

# Public Document Pack

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

Executive Director: Stephen Meah Sims (Interim)

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18 November 2022

Dear Councillor

### **CABINET COMMITTEE - MONDAY, 7TH NOVEMBER, 2022**

Please find enclosed the following report(s) and appendices that were considered at meeting of the Cabinet Committee taking place on Monday, 7th November, 2022 which were unavailable when the agenda was printed.

#### **Agenda No    Item**

4.    **Thorpe Bay Gardens - Evaluation of Evidence (Pages 1 - 20)**  
Report of Executive Director (Neighbourhoods & Environment)
  
6.    **Highways Update Report (Pages 21 - 42)**  
Report of Executive Director (Neighbourhoods & Environment) to follow

**Tim Row**

Principal Democratic Services Officer

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# Southend-on-Sea City Council

Report of Executive Director (Neighbourhoods & Environment)

To

**Traffic Regulations Working Party  
and Cabinet Committee**

on

**12<sup>th</sup> September 2022**

Agenda  
Item No.

**4**

Report prepared by:

Sharon Harrington, Head of Traffic & Highways

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## **Evaluation of evidence - Thorpe Bay Gardens**

**Cabinet Member: Councillor Steven Wakefield  
Part 1 (Public Agenda Item)**

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### **1. Purpose of Report**

#### **1.1 This report:-**

1. Provides an evaluation of all the evidence of alleged anti-social behaviour on Thorpe Bay Gardens provided by residents, the Police and the Councils Community Safety team since the introduction of a Public Spaces Protection Order (PSPO) in 2019.
2. Provides a review of the covenant relating to the land bounded by the public highways (but not including the said public highway) of Thorpe Bay Esplanade and Thorpe Bay Gardens.
3. Makes recommendations.

### **2. Recommendation**

**2.1 That, the Traffic Regulations Working Party and Cabinet Committee must reconsider its earlier resolution that the draft TRO amending the waiting restrictions be confirmed as advertised. This is on the basis that there is no justification under the Road Traffic Act to advertise and implement and is likely to be unlawful to do so.**

**2.2 Resolve to accept the original Officer recommendation not to progress the proposals at this time.**

### **3. Background**

- 3.1. The Traffic Regulations Working Party at its September 2021 meeting considered a report on the results of Statutory Consultation on proposals to introduce waiting restrictions on Thorpe Bay Gardens. The report recommendation was not to implement waiting restrictions as the results of the Statutory Consultation showed the majority of respondents against the proposals.

- 3.2. The Traffic Regulations Working Party decided to implement waiting restrictions on Thorpe Bay Gardens. This decision was called in for scrutiny where the matter was referred back to the Cabinet Committee for reconsideration (and the decision then referred up under SO 39) (Minute 364 refers).
- 3.3. At the 4 January 2022 meeting of the Traffic Regulations Working Party reviewed its earlier decision and instructed the Head of Traffic and Highways to undertake a full review of all evidence of alleged anti-social behaviour and provide a further report and recommendations to a future meeting.
- 3.4. This report will review and evaluate:-
  - the covenant relating to the amenity land known as Thorpe Bay Gardens;
  - alleged anti-social behaviour submitted by local residents;
  - all anti-social behaviour reports to the Community Safety team under the PSPO for Thorpe Bay Gardens;
  - Police evidence in relation to anti-social behaviour on Thorpe Bay Gardens.

#### **4.0 History**

- 4.1 In December 1962 the then County Borough of Southend (the Council) purchased a piece of land from the Thorpe Bay Trading Company. The land in the transfer was to be laid out as open space, gardens, and parking.
- 4.2 In 2019 complaints from residents of Thorpe Bay Gardens of anti-social behaviour were received involving alleged activity around vehicles stopped/parked on the highway and speeding vehicles.
- 4.3 The Council's community safety team, Police and representatives of local residents took part in a month-long multi-disciplinary investigation into anti-social activities on Thorpe Bay Gardens during June/July 2019. The Excel spreadsheet submitted as evidence by residents (and contained in the Appendix to this report) was collected as part of this investigation.
- 4.4 The Council in July 2019 introduced a (PSPO) under the Anti-social Behaviour, Crime and Policing Act 2014. A PSPO enables local authorities to control and enforce anti-social behaviour in public spaces by imposing conditions on the use of the area. The central Southend and seafront PSPO includes the public highway known as Thorpe Esplanade, Thorpe Bay Gardens and the public space known as Thorpe Bay Gardens (between Thorpe Esplanade and the public highway of Thorpe Bay Gardens).
- 4.5 A summary of the investigation into the speeding issues was summarised in a paper dated October 2019 and contained in the background papers. As a result of the investigation, the Council introduced traffic calming measures on Thorpe Bay Gardens. Since the introduction, the speeding issues have stopped.

