

Public Document Pack

Southend-on-Sea City Council

Strategy, Change & Governance

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26 October 2022

THE COUNCIL - THURSDAY, 20TH OCTOBER, 2022 SUPPLEMENTARY PACK

Please find enclosed, for consideration at the next meeting of the The Council taking place on Thursday, 20th October, 2022, the following reports that were unavailable when the agenda was printed.

Agenda No Item

4. **Questions from the Public (Pages 1 - 20)**
Questions and Answer sheet attached
5. **Questions from Councillors (Pages 21 - 30)**
Questions and Answer sheet attached
36. **Appointments to Committees, etc (Pages 31 - 32)**
List attached

Rob Harris
Principal Democratic Services Officer

Public Questions

1. Question from Stephen Cummings to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

When the public consultation for the PSPO last year showed a majority in favour, why do the responsible dog owners of Southend still not have a beach they can walk their dogs on all year round?

Answer

The Council has considered several locations to introduce a dog friendly beach. The most recent proposals were met with significant resistance from residents in the area selected. Despite a majority of people wanting a dog friendly beach when asked, no area seems willing to be the host beach which has been the challenge. We now also know that Natural England requires a habitats assessment for such a change to be introduced along our beaches as the impacts to some natural habitats can be affected.

The Council is open to further suggestions about a location to propose a dog friendly beach, but each proposal would need a new consultation with associated publicity that may well result in the majority of residents in the locality objecting. We would also need to seek Natural England's comments.

If a beach is found suitable, we may also look at the possibility of timed usage if this would overcome objections.

2. Question from James Miller to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

The Council's acquisition of Victoria Shopping Centre was potentially an exciting move to inspire new local independent businesses in Southend to start their entrepreneurial journeys. However, there does seem to be a number of vacant units at the moment. What is currently being done to attract budding entrepreneurs from the thousands of people who have an array of talents across Southend?

Answer

Since acquisition in December 2020, we have been working hard to diversify and intensify uses within the Centre, and despite a worsening economic picture, tenants have been retained and new occupiers secured. New occupiers, most of which are locally based, include: Cookies & Cones, NHS Phlebotomy Unit, Indirock, Brook Health, Mossys Shoes and Gourmet Burger. We have also let units to local charities including Welcome to the UK and The Climate Hub.

A number of vacant units are under offer to retailers and leisure operators. Our local letting agents are working with the Southend business community to market the Victoria Centre, and business support services are signposting local businesses to vacant units across the City where relevant.

3. Question from James Miller to the Cabinet Member for Economic Recovery, Regeneration and Housing (Cllr Gilbert)

Question

Southend High Street, filled with local owner/operated independent shops, could turn us into the most unique high street in the country. However, good business ideas will always fail when faced with unworkable business costs. Being that the shops are central to bringing Southend High Street back to life, what can the Council do to reduce all business costs in order to make opening a business for Southend people a realistic opportunity for success for them and the city centre?

Answer

The Council has very little control over business costs on the High Street. Aside from the Victoria Centre, the Council doesn't own commercial property on the High Street so has no power to lower property costs, business rates are set by central government, and we have no ability to influence the rising cost of utilities. However, the Council does provide other sorts of support including helping new business start-up and providing advice to existing businesses to help them thrive. Business grants are also available through South-East Business Boost for new equipment or specialist advice. We also have "No Use Empty" grant scheme to bring unused shops back into use – property owners can secure grants to improve their spaces, including breaking down large shops into smaller units.

4. Question from Alan Grub to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

Why has the Highways Department of the Council, allowed the company installing 5G to deny access from April to August of this year, to the Post Box located on the corner of St Georges and Fairfax Drive?

Answer

The company have advised that unfortunately, it was necessary to barrier off the post box for safety reasons while they completed jointing of the new LV cable to the network. They did monitor the box and assisted where they could with posing letters during this time.

It appears the letter box was periodically barriered off through a 2-week period, not 5 months as stated in the report.

Teams are now aware of this issue and, in future, will ensure Royal Mail are contacted and an alternative provided or signage displayed onsite.

The team apologises for the inconvenience caused.

5. Question from Alan Grubb to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

Why has the Planning Department of the Council allowed a Planning Application to proceed, thereby denying access to the Post Box located on the property in question, next to Argosy Toys located on the London Road A13, even though the Planning Department were aware of the location of the Post Box?

Answer

In the circumstances of this case, the prevention of access to a post box would not constitute a reasonable basis to refuse planning permission for the development sought. Where planning permission is granted for a new development planning conditions can, in principle, be used for a range of purposes to control a scheme and mitigate its impacts.

However, national planning policy makes it clear that the use of planning conditions should be kept to a minimum, and only used where they satisfy a number of 'tests.' These include that conditions are necessary for the planning permission to be granted, relevant to planning and reasonable in all respects. In the circumstances of this case, it is not considered that a planning condition requiring a developer to retain access to a post box would meet these 'tests' of a legitimate planning condition. As such it would not be appropriate for the Local Planning Authority to seek to control the development in this way.

6. Question from James Vessey-Miller to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

Southend Airport is undoubtedly the biggest polluting entity in Southend. The combined environmental impact of the airport's direct aviation operation and associated ancillary businesses is eye-wateringly huge. The carbon, air pollution, and noise output from aircraft themselves and the vehicles that service the aerodrome unacceptably subject our residents to elevated health risks, and further, worsen the city's already-terrible environmental impact.

