a full analysis of the impact of the policy, service function or restructure is undertaken.
- Mitigate/address identified negative impacts or unlawful prohibited conduct.
- To promoted improved equality of opportunity and to foster good relations.
- How the action plan will be monitored and at what intervals.

Planned action	Objective	Who	When	How will this be monitored (e.g. via team/service plans)
Monitoring ASB across the City	To Ensure that PSPO1 does not displace the issue and create other issues within other areas	Community Safety	Quarterly	Intelligence reports
Monitoring equalities information from enforcement	To ensure there is a fair and consistent approach to the application of the PSPO.	Community Safety	Quarterly	Review of CPW and CPNs

Signed (lead officer): 

Signed (Director): 

Once signed, please send a copy of the completed EA (and, if applicable, CCIA)

to Sarah Brown Sarahbrown@southend.gov.uk.

Appendix F- PSPO Evidence report

Author: Gemma Robinson, Community Safety Data & Insights Analyst

Public Space Protection Order Evidence

1. Purpose of Report

- 1.1 To provide evidence based review of the current Public Space Protection Order (PSPO) adopted by Southend City Council in July 2019 and extension of activities to be prohibited in the restricted area.

2. Limitations

- 2.1 Figures are accurate at time of productions but may vary, with reclassifications and late recordings.

3. Data Sources and parameters

- 3.1 As set in guidance evidence must cover a minimum of a 2 year period, data was extracted from 01st March 2020 to 28th February 2022.
- 3.2 Data has been sourced from;
- Essex Police ATHENA crime recording database
 - Essex Police STORM incident system
 - Southend City Council Community Safety Unit including CCTV
 - Southend City Council My Southend
 - TownandPlace.AI
 - Essex Police Local Community Meetings
 - Southend City Council Residential Survey and;
 - Veolia

4. PSPO Restricted Area

- 4.1 The PSPO is now in force in a 'Restricted Area' that includes Southend Town Centre, Southend Seafront, Southchurch Hall Gardens, Hamlet Court Road and York Road (as shaded in pink on Figure 1).