## **5.0 Evaluation of the covenant relating to the amenity land known as Thorpe Bay Gardens**

- 5.1 In December 1962 the piece of land now known as Thorpe Bay Gardens was purchased by the then County Borough of Southend (the Council) from the Thorpe Bay Estate Company. The land in the transfer does not include the adopted public highways that surround the land (Thorpe Bay Gardens, Thorpe Esplanade, St. Augustine's Avenue and Maplin Way) but uses them to define the boundary of the land being purchased.
- 5.2 A covenant ("the Covenant") was contained within the conveyance to purchase the land referred to above and was detailed in the conveyance dated the 14 December 1962 made between (1) Thorpe Bay Estate Company ("the Seller") and (2) The Mayor Aldermen and Burgesses of the County Borough of Southend on Sea.
- 5.3 The Covenant provides that the Council covenants with the Seller to:
- "ensure as far as reasonably possible, that no parking of cars is permitted on the North side of Thorpe Bay Gardens, eastwards from its junction with St Augustine's Avenue".*
- 5.4 The Council received complaints in or around 2019 from some residents (the "Residents") who are local to Thorpe Bay Gardens that the current parking restrictions, which consists of a single yellow line restricting parking from 09:00 to 18:00 during March to October each year with no restriction at all during winter months, is not in keeping with this Covenant. The Residents also claimed that a number of vehicles parking in this location has increased and have requested that the Council should consider removing the seasonal restrictions and install double yellow lines to prevent parking 24/7 all year, to comply with its obligations under the Covenant.
- 5.5 A covenant is a restriction over land whereby usually the party acquiring the land (here the Council) agrees not to do something for the benefit of those who retain adjoining land.
- 5.6 The Covenant therefore placed an obligation on the Council, as landowner, to ensure as far as is reasonably possible, that there is no parking of cars on the North side of Thorpe Bay Gardens. Thorpe Bay Gardens is the name of the highway and therefore the covenant could be interpreted to just relate to that part of the highway that is the northern part of the road.
- 5.7 Whilst in 1962 the Borough of Southend was the Highways Authority, the Covenant was not expressed to be given by the then County Borough Council in the exercise of any of its statutory functions as Highways Authority. Therefore there is a clear distinction between what the responsibilities of the Council are as landowner and what they are as Highways Authority.
- 5.8 This obligation contained in the covenant is therefore inconsistent with the proper exercise of the Highways Authority's statutory functions. It is considered

that as the Covenant concerns the use of a highway, the Council should act only in its capacity as the Highway Authority and that such requests should be considered in relation to the Council's statutory powers that regulate the use of the highway. As the Local Authority cannot fetter the exercise of a statutory discretion, the Covenant appears to be inconsistent with the proper exercise of the Highways Authority's discretion.

- 5.9 The Cabinet Committee, when considering implementing any restrictions on the highway need to take into consideration that any decision the Council makes is in its capacity as the Highways Authority only and not in the capacity as the Council acting as landowner.