Many Councillors in the chamber have publicly said that they seek to restrict and reduce the airport's operations, and yet these same councillors continue to vote through budgets and motions that seek to expand and support the city's biggest polluter. Look for no better an example of this than the Airport Business Park and Airport Music Festival, who the Council are a key investment shareholder of, as to how the Council continues to prop up and invest in the airport.

The Operator's own figures show that the Airport has failed to bounce-back after covid, and they freely admit that any increase in passenger numbers will be due to induced demand (i.e. creating new air passengers), and not by tapping-in to an unmet regional need for air travel.

At a time where most Councils are looking to restrict and reduce their local airport's operations, why is Southend Council actively seeking to expand and support ours? The very underpinning of the strategic partnership is the 'shared goal' of continued expansion of Southend Airport.

I ask the Portfolio Holder will the Council commit to ending its strategic partnership with Southend Airport, and seek to reduce the Airport's operations?

Answer

It is well documented that aviation has a negative impact on our environment, and we work with London Southend Airport to minimise their impact through our role on the Airport Consultative Committee (ACC). The Airport's community reporting information details the actions it is taking to improve air quality, manage carbon, use renewable energy sources, manage waste and promote recycling, protect and enhance biodiversity and reduce noise.

The Airport is a key partner for the Council as it is a driver for investment and business growth in Southend and neighbouring Rochford, and as it is a strategic employer. Council investment in the Airport Business Park is a commercial development on land owned by the Council outside the Airport confines which creates much-needed business and employment. Sponsorship of the delayed music festival is not investment in the Airport itself but support to a Southend community led musical festival. The Council provides no ongoing financial support to the Airport.

The Council keeps all its partnerships under review; however, it is likely that the Airport will be our strategic partner for the foreseeable future. We will continue to support and enforce endeavours for it to become even greener and cleaner.

7. Question from James Vessey-Miller to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

In 2019, following the first ever Declaration of Climate Emergency in Bristol by the Green Party's Carla Denyer, Southend Council was one of the 308 councils in the UK that went on to follow the Greens' lead in declaring a Climate Emergency.

It was hoped by local environmental groups and concerned residents alike that this might be the turning point for Southend council to start taking the climate and ecological crisis we face with the seriousness it deserves.

The scale of the changes we must make as a community are immeasurably vast, and yet the Council continues to treat the most grave threat our society faces in several generations simply as a trendy topic for their social media content.

Since Southend Council declared a climate emergency - seemingly in name alone - we have seen:

- continued widespread use of carcinogenic and ecologically devastating herbicides - which when challenged, the administration defends;
- reckless and needless felling of the city's beloved street trees;
- rampant and gleeful signing off of proposals to lose our last remaining green areas to inappropriate housebuilding and development;
- and areas in Southend where the council are fully aware that air quality is illegally poor and medically unsafe, to which the council does nothing more than simply monitor the worsening problem.

As any parent understands, doing what is objectively the right thing to do oftentimes necessitates doing the unpopular thing. There is no room for discussion on softening the environmentally-motivated tasks we must

undertake, as if we falter, we face extinction. Our reality is now this stark.

I ask the portfolio holder, when are Southend Council going to start taking the Climate and Ecological Emergency seriously, and implement the radical changes required to avoid the worst possible future for our children and grandchildren?

Answer

The Council takes the global climate and ecological crisis extremely seriously. As an organisation, we are partnering with a wide range of international, national and local stakeholders to deliver climate positive change in Southend both corporately and city wide.

We make no apologies for taking an evidence-based approach to our climate change programme. Failing to evidence the scale of the challenge and the impact of our response, results in greenwashing - high profile but low or zero environmental impact. We have tasked our officers with demonstrating the impact of our policies and projects on carbon reduction and climate adaptation but, as a public body, these have to be balanced against the Council's wider corporate objectives and the statutory responsibilities that officers are required to comply with.

With respect to the specific issues that you have raised:

Pesticide

The Council currently uses a mixed approach to weed control within its parks and open spaces, with both manual weed removal and chemical methods being used. Glyphosate has been subject to several conflicting studies and reports about the possible impact on people's health. At present, glyphosate-based weedkillers have been deemed safe for use by the UK Government and the Health and Safety Executive, including in public areas. Limited studies on the impact of glyphosate on bees have been undertaken. Glyphosate is considered one of the least toxic pesticides used in agriculture. However, some evidence suggests that glyphosate affects non-target organisms, for example, changing the behaviour of honeybees and may also upset the gut microbiota of honeybees.

Cognisant of these concerns, the Parks team, as agreed by Council, are trialling a series of non-glyphosate-based alternatives within the city's parks as well as using manual weed removal and applying wood mulch to shrub beds and borders. Once the team have reviewed the results of the trial, a decision will be made about the best product to use moving forward.