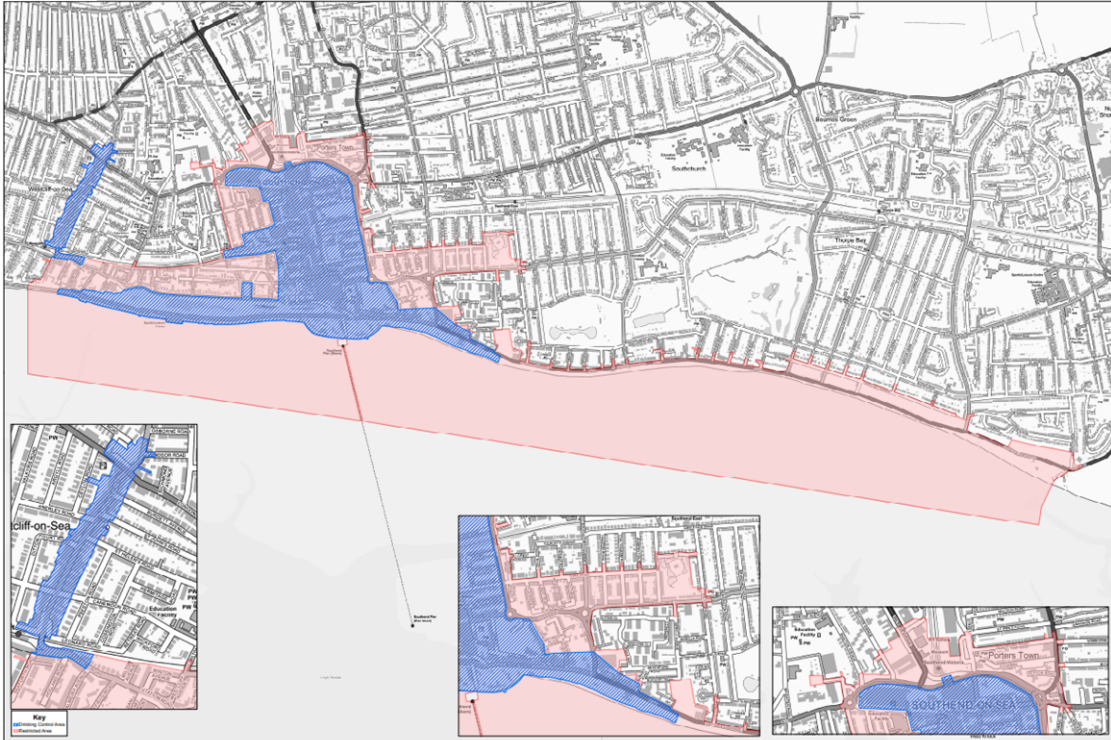


Figure 1 PSPO Area

5. Key Findings

- 5.1 Covid -19 restrictions has had an impact on crime and anti-social behaviour (ASB) across the city. Crime reduced, ASB increased likely due to additional Covid breach recordings.
- 5.2 Footfall to Southend-on-Sea increased significantly once legal restrictions had been removed which caused an increase in crime and disorder in the PSPO area.
- 5.3 20% of crime reported in a two year period occurred in the PSPO area. An increase in Crime and anti-social behaviour (ASB) is likely to occur mostly at weekends, this is likely due to the increase in footfall to the area.
- 5.4 Community Protection Warnings/Notices and Fixed Penalty Notices are predominantly given to people for not surrendering/drinking alcohol in the area.
- 5.5 Whilst a reduction is noted in Southend-on-Sea City Council Community Safety Bike detections, overall bikes are 9.7% of all records in a 2 year period.
- 5.5 There are reports regarding Barbeques, E-scooters and Personal Water Crafts however these are small in reporting numbers. This may be due to reporting mechanisms for these type of incidents/detections have not been previously set.

6. Intelligence

6.1 Essex Police

Reported Crime and Anti-social Behaviour within the PSPO area

	1st March 2020 to 28th February 2021	1st March 2021 to 28th February 2022	% Difference
Crime	3218	3783	17.5%
ASB	1549	1055	-31.8%

Figure 2

Of all crime reported to have occurred in Southend-on-Sea between 1st March 2020 -28th February 2022, 20% of that crime occurs in the PSPO area. The most common to occur are Public Order offences, Possession of Drugs and Violence with and without Injury. These crime types tend to increase on weekends.

Please note, increase in possession of drugs and public order offences may not be an increase in the crime type but an indication of proactive police work and officers being in the area.

ASB figures include Covid Breaches/Social Distancing complaints, this cause a national spike in ASB reporting. It is likely the 31.8% reduction of ASB within this area, is due to the relaxation of Covid rules. Removing Covid from the search parameters, Disturbance, Nuisance and Drug Related Incidents are the most common ASB incidents recorded.

Essex Police intelligence was requested, in the data period 1 intelligence report was received regarding a nuisance water craft. There were no other intelligence reports relating to anti-social behaviour for cycling, barbeques or e-scooters.

Operation Union

Operation Union (Appendix 1) was launched in Summer 2021 as a reaction to an increase in crime/anti-social behaviour along the seafront and increasing footfall. The aim was to take a partnership approach and provide high visibility patrols to tackle some of the issues. Over the summer;

- 72 arrests, for a wide range of offences, including assaults, public order, drugs supply, burglary, robbery and indecent exposure.
- 204 Stop and searches – 61 of which were positive for a range of items, including drugs, stolen property and weapons.
- 178 Intelligence reports submitted – assisting us to develop our proactive activity against known offenders, identify drugs hotspots and prepare for events.
- 340 Incidents attended.
- 779 visits to licensed premises. Several of these premises have stated how they feel the additional Police presence and engagement has reduced offending or disorder within the premises.

Community Protection Warning, Notices and Criminal Behaviour Orders

Essex Police and Southend-on-Sea City Council Community Safety Officers are authorised persons under the Anti-social Behaviour, Crime and Policing Act 2014 that may issue a Community Protection Warning/Notice to an individual aged over 16 if satisfied the conduct of the individual is having a detrimental effect on those locally and/or the conduct is reasonable.

Figure 3 shows all warnings and notices issued within the PSPO area between March 2020 to February 2022.

	Verbal Warning	Written Warning	Notice
Anti-Social Behaviour	2.9%	3.4%	0.0%
Begging	37.1%	55.2%	61.9%
Drinking alcohol or failing to surrender	41.4%	31.0%	23.8%
Sleeping in Public Place	15.7%	6.9%	9.5%
Taking drugs or substances believed to be psychoactive	2.9%	3.4%	4.8%

Figure 3

A Criminal Behaviour Order can tackle persistent anti-social individuals and can cover a wide range of anti-social behaviours. 1 Criminal Behaviour Order was obtained for persistent drinking alcohol or failure to surrender and anti-social behaviour.