## **Conclusion**

- 5.10 **Whilst the Covenant concerns the use of the highway, the Council should act only in its capacity as the Highways Authority in accordance with its powers to regulate the use of the highway in accordance with the Highways Act 1980 and the Road Traffic Regulation Act 1984 ("RTRA 1984") and in particular, consideration of the prohibition of parking on the highway in accordance with Part 1 of the RTRA 1984.**

- 5.11 **The Covenant is therefore to be disregarded in considering the highways restrictions.**

## **6.0 Evaluation of resident's evidence**

- 6.1 Mr B. Robbins is understood to be a resident on Thorpe Bay Gardens and has submitted evidence from residents which they believe shows anti-social behaviour occurring on Thorpe Bay Gardens. The evidence submitted includes:-

- An undated statement from Mr Robbins that he represents 27 of the 30 properties on Thorpe Bay Gardens.
- An excel spreadsheet of alleged incidents between 30<sup>th</sup> June 2019 and 25<sup>th</sup> July 2019. This is assumed to be information collected as part of the investigation referenced in paragraph 4.3 above.
- A series of photographs of alleged incidents mostly recorded from a first-floor balcony of a property at the junction of Marcus Avenue and mostly dating from 2019.
- An image of the front page of the Echo reporting a brawl on 23 June 2020 at Thorpe Bay Gardens.

**A copy of the evidence submitted by Mr Robins is set out in Appendix A.** Certain information (vehicle registration marks) is redacted from the Excel spreadsheet where personal data is shown.

### **Excel spreadsheet**

- 6.2 It is understood that the data gathered and shown on the spreadsheet formed part of a month-long multi-disciplinary monitoring exercise carried out during June/July 2019 involving the Council's Community Safety team, Highways

team, and the Police. The spreadsheet records twenty-four incidents between 30<sup>th</sup> June 2019 and 25<sup>th</sup> July 2019. Seven of the recorded incidents involved speeding vehicles. The remaining incidents involve vehicles that are stopped/parked and/or people adjacent or close to the vehicles.

- 6.3 The spreadsheet information provides a historic record only. The Council in 2019 introduced a PSPO which covers the seafront and Thorpe Bay Gardens (Section 7 of the report provides detail of the PSPO). The Council also introduced traffic calming measures on Thorpe Bay Gardens in 2019 which has resolved issues with speeding vehicles in the area.

**Photographic evidence**

- 6.4 There are a number of photographs submitted as evidence. The majority are dated from 2019 and pre-date the introduction of the PSPO and the introduction of traffic calming measures. These break down into the following episodes:-

21 March 2019	3 June 2020
4 April 2019	10 June 2020
23 April 2019	16 June 2020
28 April 2019	
8 July 2019	
25 July 2019	

- 6.5 The images show vehicles stopped on the highway and in some instances, people close to or around the stopped vehicles. Six of the occurrences are dated 2019 and predate the introduction of the PSPO and traffic calming measures and can be considered of historic interest only.

- 6.6 There are three groups of photographs taken in 2020. The images show vehicles stopped on the highway and in some instances, people close to or around the stopped vehicles. These break down into the following episodes:-

- 3 June 2020;
- 10 June 2020;
- 16 June 2020.

- 6.7 There are three undated images taken from the same location on Thorpe Bay Gardens. Of these, two images appear to be concurrent and show the same vehicles stopped on the highway during the day and the third image is an evening view of vehicles stopped on the highway from the same location.

- 6.8 It is worth noting that there is no evidence submitted by residents of any alleged anti-social behaviour taking place in 2021.

- 6.9 **All the images submitted by Mr Robbins are set out by date in Appendix A and a summary of the content of the images.**

- 6.10 The majority of the photographs show a small number of vehicles clustered and stopped on the south side of the otherwise empty public highway of Thorpe Bay

Gardens. Most of the images are taken either in the evening or after dark. It can be seen that in many of the images the vehicles are occupied and have headlights on which would possibly indicate the engines may have been running at the time the images were taken.

- 6.11 Vehicles stopped with the engines running or where drivers and/or passengers remain within the vehicle that is stopped without the engine running are technically and legally not defined as being parked or waiting. Instead, they are considered to be legally either stopped or idling. Even if there were an active yellow line waiting restriction in place, a stopped or idling vehicle would not be in contravention of a waiting restriction and a penalty charge notice (PCN) could not be issued to the vehicle.
- 6.12 The submitted photographs do not show any obvious anti-social behaviour taking place. A stopped or parked vehicle on the public highway is not considered anti-social behaviour in itself.