Trees

The Council benefits from the skills and professionalism of highly trained arboricultural officers who manage the publicly owned trees in the city. There are occasions when our trees need to be felled due to extensive damage, disease or death. It is not uncommon for trees that 'appear' healthy to be riddled with pests and fungi which have a detrimental impact on wider tree cover (if they spread), weaken root structures causing instability or ultimately the death of the tree. Local authorities are required to carry out regular tree inspections as part of a proactive maintenance regime. Through these inspections we can identify trees which are no longer healthy and at high risk of causing significant damage to people or assets.

The assessment of the risk associated with diseased and damaged trees is made in accordance with the requirements of many different sets of primary legislation and guidance including Plant Health Act 1967, Equality Act, 2010, Environment Act 2021 as well as Health and Safety Executive Guidance. The Council always plants a replacement tree if a tree has had to be felled. In the last financial year (2021/), the Council planted well over 600 trees and we plan to maximise tree planting in the next planning season which starts this winter.

Development

Southend's Local Plan policies, in accordance with the National Planning Policy Framework, prioritise development on previously developed land (as defined in the local plan). The Council is required to determine a 5 year housing land supply and infrastructure for our current and future population. All decisions related to the location of housing within the city are subject to stipulations of the planning application process which takes into consideration the local and strategic objectives.

Air Quality

Air quality monitoring is not only important, but also a requirement for local authorities as we report to DEFRA annually. The data from monitoring shows where there are air quality objective exceedances. There areas are defined as Air Quality Management areas and actions are prioritised in this area, for example the completion of the A127 (Bell Junction AQMA) infrastructure improvements and the commencement of post construction real time monitoring. Measuring the impact of the improvements made by interventions ensure that we are using are having a positive impact.

The human impact of producing air pollutants is undeniable and through the forthcoming Local Transport Plan we will be prioritising measures that promote transport decarbonisation and active travel. However, we also need to accept the impact of the weather on the pollutants when they are released into the air. Hot, still weather as was experienced this summer led to pollution episodes. Officers are developing 'cool spaces' across the city areas which reduce the impact of heat stress and the impact of air pollutants.

We appreciate the city's residents holding the Council's feet to the fire on this issue. Mitigating for and adapting to the impact of climate change is everybody and every organisation's responsibility. As the city Council, we are leading by example, engaging with our residents and wider stakeholders and facilitating change by convening partnerships, lobbying government and we will continue to keep the city updated on our journey to becoming a green city.

8. Question from Gabriel Leroy to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

Many residents of Kursaal Ward and across the city have expressed concerns about the growing amount of litter which seems to be plaguing the streets of Southend.

What provisions are being made for better street cleaning as part of the negotiations for a new waste contract, and what is the process and frequency by which the sufficiency of litter bins is reviewed and assessed?

Answer

The contractor is required to cleanse all roads to a Grade A, as defined in the government's National Indicator 195 methodology. If a shortfall in this grading is reported, the contractor is required to return the street to Grade A within set time periods:

- Zone A (Principal Shopping Areas, beach, foreshore, and high footfall areas, roads around these areas) – 1 hour
- Zone 1 (Stations, local schools, educational establishments, local shopping areas, other high footfall areas) – 2 hours
- Zone 2 (all other roads) – 24 hours

All roads should be kept to a Grade B at all times, and all areas will be cleansed at a minimum of 6 weeks. Much of Zone A and Zone 1 are cleansed daily with an all-day presence.

The contract is output based, which means that it is the responsibility of the Contractor to monitor roads and determine the cleansing method and frequency in order to keep the road at the required grade. The contractor will revise the frequency of cleansing as required, throughout the life of the contract, following reports or complaints, and their own monitoring and inspection regimes. So, a road that is currently cleansed every 6 weeks, may be put on more frequent visits depending on the output measured.

This is why it is so important that members of the public report issues directly on MySouthend.

We are currently in the process of reviewing the cleansing regime across the Kursaal Ward following a number of recent reports. Many of the roads just off the Seafront are Zone 1 roads, which means that they are cleansed daily. Some other roads, including the Kursaal Estate are Zone 2, and so are on a 6 week cleanse. Most of the roads in this area commenced the next 6 week cycle on Monday 5th September. The Council has requested the contractor to monitor this area to ensure the 6 weekly cycle is adequate and draft in extra resources if required.

All litter bins across the City are required to be emptied before they overflow. Bins are on regular schedules based on usage, and this is monitored through collection schedule data, inspections and complaint data.

The Council will be reviewing the specification and KPIs as part of the new tender process to ensure it delivers the requirements of the City for the next term of the contract.

9. Question from Gabriel Leroy to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

Having spoken to residents in Kursaal Ward, a number have expressed to me concern about the state of Southchurch Hall Gardens. Whilst the local volunteer group, SHIP, do a fantastic job in helping to maintain the park, there is a concern that their activities mean that Southchurch Hall Gardens receives less attention from the Council's Parks Team than other local parks, such as Southchurch Park.

Can the cabinet member for the environment assure me and residents that Southchurch Hall Gardens will receive its fair share of maintenance and attention?

Answer

Southchurch Hall Gardens is often described as one of the hidden gems in Southend on Sea. It is home to the 14th century moated Manor Southchurch Hall and the gardens provide a good place for people to rest and relax and wildlife to thrive. The park received the Green Flag Award this year for the third year running.

The involvement and commitment of SHIP play an important role in the park. The group is a fantastic example how community involvement can improve our green spaces.