6.2 Southend-on-Sea City Council

Fixed Penalty Notices

Southend-on-Sea City Council has a community safety team responsible for issuing fixed penalty notices.

129 Fixed Penalty Notices have been issued in this PSPO restricted area during the period identified on page 1, as per figure 4.

FPN Issued	%
Drinking Alcohol or Failing to Surrender	30.2%
Begging	28.7%
Urination, defecation, spitting or littering	18.6%
Reason not recorded on Uniform*	10.9%
Sleeping in Public Place	7.0%
Putting Up Tents	3.9%
Taking drugs or substances believed to be psychoactive	0.8%

Figure 4

CCTV

CCTV Cameras covers 74 streets within the PSPO area. A total of 9644 incidents was recorded by CCTV during this period. The following table (figure 5) shows incidents by category and period.

OFFICIAL

CCTV Categories	1st March 2020 to 28th February 2021	1st March 2021 to 28th February 2022	% Difference
ASB	1330	1588	19.4%
Crime	566	757	33.7%
Intel/information	327	298	-8.9%
Local Authority Issues	133	122	-8.3%
Drug Related	207	136	-34.3%
Youth Related	26	30	15.4%
Potential Evidence	548	732	33.6%
Public Safety & Welfare	970	1334	37.5%
Transport	274	257	-6.2%

Figure 5

ASB Incidents tend to peak on Saturdays between the following hours 0000-0259hrs, 1500-1859hrs and 2200-2359hrs. On average ASB incidents are closed within 16minutes of opening the incident.

Crime incidents peak on Saturdays and Sundays. On Saturdays peak hours include 0000-0059hrs, 1600-1759hrs, 1900-1959hrs and 2300-2359hrs. On Sunday crime peaks between 0000-0359hrs. On average crime incidents are closed within 22minutes of opening the incident.

The below table shows call sources for CCTV ASB and crime incidents.

Call Source	ASB	Crime
Airwave Radio	29.3%	47.0%
CCTV	24.9%	21.5%
In Person	0.1%	0.0%
System Generated Test Alarm	0.1%	0.1%
Telephone	1.2%	1.1%
Townlink Radio	44.4%	30.2%

Figure 6

Community Safety Officers

Community Safety Officers record incidents/detections. Figure 7 shows the yearly percentage difference on some of the incidents/detections¹ recorded across the city and across the High Street only². Personal water crafts, barbeques, e-scooters and tents have not been available as a category type to community safety officers, therefore a key word search was performed on the data sets, figure 8 identifies the number of incidents.

¹ Only relevant incidents/detections have been included in this table

² CSOs data is not geotagged and therefore specific mapping to the PSPO area cannot be undertaken.

OFFICIAL

Detections/Incidents	% Difference	
	(1st March 2020 - 29th February 2021 compared to 1st March 2021 - 28th February 2022) Incidents/Detections across City	(1st March 2020 - 29th February 2021 compared to 1st March 2021 - 28th February 2022) Incidents/Detections High Street Only
Begging/Vagrancy	49.3%	35.3%
Bikes	-59.2%	-57.5%
crime	35.6%	37.6%
Crime Intelligence	-26.6%	-19.2%
Criminal Damage	-40.0%	-100.0%
Fly Tipping	30.0%	-50.0%
Graffiti	150.0%	
Litter/Drugs Paraphernalia	-25.0%	-33.3%
Patrol	289.7%	79.7%
Prostitution Related Activity	-99.9%	-100.0%
Public Place Sleeping	15.9%	17.8%
Rowdy/Nuisance Neighbours	200.0%	0.0%
Rowdy/Nuisance Public	4.5%	-2.5%
Safeguarding/Welfare Concerns	9.7%	20.5%
Street Drinking	-36.4%	-44.2%
Substance Dealing	-20.0%	-33.3%
Substance Misuse	-15.6%	-56.1%
Trespass	-39.1%	-35.7%
Unattended Policy	8.8%	5.3%
Vehicle Nuisance	97.2%	-5.6%

Figure 7

Key Word Search	1st March 2020 – 28th Feb 2021	1st March 2021 - 28th Feb 2022
E-scooters	3	2
Barbeques	7	2
Tents	94	95
Personal Water Crafts	0	1

Figure 8

Stambridge

Stambridge is a contracted service to bolster Community Safety Officers when required. The data they record is separate from that of a Southend City Council Community Safety Officer. The below table shows detections/incidents Stambridge officers have dealt with.