#### **Echo report of brawl on 20 June 2020**

- 6.13 The image of the press report of the incident on 20 June 2020 was part of the evidence pack. This relates to an incident which is reported as having started on Thorpe Esplanade and extended into Thorpe Bay Gardens open space and then involving a vehicle driven across the open space and into a parked vehicle on the south side of the public highway of Thorpe Bay Gardens. This was reported to Essex Police shortly before 9pm. It is understood from the reports that the Police actions involved an investigation by the Police Criminal Investigations Department and additional Police officer patrols in the area.

#### **Conclusion**

- 6.14 **The evaluation of the resident's photographic evidence consists of images of vehicles stopped on the south side of the public highway of Thorpe Bay Gardens. Vehicles parked or stopped on the public highway cannot be considered as anti-social behaviour in isolation. None of the images show any obvious incidents of anti-social behaviour taking place on or adjacent to the public highway.**
- 6.15 **The only exception being the incident on the 20 June 2020 which was reported to the Police who acted at the time and afterwards.**
- 6.16 **The evidence submitted by Mr Robbins on behalf of residents does not show anti-social behaviour taking place on the public highway. It also does not show a problem with excessive numbers of vehicles parked on the public highway necessitating the introduction of waiting restrictions to ensure the free flow of traffic along the public highway.**

#### **7.0 Evaluation of the success of the PSPO**

- 7.1 A (PSPO) covering the town centre, seafront and adjoining areas including Thorpe Bay Gardens was introduced in July 2019 under the Anti-social Behaviour, Crime and Policing Act 2014.



- 7.2 A multi-agency response, involving officers from the Council's Community Safety, Highways, Parking and Environmental Care Teams and the Police decided that the most appropriate approach to deal with anti-social behaviour in a local area that is detrimental to the community's quality of life was the introduction of a PSPO.
- 7.3 A PSPO imposes conditions on the activities and use of that area and any breaches of a PSPO is a criminal offence where a fixed penalty notice (FPN) can be issued by a Police officer in uniform or authorised council official.
- 7.4 A PSPO can only be introduced with the agreement of the Police and where consultation and local engagement to establish exactly the nature and extent of the anti-social behaviour has taken place. A PSPO can only be introduced for a maximum 3-year period. A replacement PSPO is currently being drafted by the Council and will be in place to ensure continuity for another 3-year period.
- 7.5 The Council's community safety team have confirmed that residents from Thorpe Bay Gardens were made aware of the PSPO reporting process at its introduction in 2019 and encouraged to report any instances of anti-social behaviour to the team. Since the introduction of the PSPO there has been only one report of alleged anti-social behaviour in the Thorpe Bay Gardens area, and this was in November 2020 and was for an alleged breach of Covid-19 restrictions on the public open space.
- 7.6 The Police were contacted for their assessment of anti-social behaviour in the Thorpe Bay area. PS 42074739 responded that the Police do not consider the area to have an anti-social behaviour problem.

## Conclusion

- 7.7 **A PSPO is the most appropriate procedure for tackling anti-social behaviour as it gives power for the local authority and Police to apply conditions of use and issue a FPN where those conditions are broken.**
- 7.8 **Since the introduction of the PSPO there has only been 1 reported incident of alleged anti-social behaviour (and this was COVID-19 related) in the Thorpe Bay Gardens area. This would indicate that anti-social behaviour is no longer an issue in this part of the city.**
- 7.9 **It should be noted that Cabinet on 1 July 2022 (minute No. 64) approved a new PSPO to ensure continuity of the existing PSPO measures from July 2022 for another 3-year term.**
- 8.0 **Evaluation of the merit of the proposed change to waiting restrictions**
- 8.1 The Traffic Regulations Working Party and Cabinet Committee on 10<sup>th</sup> June 2021 approved the advertising of a draft traffic regulation order in response to the Thorpe Bay Gardens covenant (see section 5 above) and concerns expressed by local residents about anti-social behaviour. The proposal was to

revoke the current seasonal restrictions (March to October between 9am-6pm) and replace them with extended restrictions to cover a 12-month period and operational hours of 8am-10pm every day.