Maintenance is carried out on a mobile basis by the parks team in the same way as almost all parks and green spaces in the city. The team offer the same degree of commitment, care and attention to all of our green spaces. They are all important to residents in neighbourhoods across the city.

Southchurch Hall Gardens is an historic site and, as such, we are in the early stages of a discussion with possible external funding bodies with a view to enhance some of the historic features in the Gardens.

Specialist staff at Southend Museums continue to conserve and care for Southchurch Hall and additional funding that would allow for appropriate repair and restoration of this grade 1 listed building is being sought, with an initial discussion relating to proposed works receiving positive feedback from a major funder. Funding bids of this nature take time, but the Council is committed to ensuring that Southchurch Hall Gardens is maintained to the best standard possible and retains its Green Flag accreditation.

10. Question from Mr David Webb to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

A team looking for vehicles parking on grass verges and kerbs and pavement was supposed to be set up in Southend. Has this been set up, how many in a team, how many fines have been issued and what is the total of amount of fines collected?

Answer

There is currently not a dedicated team inspecting the network looking for vehicles parked on verges or pavements. However, where a vehicle is spotted parking on verges or the pavement and causing damage, the cost of any repairs is charged to the vehicle's driver. The highways enforcement team do write to property owners where it is clear that they are crossing verges or the pavement to gain access to their property. This letter asks them to cease the practice and apply for a properly constructed vehicle crossing. The option of issuing parking fines to offending vehicles is currently being looked into as there have recently been legislation changes that could assist with this.

11. Question from Mr David Webb to the Cabinet Member for Public Protection (Cllr Terry)

Question

I have been carrying out regular litter picks on the worst roads in Prittlewell roads. One of the worst roads is Hillborough Avenue and by the side entrance in Carlingford Drive at Entrance 5 and 6 where there are no bins for residents, patients to put cigarettes butts, packets and litter in bins and they just are thrown on the floor.

Can a letter be sent to the Chief Executive to allow Southend Council to put two bins in Hillborough and one at each entrance 5 and 6 in Carlingford Drive and more regular litter clearance along these roads by Southend Council on a weekly basis to keep on top of the litter and cigarette butts?

Answer

Thank you for your question. We will work with Veolia to monitor the cleansing standards in the areas you have mentioned and assess the viability of installing litter bins at the sites.

12. Question from Mr Andrew Brookes to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

My understanding is that AEGuk has a 250-year lease, with no break clause for the Kursaal building, and that the Council is the freeholder. It's a travesty that a building which has some much potential to offer the local community is not being put to any use. Also, my recent empirical observation is that maintenance is not up to par (see attached photograph) with what looks like missing Window and pigeons gaining access. A sentence I came across in Council minutes about the Kursaal being "a fun place to learn and play" looks like nobody put in any serious thought as to how the Kursaal could be put to use.

Does the Council see the only way forward as buying back the lease from the leaseholder and, if so, why?

Answer

The Council would like to see the Kursaal returned to its former glory - in the City Centre Strategy and Implementation Plan we have set out our vision for the site as place to learn and play for people of all ages. Based on its current condition the investment required to bring it back into this sort of active use is at a scale that the Council cannot afford without securing external grant funding to cover all costs. Recovering the lease from AEG is not biggest issue for the Kursaal and the Council will not be pursuing that course of action at this time.

The Council has been in contact with AEG about immediate remedies to some of the maintenance issues surrounding the Kursaal and has requested that fixes are implemented quickly. We expect to see progress very shortly.

13. Question from Mr Andrew Brooks to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

When was the last time that the Council had any constructive dialogue with the AEG (if I am correct in them being the leaseholder) and what was the essence of the Councils approach to the leaseholder?

Answer

The Council is in regular contact with the Kursaal leaseholder AEG. The nature of constructive dialogue varies, but in the recent past has included, immediate repairs requirements; assessing commercial interest in the building; the leaseholder plans for the site; potential for temporary uses and site visits for potential investors.

14. Question from Mrs Judith McMahon to the Cabinet Member for Adult Social Care and Health Integration (Cllr Mitchell)

Question

Given the Despatches programme, in which Rochford Hospital and the Linden Centre, both of which accommodate Southend patients who are mentally ill, autistic and have people who have learning disabilities, showing them being subject to abusive practise, what safeguards will Southend Council take to interrogate the partner agencies to this Council to stop this clear abuse of institutional power against our vulnerable Southend children, adults and young people?

Answer

Thank you for your question.

We share your concerns about the situation in Rochford Hospital and the Linden Centre. Both Units are run by the Essex Partnership University Trust (EPUT). We understand that Essex County Council (ECC) as the Host Local Authority will work with key stakeholders including the police, the Care Quality Commission, and the Integrated Care Board, to hold EPUT to account. ECC as the host authority also has the statutory responsibility to lead on all safeguarding enquiries. We have offered our full support to all partners and will be involved in safeguarding enquiries relating to Southend Residents. We will further ensure that all those concerns are addressed within the enquiries and support appropriate actions to be implemented.