OFFICIAL

Stambridge Detections	1st March 2020- 28th Feb 2021	1st March 2021 - 28th Feb 2022
Antisocial Behaviour	33	18
Barbeques	8	2
Begging/Vagrancy	54	86
Bikes	27	1
Drugs	12	5
E-Scooters	6	3
Litter/Drugs Paraphernalia	31	8
Personal Water Crafts	0	2
Sleeping in a Public Place	59	57
Street Drinking	70	36
Substance Dealing	4	0
Substance Misuse	14	6
Tents	30	13

Figure 9

Uniform

Uniform is the database used to record incoming anti-social complaints to the Community Safety Unit. In total 247 Anti-social complaints have been received that have been geotagged to the PSPO are. Figure 10 shows the anti-social issue recorded and the yearly percentage difference.

ASB Type	1st March 2020- 28th February 2021	1st March 2021- 28th February 2022	% Difference
ANIMAL PROBLEMS		1	
BEGGING/VAGRANCY	6	6	0.0%
CRIMINAL DAMAGE	2		-100.0%
JAPANESE KNOTWEED		2	
LITTER/DRUGS PARAPHERNALIA	2	4	100.0%
NOISE	17	3	-82.4%
PROSTITUTION RELATED ACTIVITY	3	2	-33.3%
ROWDY/NUISANCE NEIGHBOURS	67	43	-35.8%
ROWDY/NUISANCE PUBLIC	27	20	-25.9%
STREET DRINKING	1	3	200.0%
SUBSTANCE DEALING	4	8	100.0%
SUBSTANCE MISUSE	10	3	-70.0%
TRESPASS	1		-100.0%
VEHICLE NUISANCE	6	1	-83.3%
YOUTH NUISANCE	2	3	50.0%

Figure 10

Pier and Foreshore

My Southend reporting system ³was viewed to perform a keyword search on Pier and Foreshore complaints between 1st March 2020 to 28th February 2022. Figure 11 identifies the number of reports. Between this period Pier and Foreshore received 38 reports, 5 of which was positive in the keyword search.

Key Word Search	No of Reports
Barbeques	1
Bikes	1
Tents	1
Personal Water Craft	2

Figure 11

Veolia

Veolia is the contracted service for waste management. A public toilet report is collated monthly to show the number of discarded drug litter the team have found and the number of people they have found in the toilets using them to sleep. Figure 12 shows the total numbers for discarded drug litter and figure 13 shows total numbers for people sleeping in public places.

Discarded Drug Litter

LOCATION	2020/21	2021/22	% Change
Crowstone	1	0	0%
Hamlet Court Road	10	1632	16320%
Lagoon (Three Shells)	3	1406	46867%
Marine Parade	4	402	10050%
Seaway	15	26	173%
Shoebury Common	0	0	
Shorefields	0	2	
Thorpe Bay Corner	0	0	
Alexandra Bowl	0	0	
Southchurch Pk	2	1	50%
Southchurch Pk Café	0	0	
Southchurch Hall Gdn	18	6	33%

Figure 12

³ MySouthend is a place for residents to manage council services online and report any issues across the city.

Sleeping in Public Place

LOCATION	2020/21	2021/22	% Change
Crowstone	35	5	14.3%
Hamlet Court Road	28	6	21.4%
Lagoon (Three Shells)	10	14	140.0%
Marine Parade	77	25	32.5%
Seaway	0	1	
Shoebury Common	3	0	0.0%
Shorefields	30	4	13.3%
Thorpe Bay Corner	1	0	0.0%
Alexandra Bowl	0	0	
Southchurch Pk	0	0	
Southchurch Pk Café	0	0	
Southchurch Hall Gdn	22	6	27.3%

Figure 13

6.3 Footfall

Visitors to Southend Central (Highstreet, Marine Parade and surrounding areas) has been examined. A notable increase in the area was noted as of July 2021, when all legal limits on social contact in England was removed. Figure 6 shows a notable increase in footfall as of March 2021 along Marine Parade. Centre for Cities⁴ recorded Southend to have one of the highest footfall recovery rates, remarking Southend is a UK tourist hub which experiences a surge in footfall on good weather days.