- 8.2 This decision was called in for consideration by the Place Scrutiny Committee at its meeting on 5<sup>th</sup> July 2021. The Place Scrutiny Committee noted the decision of Cabinet Committee, but the matter was referred to full Council for consideration under Standing Order 39 (Minute 105 refers). The Council noted the decision of Cabinet Committee and the draft TRO in respect of the proposals was subsequently advertised.
- 8.3 In accordance with its powers under the Highways Act 1980 and the Road Traffic Regulation Act 1984 (RTRA 1984), the Council as traffic/highway authority may introduce a TRO where it appears to the authority making the order that it is expedient to make it:-
- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
  - (b) for preventing damage to the road or to any building on or near the road, or
  - (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
  - (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
  - (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
  - (f) for preserving or improving the amenities of the area through which the road runs, or
  - (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).
- 8.4 The results of the statutory consultation along with independent counsel's legal opinion in respect of the covenant and the rationale for proposing the traffic order were reported to the Traffic Regulations Working Party and Cabinet Committee for consideration on 13<sup>th</sup> September 2021.
- 8.5 Counsel's view is that the covenant (as set out at 5.3 above in this report) concerns the use of highway and that the only capacity in which the Council could be expected to act is as the highway authority or traffic authority. The Council, as a public body, cannot fetter in advance the exercise of a statutory discretion, otherwise it will have acted unlawfully (see section 5 above). Therefore, the Council's general powers to regulate the use of the highway are conferred on it either as highway authority, principally by the Highway Act 1980 or as traffic authority, principally by the Road Traffic Regulation Act 1984 (see paragraph 8.3). Section 1 of the Road Traffic Regulations Act 1984 does not permit the traffic authority to make Orders to control anti-social behaviour.

- 8.6 The analysis of comments and objections to the draft Order showed that of the 60 responses received within the objection period, 31% (13 No.) were in favour, 69% (29 No.) objected to the proposals and 17 responses were overruled as they did not provide an address. One other response was overruled as it was a query. In addition, the Police have also commented that they do not support the proposed change to the restrictions. This was received out of time for objections to the draft Order and technically could be discounted but given the Police have a role in enforcement of anti-social behaviour their views should not be ignored.
- 8.7 While a local authority has the power to overrule objections, it can only do so after giving proper consideration to the objection. This is usually done as a 'test' against the statement of reasons for proposing the Order. Where an objection is overruled, the Council must set out the reasons for doing so and communicate this in writing to the objector.
- 8.8 The officer recommendation was not to progress the proposals and not to 'Make' the traffic order as the legal basis for the proposals was unsound and there was not public support for the proposals.
- 8.9 The old adage that 'Officers advise, and Members decide' remains true. Where Members go against the Officer recommendation, they take on individual and collective responsibility for that decision. The Cabinet Committee decision to proceed with the proposals and 'Make' the traffic order was called into consideration by the Place Scrutiny Committee at its October 2021 meeting. The matter was referred up and back to the Cabinet Committee for reconsideration.

## **Conclusion**

- 8.10 **The Council do not have the powers to make a traffic regulation order to control anti-social behaviour.**
- 8.11 **There is little evidence that there has been a problem of anti-social behaviour in Thorpe Bay Gardens since the PSPO was introduced in 2019. A new PSPO was approved in July 2022 for a further 3 years.**
- 8.12 **There is no evidence that there is a problem with excessive parking, in the area that impedes the safe and free passage of traffic (including pedestrians) to merit the introduction of proposals under section 1 of the Road Traffic Regulation Act 1984. This leaves the Council at risk of legal challenge and reputational damage if Members do not reconsider their earlier decision.**

## **9.0 Reasons for Recommendations**

- 9.1 The Council must act in its capacity as a highway/traffic authority in this matter and not in its capacity as landowner. Any reference to the covenant is irrelevant.