In a note to the People Scrutiny Committee the Cabinet Member for Adult Social Care and Health Integration made members aware of the actions she has taken due to concerns about mental health services provided by EPUT, Essex Partnership University NHS Foundation Trust. She pointed out that the Mid and South Essex Integrated Care System(MSE ICS) is commissioning mental health services for Southend residents from EPUT. Councillor Mitchell informed the committee that she has therefore in her capacity as Portfolio Holder, and as Chair of the Health and Wellbeing Board, written to the Chief Executive of the Mid and South Essex Integrated Care Board. In that letter she asked for a formal response outlining the identified risks, the assurance processes the organisation has put in place and details of the actions should quality of care not improve.

15. Question from Mrs Judith McMahon to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

As the rounds of budget projections are under preparation in Southend Council at this time of year, on reflection would the £10million poured into Seaway and other substantially delayed aspirations such as the former Deputy Leader's Marine Plaza development, which are either dead or dying in the water, be better spent stopping our residents from dying on ligature hooks improving Southend Councils social care?

Answer:

The Council is investing in Seaways with its Capital Reserves, as a commercial and regeneration project delivering longer term financial benefits, such as increased business rates income and higher visitor numbers, generating more local spend with our businesses and revenue coming into our City.

I remain confident the scheme will be delivered in a timely way.

The Council makes considered decisions about how to use its resources for the benefit of all residents and businesses, both in the short term – investment in regeneration with the ability to attract investors and growth is part of a longer-term plan to ensure the financial sustainability of the Council and wider economy in our City.

16. Question from Mr Trevor Harp to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

It was announced at the beginning of August this year that Southend City Council had given 12 months' notice to The Jazz Centre (UK), (TJCUK), to vacate their home since 2016 at the Beecroft Gallery. The TJCUK is not only nationally known for its collection of artefacts from Louis Armstrong, Bix Beiderbecke, the archives of Sir John Dankworth, and Humphrey Lyttleton, amongst many others but it is also internationally well known.

TJCUK's importance to the cultural offering of our City is unparalleled and of great benefit.

Jazz, and all music, fans were glad to see the commitment given by the Portfolio holder in the Council's press release that assistance would be given to TJCUK to enable their relocation to a new suitable venue within the City.

Could I please ask, is the Portfolio holder able to give an update on progress made on finding suitable premises for the relocation of TJCUK, as we know such arrangements can take considerable time and the clock is ticking. Furthermore, could the Portfolio holder give assurance that the City Council will not leave TJCUK without a home to suit its international stature as a Southend City ambassador around the world?

Answer

Thank you for your question. There are many competing needs for support and our resources are finite. Our own heritage collection is currently suffering due to lack of available space.

We continue to meet with Jazz Centre Trustees and they have visited a potential alternative site in the City Centre. We submitted a Levelling Up bid on the premises and we await the response to that funding bid. Even if successful however, there will be works required, so the Jazz Centre and the Council will remain in regular contact. The Jazz Centre has been supported to date and we will consider short-term options with them as they develop a sustainable income to cover their costs.

17. Question from Mr Jonathan Garston to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Across this city we have street signs of the very old style, some with the Road name not clearly displayed. This gives a negative impact to that Street. For example, Trinity Avenue, Milton Avenue, Prittlewell Square and Palmeira Avenue in Milton Ward.

Does this administration have a plan to replace the remainder signs?

Answer:

There are currently no plans and no allocated budget; however, we are looking at improvements to street scene borough-wide and signage would form part of this project when funding becomes available.

18. Question from Mr Jonathan Garston to the Cabinet Member for Public Protection (Cllr Terry)

Question

With Anti-social Behaviour a major concern in this city especially in central areas, does this administration have a list of areas to introduce new PSPO and what extra resources are introduced when this measure is put in place?

Answer

The city is currently covered by two PSPO's, one covering the town centre and Southend seafront, and the second covering parts of Old Leigh, Leigh High Street and Leigh Library Gardens.

The town centre and seafront PSPO includes prohibitions: defecating, urination, littering and spitting, begging and rough sleeping in public place, no drinking zone, chugging, erection of tents and inhaling toxic substances.

Under a recent review of this PSPO in July, a further two prohibitions were added, namely: no cycling or E scootering on a public footway.

The Leigh PSPO has all the above prohibitions, with the exception of the no cycling/e-scootering. (As this was a recent PSPO and a review will not be applicable for this PSPO for a further 2 years).

Enforcement of PSPOs is the responsibility of the Council's Community Safety Unit. The team is stretched as it is to meet the demand of expected enforcement of both PSPO's with the resources available at the moment, and that's without now, the additional measures being added to the town centre PSPO in July. Placing further pressure on the team.

With rising footfall in Southend, alongside ASB increases that we have seen post Covid, the Community Safety Unit would require further resource investment to enforce against any further PSPO's considered. This would also include administration support to meet the case work demand.

PSPO consideration for a new area requires a lengthy consultation process and substantive evidence from police, council and partners that evidences a significant ASB problem in a particular area. Based on current ASB activity, there is no evidence to suggest that a new PSPO is required for a different area of the town. However, a city wide PSPO to tackle car cruises and the associated ASB that is linked with such events could be a consideration.