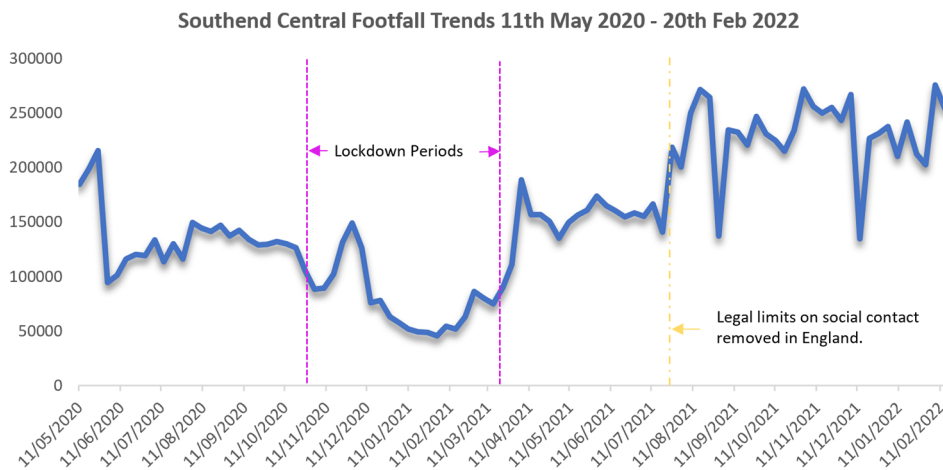


Figure 14



Figure 15

⁴ <https://www.centreforcities.org/high-streets/>

6.4 Community

Local Community Meetings

Local Community meetings are hosted by Essex Police, chaired by an independent person. They provide an opportunity for residents and Community Policing Teams to meet regularly, discuss their issues and set priorities.

Priorities set for Milton/Kursaal/Victoria wards include drug use, street drinking and their associated anti-social behaviours

Residential Survey

Between July and September 2021 M-E-L Research carried out a randomly sampled postal Residents Perception survey of Southend-On-Sea residents. The aim of this research was to gather fresh insight into residents' perceptions of their local area, community interactions and resident behaviours. It also sought views on Southend-on-Sea Borough Council's performance.

68% of respondents stated addressing Crime and Anti-Social Behaviour as a priority. 81% of respondents feel safe during the day. Residents most likely feel safe in the West⁵, than those in East Central ⁶least likely to feel safe.

7. Documents Attached:

7.1 Operation Union Summer Report 2021

⁵ Eastwood Park, Belfairs, West Leigh, Leigh

⁶ St Lukes, Victoria and Kursaal

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Appendix G- Moving Traffic Speed Order 2006

**The Southend-on-Sea Borough Council
(Various Roads)(Consolidation of Moving Traffic & Speed Limit)
Order 2006**

The Southend-on-Sea Borough Council, in exercise of its powers under sections 1, 4 and 84 (and Part IV of Schedule 9) of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act") and of all other enabling powers hereby makes the following Order:

**PART 1
IMPLEMENTATION, CITATION AND DEFINITIONS**

- 1 This Order shall come into operation on 22 March 2006 and may be cited as The Southend-on-Sea Borough Council (Various Roads)(Consolidation of Moving Traffic & Speed Limit) Order 2006
2. This Order is made for the purpose of consolidating all of the traffic regulation orders made prior to the making of this Order
3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"bicycle" means a pedal cycle with two wheels

"bus" means:-

- (a) a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver), or
- (b) a local bus not so constructed or adapted

"bus lane" means any lane in a length of road reserved during the specified hours for buses and other such classes of vehicle as are specified

"cycle lane" means a length of road reserved for the use by pedal cyclists only.

"cyclist" means a person who rides a pedal cycle.

"heavy commercial vehicle" has the same meaning given to that expression by Section 138 of the Road Traffic Regulation Act 1984, that is any vehicle, whether mechanically propelled or not, which is constructed or adapted for the carriage of goods and has a maximum gross weight exceeding 7.5 tonnes.

"pedal cycle" means a vehicle not being a motor vehicle which has two or more wheels.

- 4 No person shall ride or cause to be ridden any pedal cycle on the lengths of footpath specified in Schedule 1 to this Order.
5. No person shall cause any vehicle to proceed in the lengths of road specified in Schedule 2 to this Order in the direction other than that specified in Column 4 of the said Schedule
6. No person shall cause any vehicle to proceed in the lengths of road referred to in Schedule 3 to this Order except as may be directed in the said Schedule

7. No person shall cause any vehicle proceeding along any length of road in the direction specified in Schedule 4 to this Order to perform the vehicular movement stated.
8. No person shall cause any vehicle to proceed in the lengths of road specified in Schedule 5 to this Order at a speed in excess of 40 mph (forty miles per hour)
9. No person shall cause any vehicle to proceed in the lengths of road specified in Schedule 6 to this Order at a speed in excess of 50 mph (fifty miles per hour)
10. The lengths of road specified in Schedule 7 to this Order are hereby designated as de-restricted roads to which Section 81 of "the Act" shall not apply.
11. No person shall cause any vehicle to proceed in the lengths of road specified in Schedule 8 to this Order at a speed in excess of 20 mph (twenty miles per hour)
12. Save as provided in Article 13 of this Order, no person shall cause any motor vehicle, the unladen weight of which exceeds 7.5 tonnes, to proceed in the lengths of road specified in Schedule 9 to this Order.
13. Nothing in Article 12 of this Order shall apply so as to prevent any person causing any vehicle to proceed in any of the lengths of road referred to in that Article, if the vehicle is being used:-
 - (a) for the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to that length of road;
 - (b) for the purposes of agriculture in connection with land adjacent to that length of road or for the haulage of timber felled upon that land,
 - (c) in connection with any building operation or demolition in or adjacent to that length of road, the removal of any obstruction to traffic in that length of road, the maintenance, improvement or reconstruction of that length of road, or the laying, erection alteration or repair in or adjacent to that length of road of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878; or
 - (d) in the course of any of any military training operations
14. The Council is satisfied that it is requisite that Section 3 of the Road Traffic Regulation Act 1984 shall not apply to this Order for the following reason.-

For preserving or improving the amenities of an area by prohibiting or restricting the use of the road or roads in that area of heavy commercial vehicles
15. Save as provided in Article 16 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform, cause or permit any vehicle other than a bus or pedal cycle to proceed along the bus lane otherwise than in the direction stated in Schedule 10 to this Order

16 Nothing in Article 15 of this Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in the lengths of bus lane specified except for:-

- (a) the removal of any obstruction to traffic in the bus lane;
- (b) police, fire service or ambulance purposes;
- (c) the vehicle is in the service of any local authority in pursuant of statutory powers or duties or in connection with the supply of gas, water or electricity or any telegraphic line;
- (d) the avoidance of an accident;
- (e) the gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane, and
- (f) the loading or unloading of any goods at premises adjacent to or accessible only from the bus lane provided that such loading or unloading can reasonably be carried out from the bus lane and that it takes place only whilst no prohibition of loading or unloading in the bus lane by virtue of any other Order is in force

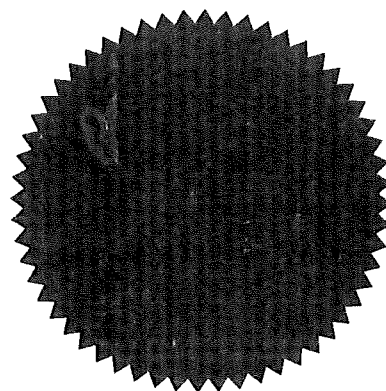
17. Save as provided in Article 18 of this Order, no person shall cause any vehicle to proceed in the lengths of road specified in Schedule 11 to this Order in the direction other than that specified in Column 4 of the said Schedule

18. Nothing in Article 17 of this Order shall apply to pedal cyclists using the designated cycle lane in the sections of road described, except for:-

- (a) the removal of any obstruction to traffic in the bus lane;
- (b) police, fire service or ambulance purposes;
- (c) the vehicle is in the service of any local authority in pursuant of statutory powers or duties or in connection with the supply of gas, water or electricity or any telegraphic line;
- (d) the avoidance of an accident,
- (e) the gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane; and
- (f) the loading or unloading of any goods at premises adjacent to or accessible only from the bus lane provided that such loading or unloading can reasonably be carried out from the bus lane and that it takes place only whilst no prohibition of loading or unloading in the bus lane by virtue of any other Order is in force.