19. Question from Mrs Susan Delgarno to the Cabinet Member for Public Protection (Cllr Terry)

Question

I would like to bring to your attention that as flat (sheet) glass is not recycled by Southend City Council, all of that glass is wasted by sending it to landfill. To recycle flat glass uses 30% less emissions than making new glass from scratch and saves the financial cost of sending it to landfill. There are companies throughout the country who provide flat glass recycling facilities, including one in Rainham who would be very interested in speaking to you about this issue. As the information given in your reply to a similar question at the last Full Council meeting was based on out of date information and therefore not wholly accurate, and I and Cllr Berry have since provided you with details of the flat glass recycling options that are now available, my question now is will you be following up on that so as to make Southend Council a leader in recycling flat glass and help to save our planet as well as saving landfill costs?

Answer

Thank you for your question.

We would be happy to engage with the firm in Rainham and would welcome the details to do so. However, following a site assessment, it has been deemed that the volume produced on site is extremely low and therefore prohibitive at this stage. Findings show that Stock Road HWRC would take around a year to fill a skip, and Leigh Marsh HWRC in around 6/7 months. The space on site is also very limited and priority is given to recyclates that are collected in larger volumes. In addition, the Council is currently preparing for the segregation of POPs (Persistent Organic Pollutants) containing materials. This legislation applies to furniture containing upholstery which will need to be kept separate by law from other bulky items, both collected from the kerbside and at the HWRCs. Officers have calculated that the space currently underutilised on site will be required for this process.

I/we genuinely do appreciate your interest in recycling. Our City is not recycling enough domestic waste overall and we, as a community, need to make more of an effort. As we move into both a climate crisis and the cost-of-living crisis it is imperative we do more. For each 1% that we can improve our City recycling rate it helps the environment and saves us all £120,000 in landfill tax and lost revenue. It is vital that we shift the dial on our overall recycling rate which I see as an act of community responsibility. Landfill tax is taken from our revenue budget, the same budget used for the provision of many of the services families and the vulnerable depend upon.

For advice on recycling please refer to Council Recycling and Waste website: www.southend.gov.uk-recycling-waste-0

1. Question from Councillor Keith Evans to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

How much has the postponement of the Southend City Festival, which was due to take place on September 2nd to 4th, cost the Council financially to date and the expected final cost?

Answer

Since the festival's postponement, the team involved have been working on a revised plan for the event to take place at the Garon Park venue. The business plan is still being finalised, but expectations are that if rescheduled and other factors remain in place, the income should cover all costs of both the original plan and the revised one. Abortive costs will be quantified if the decision is subsequently made not to proceed, but we need to consider the business case, which is expected imminently.

2. Question from Councillor Keith Evans to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

As part of the climate emergency, which the city has declared, would the Council consider an 'education campaign' about the effects of vehicles waiting with engines idling outside schools and shops and undertake air quality checks for publication as part of his campaign?

Answer

The Council has applied to DEFRA for funding to support an anti-engine idling campaign similar to that which you have proposed in your question. We find out if we are successful in March 2023. If our application is not successful, the Council will consider self-funding an anti-engine idling programme.

3. Question from Councillor Woodley to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

Can the Portfolio Holder confirm when the safety rail around Southchurch Park Lake will be fully replaced with a new safety rail?

Answer

I refer to my answer given at the Place Scrutiny Committee held on 30th August 2022.

‘The post and rail are in a very poor condition and has reached the end of its useful life. This structure will be removed in totality and a new rail erected only in locations that are identified as high risk, based on a risk assessment e.g. where children gather such as the duck feeding station. It is not common practice to have such structures around urban park lakes – none of our other lakes have fencing or rails in Southend. The Royal Parks in London have over 80 million visits a year and none of their lakes have fencing, rails. Where fencing does exist, this is to control wild fowl such as Canada Geese such as at Battersea Park.’

4. Question from Councillor Woodley to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

Can the Portfolio Holder state why the Historic Cricket Pavilion in Southchurch Park will be restored to its former glory?

Answer

I refer to my answer given at Place Scrutiny Committee held on 30th August 2022.

‘The old cricket pavilion in Southchurch Park has clearly reached the end of its useful life and is in an extremely poor condition. A consultant with an architect was appointed to assess the building, its condition, opportunities to restore, costs, and to liaise with local groups including Project Southchurch, the bowls club, and the cricket club. All have visited the building as have I and deemed it not fit for their purposes and that a new build would be the preferred route for their uses.

The building is of poor build quality in any event and would cost between £6-700,000 to repair which is not economical or an efficient use of Council funds even if they were available. As a result, officers in Property and Parks are completing a report to take to Investment Board for approval to demolish the building and reinstate the area to parkland. Officers will then work with local stakeholders on future needs and requirements in Southchurch Park and whether a new building is viable and achievable based on a thoroughly worked through and agreed business cases.'

5. Question from Councillor Cowdrey to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

National Cycle Network route number 16 is shown on britishcycling.org.uk as running along Eastern Esplanade stopping at an area between the Gasworks car park, close to the Crazy Golf. From this point it is identified as a path where cycles must be walked until reaching the area opposite Pleasant Road, where from here to Adventure Island is shown as shared space.

There do appear to be some discrepancies with this as land where the cycle path finishes and becomes a footpath has been considered by some, including the Police, as Shared Space rather than somewhere where cycles must be walked. Concerns have been raised about this area as there have been a number of accidents, the most recent where a child was injured as well as the cyclist. Residents tell me that cycles carry along the footpath at speed and there is no signage to identify this area either as shared space or an area where cycles should be walked. Clarity about this is essential.

Can the Portfolio Holder for Highways, Transport and Parking please clarify whether the website mentioned is showing accurate information or, if not, where residents or Police officers can find clear information about the legal use of this footpath. Can he please ensure that there is clear signage available along this area to ensure the health, safety and wellbeing of cyclists, residents and visitors to our City?

Answer

Thank you for your question. The Sustrans website shows National Cycle Network 16 as a continuous route from Chalkwell to Shoebury. The route is generally segregated but there is a short length of shared use path between the end of the Western Esplanade and the start of the Eastern Esplanade paths.

6. Question from Councillor Cowdrey to the Cabinet Member for Public Protection (Cllr Terry)

Question

We have seen the increase of Nitrous Oxide or Laughing Gas use across the city with usage moving from the small silver canisters to much larger canisters and balloons. Many of us out litter picking will see these discarded along our streets and beaches and, because usage is not illegal, this goes on in public unchallenged.

In PSPO areas, I believe that Police can confiscate cannisters, but usage is largely unchecked unless supply is identified, which is illegal.

We have heard people say that 'It is only laughing gas', not realising the actual dangers of this substance to those who use it. We need to raise awareness that too much Nitrous Oxide can make someone faint, lose consciousness or even suffocate from lack of Oxygen. Young People and adults have died from this seemingly innocuous practice. There are many other damaging side effects from continuous use and it is more dangerous direct from the canister.

Can the Cabinet Member for Public Protection please provide some reassurance that he will work together with the Cabinet Members for Children and Learning and Adult Health and Social Care, not only to better educate our residents about the harm caused by this substance, but to look at how to decrease and hopefully eradicate its consumption wherever and whenever possible?

Answer

I appreciate and agree with concerns over the misuse of nitrous oxide as a psychoactive substance by certain sections of the public in Southend on Sea, both in relation to the littering aspect, as well as the potentially harmful effects when inhaled by recreational users. This Council recognises the risks of this drug and the gateway effect to other dangerous substances, and I can confirm that the Police actively utilise the powers within the PSPO to seize cannisters from users, and that the Community Safety Partnership Board will work with all partners to best determine how best to alleviate the impacts of this drug, and will work to identify effective means to educate everyone on the adverse effects, and provide a safe community for all residents in Southend.

7. Question from Councillor Dent to the Cabinet Member for Asset Management and Inward Investment (Cllr Collins)

Question

Can the Cabinet Member please tell me how many school uniform grants have been issued per year since it was introduced?

Answer

In 2021-2022 there were 130 school uniform grants at a cost from Council funding of £3536.80. From 1st April 2022 to 31st August 2022 there have been 94 school uniform grants at a cost from Council funding of £1260. That is a total of 224 grants to date.

The School Uniform Grant is administered under the Essential Living Fund Scheme policy.

The criteria for award is contained in the 'Eligibility' section of the Essential Living Fund policy, published on the Council's website in the Downloads section, www.southend.gov.uk/extra-financial-help/essential-living-fund and specifically

[School Uniform Grant – Southend-on-Sea City Council](#)

8. Question from Councillor Dent to the Leader of the Council (Cllr George)

Question

Can the Leader of the Council tell me what the Council's policy is on the Council Tax liability of domestic violence victims who are in temporary accommodation or refuges, in relation to the properties they have had to flee?

Answer

Council Tax liability is determined in accordance with legislation rather than any internal policy. It is common in such circumstances that the person would remain liable at the address, as legally, they would be responsible by way of a tenancy/ownership.

The Council therefore must consider each case based upon its individual circumstances to make a determination as to who should be liable at the property, in all situations, including those that suffer domestic violence. As with all cases, the repayment of the tax due would be considered on its individual merits.

9. Question from Councillor Hyde to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question:

News reports last month have suggested that the animals of Southend Sealife Centre, which includes meerkats, monkeys, and hundreds of aquatic creatures, may be euthanised due to the energy cost pressures of the facility.

Whilst I have every sympathy for the impact of rising costs on businesses, I do not believe that the taking of these creature's lives is an acceptable means to recover these costs. These animals have been purchased and put on display for profit, which they did throughout this Summer season, and in return the owners have undertaken a responsibility for meeting the needs of the creatures over their lifetimes.

With this in mind, last month I raised an online petition on this very subject, which has now almost 10,000 signatures from residents in agreement that this is not acceptable. This demonstrates the strength of feeling felt in Southend towards the welfare of these animals.

I note the owners currently hold a zoo license with Southend City Council. Further, the conditions of the license state that animals have high standards of animal care, and that failure to meet these conditions can result in fines.

Therefore, I previously requested we review the zoo license for the facility, including whether such actions would be in breach of the conditions and risk fines, and to write to the license holder to re-emphasise that Southend City Council is prepared to enforce on these terms should they be found in breach. Could the portfolio holder update me as to whether these actions have taken place, and if there has been any progress in preventing this from happening?

Answer:

Thank you for your question, Cllr Hyde. There are already powers within the Zoo Licensing Act for us to close all or part of a zoo where it does not comply with its conditions or where it fails an inspection. The inspection process on the Southend Sealife Centre is carried out with qualified officers and an independent team of vets, and the requirements are very rigorous. The last inspection had 5 vets in attendance, and included ensuring compliance with the Animal Welfare Act, which relates to the treatment of animals within the Zoo Operator's care.