19. The Orders specified in Schedule 12 to this Order are hereby revoked.

The **COMMON SEAL** of the **SOUTHEND-ON-SEA**)
BOROUGH COUNCIL was pursuant to a resolution)
of the Council hereunto affixed this twenty first)
day of March two thousand and six)
in the presence of -)




Proper Officer of the Council

446/06

Schedule 1 - Prohibition of Cycling

Item No.	Road	Description
3592	Alan Grove <i>Revoke</i>	the footpath adjoining No 16 Alan Grove to Rayleigh Road
3594	Applerow <i>?</i>	the footpath from Applerow to Rayleigh Road,
3560	Aragon Close <i>Revoke</i>	from Aragon Close to Manners Way
3576	Arterial Road <i>Revoke</i>	the footpath system linking the Arterial Road, Brookfields and Southernhay
3579	Branscombe Gardens <i>Revoke</i>	the footpath between Branscombe Gardens and Samuels Drive
3602	Bridgwater Drive <i>Revoke</i>	the footpath adjoining No 265 Bridgwater Drive to Mendip Crescent adjoining No 212
3574	Bridgwater Drive <i>Revoke</i>	on the footpath between Nos 151 and 157 Bridgwater Drive and Mendip Crescent
3597	Broadlawn <i>Revoke</i>	the footpath from south of No 12 Broadlawn to south of No 60 The Fairway
3603	Chaingate Avenue <i>Revoke</i>	from the end of the cul-de-sac of Chaingate Avenue westwards to Whittingham Avenue
3561	Constable Way <i>Revoke</i>	The Renown
3584	Danescroft Drive <i>?</i>	from the rear of the northern boundary of No 17 Croft Close to the junction with Danescroft Drive

<i>Item No.</i>	<i>Road</i>		<i>Description</i>
3608	Derek Gardens	<i>Revoke</i>	the footpath immediately adjoining and to the south-west of No 60 Derek Gardens to a point south-west of the garages at the rear of Manners Corner , Manners Way
3569	Eagle Way / Constable Way	<i>Revoke</i>	on the subways and associated footpaths at the aforementioned junction
3588	Eastcote Grove	<i>Revoke</i>	from Eastcote Grove adjoining No 59 to Cokefield Avenue adjoining No 46
3570	Elm Road / Hermes Way	<i>Revoke</i>	on the subways and associated footpaths at the aforementioned junction
3617	Elmer Approach	X	from the west property frontage of High Street (Southend on Sea) westwards for a distance of 9 metres
3607	Elmsleigh Drive	<i>Revoke</i>	the footpath immediately adjoining and to the south of No 186 Elmsleigh Drive to Harridge Close immediately adjoining and to the east of No 7 Harridge Close
3609	Elmsleigh Drive	<i>Revoke</i>	the footpath from the west side of Elmsleigh Drive 32 metres north of the junction with Flemming Crescent to Danescroft Drive together with the connecting footpath leading from the rear of "Casania" Flemming Crescent northwards for a distance of 125 metres
3610	Fairfax Drive	<i>Revoke</i>	the footpath from Fairfax Drive adjoining No 373 Fairfax Drive to Prittlewell Chase adjoining No 222 Prittlewell Chase
3614	Grove Terrace	?	the section between Pier Hill and Church Road to the south of The Royals
3585	Hamstel Road		on the north side of Archer Avenue from Hamstel Road to Appletree Close, together with an adjoining section from a point 119 metres east of Appletree Close for a distance of 38 4 metres in a north-eastern direction
3624	High Street (Southend on Sea)		from its junction with Tylers Avenue southwards to its junction with Weston Road a distance of approximately 40 metres

<i>Item No.</i>	<i>Road</i>	<i>Description</i>
3627	High Street (Southend on Sea)	from its junction with Alexandra Street southwards to its junction with Royal Terrace a distance of approximately 135 metres
3625	High Street (Southend on Sea)	from its junction with Clarence Street southwards to its junction with Alexandra Street a distance of approximately 50 metres
3613	High Street (Southend on Sea)	from its junction with Alexandra Street and Heygate Avenue to its junction with Pier Hill and Royal Terrace
3612	High Street (Southend on Sea)	from its junction with Tylers Avenue to its junction with Alexandra Street and Heygate Avenue excluding the carriageway between its junctions with Weston Road and Clarence Street
3611	High Street (Southend on Sea)	from its junction with London Road and Southchurch Road to its junction with Tylers Avenue
3562	High Street (Southend-on-Sea)	Victoria Circus and High Street from Warrior Square to Tylers Avenue
3577	Highfield Grove	on the north side of Prittle Brook between Highfield Grove and Shakespeare Avenue
3573	Highlands Boulevard	the footpath between Highlands Boulevard and Bailey Road
3598	Keith Way	the footpath between Nos 44 and 50 Keith Way in a north-easterly direction for a distance of 33.5 metres
3572	Lifstan Way	the footway between Lifstan Way and Buttery's
3621	London Road	from the west property boundary of High Street (Southend on Sea) westwards for a distance of 30 metres

<i>Item No.</i>	<i>Road</i>	<i>Description</i>
3606	Mayfield Avenue	the footpath between Mayfield Avenue and Earls Hall Parade
3590	Moor Park Close	the footpath adjoining No 3 Moor Park Close to Bohemia Chase
3587	North Crescent	from North Crescent, west of No 177 North Crescent, to Eastwoodbury Lane, east of <u>Eastwoodbury Cottages</u> <i>to be amended?</i> <i>DATE 10/12/2011</i>
3601	Old Leigh	the footpath on the south side of the railway between Bell Wharf and Chalkwell Station
3600	Old Leigh Footbridge	the ramps and footbridge constructed across the railway at the site of Old Leigh Station (Leigh Sailing Club)
3567	Prince Avenue	between Hampton Gardens and Prince Avenue
3586	Prince Avenue	from the north side of Prince Avenue, west of Maplin Court, to Feeches Road, west of No 156 Feeches Road
3580	Priorywood Crescent	the footpath adjoining No 8 Priorywood Crescent and linking Priorywood Crescent with Park Avenue
3568	Prittlewell Path	from East Street to Kenway and from Kenway to Short Street
3619	Queens Road (Southend on Sea)	from the west property frontage of High Street (Southend on Sea) westwards for a distance of 20 metres
3571	Queensway	the carriageway of Queensway forming the underpass also the associated subway and footway systems at the junctions of Queensway / Sutton Road / Southchurch Road

<i>Item No.</i>	<i>Road</i>	<i>Description</i>
3591	Rayleigh Road	the footpath from Rayleigh Road adjoining No 75 Rayleigh Road to the Arterial Road opposite No 18
3582	Rayleigh Road	the footpath linking Macmurdo Road with Rayleigh Road
3564	Rayleigh Road	footpath from Rayleigh Road to Steeplefield
3628	Richmond Avenue (Southend on Sea)	from its junction with High Street (Southend on Sea) westwards for a distance of approximately 32 metres
3605	Rochford Road	the footpath adjoining No 20 Rochford Road to Hampton Gardens adjoining No 96
3565	Rowan Walk	footpath from Rowan Walk to Steeplefield
3575	Royal Artillery Way	on the footpath connecting Southchurch Boulevard and Appletree Close
3629	Royal Mews	from its junction with High Street (Southend on Sea) westwards for a distance of approximately 17 metres
3596	Sairard Close	the footpath from south of No 8 Sairard Close to south of No 49 Dering Crescent
3581	Shoebury Road	the footpath linking Shoebury Road with Broadclyst Gardens
3595	Southchurch Hall Close	the footpath between the two sections of Southchurch Hall Close

<i>Item No.</i>	<i>Road</i>	<i>Description</i>
3622	Southchurch Road	from the east property boundary of High Street (Southend on Sea) eastwards for a distance of 43 metres
3566	Steeplefield	footpath alongside Nos 63 and 99 Steeplefield
3578	Stornoway Road	the footpath linking Stornoway Road with Trinity Road
3599	Stromness Place	the footpath east of No 37 Stromness Place in a southerly direction for a distance of 24.4 metres and then in an easterly direction for a distance of 12.2 metres
3620	Victoria Circus	in its entirety
3563	Victory Path	west, from Chalkwell Avenue to The Ridgeway
3618	Warrior Square	from the east property frontage of High Street (Southend on Sea) eastwards for a distance of 13 metres
3583	Westbourne Grove	the footpath alongside Prittle Brook between Westbourne Grove and a point 53 metres west of its junction with Springfield Drive
3623	Western Approaches	the footpath between Western Approaches and Coniston
3616	Whitegate Road	from the east property frontage of High Street (Southend on Sea) eastwards for a distance 12 metres
3589	Woodside	the footpath from Woodside adjoining No 10 to Belfairs Park

<i>Item No.</i>	<i>Road</i>	<i>Description</i>
3593	Wren Avenue	the footpath from Wren Avenue to Tudor Road
3615	York Road	from the eastern frontage of High Street (Southend on Sea) eastwards for a distance of 15 metres
3626	York Road	from its junction with High Street (Southend on Sea) eastwards for a distance of 15 metres approximately
3604	York Road	the footpath adjoining No 56 York Road to Heygate Avenue adjoining No 57

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