There is no power to pass new rules/terms as a Council to restrict obtaining a new zoo licence should the applicant have recently had one and not been able to keep the creatures.

Any animal that leaves the zoo is subject to a process where the licensee must work with the Council and DEFRA to have a plan in place to rehouse it. Where it is necessary to euthanise an animal is must be approved by the Council, as part of this process and any other dead animals are subject to a post-mortem.

The Council has written to the Zoo Operator to outline the options available to them in the event that they no longer wanted to operate the Zoo, including transferring and surrendering the licence.

The licence is issued for a period of 5 years, and whilst the next formal inspection is not due until 2024, the Council will be undertaking informal visits in the interim to check the conditions at the Zoo are being maintained.

10. Question from Councillor Hyde to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

How many pavements are due to have resurfacing in the next 12 months?

Answer

This forward programme is currently being worked on, with the collection of more detailed evidence data and there will be a revised 5-year programme published in early 2023 for both carriageway & footways.

The current schemes are published on the website, (<https://www.southend.gov.uk/roads-pavements/highways-investment-programme-April-2021-March-2022/2>), but unfortunately, due to the current economic issues and the associated high rises in material and maintenance costs, a number of schemes (including the published reserve list) will now roll over and form the basis of the of the 2023/24 programme.

As regards the current position, we are proposing to complete the following number of highway improvement schemes this year (2022/23):

- 37 Footways
- 27 Carriageways
- 8 Zebra Crossing upgrades

11. Question from Councillor Buck to the Cabinet Member for Environment, Culture and Tourism (Cllr Mulroney)

Question

Since the joint administration took office in 2019 and declared their climate emergency, given that vehicle emissions is one of the major contributors to global greenhouse gases and localised poor air quality, how many Electric Vehicle rapid charge points at 50kWh or above, have been installed in Southend by this administration that were not already planned to be installed by previous administrations?

Answer

Thank you for your question. The infrastructure that we have installed that was not planned by the previous administration includes 18 chargers across 4 car parks, this includes a rapid charger at Alexandra Street Car Park. We have set the parameters of our strategic approach through the adopted Electric Vehicle Charging Infrastructure for New Development Supplementary Planning Document (EV SPD) and the Electric Vehicle Feasibility Study. We need to ensure that the delivery of infrastructure is appropriate for the short medium and long term and that the rollout does not exacerbate existing geographic and demographic inequalities in the city especially in the context of the current cost of living crisis. We are assessing the immediate and medium-term impact of the different finance models for EV and ensuring that the planned roll out of infrastructure will support our decarbonisation objectives whilst prioritising modal shift from private vehicle use to active modes of travel and public transport. This is best approach for improving air quality and reducing carbon intensity in Southend.

12. Question from Councillor Cowan to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

Could the portfolio holder confirm the process for approving traffic orders such as those currently in place at Cuckoo Corner?

Answer

Prior to commencing any utility works on the Highway, a permit application must be submitted to the Council for review and subsequently permission.

The request received is then reviewed, assessed and either agreed, amended or refused.

There are specific reasons as to why works can be refused as well as ensuring there are no obvious conflicts on the network whilst also ensuring the appropriate traffic management plans are in place.

If the permit request is agreed a Traffic Order is written and usually provides 7 days' notice (minimum) unless emergency works.

All information in respect of road closures, maintenance and emergency works can all be viewed on the One network which is accessed through a public website portal.

Specifically, to Cuckoo Corner; The works currently in progress at Cuckoo Corner refer to the installation of fibre optic services and are part of city-wide rollout by City Fibre.

Following a permit approval by the Council, the utility provider will inform Ward Councillors, and letter drop residents and businesses with a formal update on works.

Officers also provide internal updates in the Traffic & Highways newsletter and if deemed to be a major project, (which this location was). Will inform the business team and Comms.

13. Question from Councillor Cowan to the Cabinet Member for Highways, Transport and Parking (Cllr Wakefield)

Question

Could the portfolio holder update me on what our current position is on the maintenance of alleyways?

Answer

Any alleyway that is designated as adopted public highway will be inspected on a routine basis and any safety defects rectified. The entire adopted public highway network for Southend is currently under review and the frequency of these inspections are being updated as necessary and any missing areas will be added to the Highway Improvement process for standard consideration. There may be some “alleyways” that are not adopted public highway and are privately maintained which would not fall within the remit of the inspection regime or maintenance. If there is a specific area Cllr Cowan would like the service to look at please let the team know the location.

COMMITTEE APPOINTMENTS AND AMENDMENTS

COUNCIL MEETING – 20 OCTOBER 2022

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(1) POLICY & RESOURCES SCRUTINY COMMITTEE

Councillor Tony Cox to replace Councillor John Lamb

(2) TRAFFIC REGULATIONS WORKING PARTY

Councillor Chris Walker to replace Councillor David Garston

(3) PEOPLE SCRUTINY PROGRAMME WORKING PARTY (PROJECT TEAM)

Councillor Beth Hooper to replace Councillor Ashley Thompson

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