- 9.2 A TRO can only be introduced in accordance with the powers granted under section 1 of the Road Traffic Regulation Act 1984. This does not include measures for the control of anti-social behaviour. There is a risk of the Council being subjected to legal challenge if the Traffic Regulations Working Party and Cabinet Committee continues with its decision of 13th September 2021 that the draft TRO amending the waiting restrictions be confirmed as advertised and the proposals implemented.
- 9.3 A PSPO granted under the Anti-social Behaviour, Crime and Policing Act 2014 is considered the more appropriate measure for the control of anti-social behaviour. A PSPO has been in place since 2019 and only one recorded incident of alleged anti-social behaviour in Thorpe Bay Gardens has been reported in the three years and that was for an alleged breach of COVID-19 restrictions in 2020. There is no evidence of an anti-social behaviour problem occurring in Thorpe Bay Gardens.
- 9.4 There is no evidence of problems associated with parked vehicles on Thorpe Bay Gardens that would necessitate the introduction of measures under section 1 of the Road Traffic Regulation Act 1984.

## **10. Corporate Implications**

### **10.1 Contribution to the Southend 2050 Road Map**

Roads that feel safe for the public, residents and visitors are part of the 2050 road map. The use of PSPOs to control anti-social behaviour are an essential tool to the delivery of this road map and have been successfully used for control of the central town and seafront areas of the city. A new PSPO is being drafted and will be in place to ensure continuity of control when the current PSPO expires in July 2022.

### **10.2 Financial Implications**

Continuing with the decision to introduce a TRO cannot be justified by the evidence and has the risk of legal challenge and the associated costs in preparing and presenting a legal case at the High Court. It will also deplete resources and delay work on other schemes that are a high priority.

### **10.3 Legal Implications**

The legal implications have been set out in detail in section 5 and section 8 of the report. The Council do not have the power to make a traffic order for the control of anti-social behaviour. There is no evidence of parking, or traffic access or safety concerns on Thorpe Bay Gardens, to justify the proposals under section 1 of the Road Traffic Regulation Act 1984.

The Council could be open to legal challenge and reputational damage if it were to continue with the current decision and not agree the report recommendations.

### **10.4 People Implications**

N/A

## 10.5 **Property implications**

N/A

## 10.6 **Consultation**

N/A

## 10.7 **Equalities and Diversity Implications**

See **Appendix B**.

## 10.8 **Risk Assessment**

There is a risk of legal challenge and reputational damage to the Council if the report recommendations are not adopted.

## 10.9 **Value for Money**

See 10.2 above.

## 10.10 **Community Safety Implications**

The Council as highway authority may only act in accordance with its powers as highway authority under the Highways Act 1980 and the Road Traffic Regulation Act 1984.

## 10.11 **Environmental Impact**

## 11. **Background Papers**

TRWP&CC Report – Thorpe Bay Gardens Covenant – 22 February 2021

[\(Public Pack\)Thorpe Bay Gardens Covenant Agenda Supplement for Traffic Regulations Working Party, 22/02/2021 18:30 \(southend.gov.uk\)](#)  
[Agenda Template \(southend.gov.uk\)](#)

TRWP&CC Report – Thorpe Bay Gardens Covenant – 10 June 2021

[\(Public Pack\)Agenda Document for Traffic Regulations Working Party, 10/06/2021 18:30 \(southend.gov.uk\)](#)  
[Agenda Template \(southend.gov.uk\)](#)

TRWP&CC Report – Thorpe Bay Gardens Statutory Consultation – 13 September 2021

[\(Public Pack\)Agenda Document for Traffic Regulations Working Party, 13/09/2021 18:30 \(southend.gov.uk\)](#)  
[Agenda Template \(southend.gov.uk\)](#)

TRWP&CC Report – Thorpe Bay Gardens xxx – 04 January 2022

[\(Public Pack\)Agenda Document for Traffic Regulations Working Party, 04/01/2022 18:30 \(southend.gov.uk\)](#)  
[Agenda Template \(southend.gov.uk\)](#)

Cabinet Report – PSPO 01 July 2022

[Agenda Template \(southend.gov.uk\)](#)

[Public spaces protection orders: guidance for councils \(local.gov.uk\)](#)

[public-spaces-protection-order-southend-town-centre-seafront-and-adjoining-areas-no-1-of-2019](#)



Thorpe Bay Gardens  
Briefing October 2019

## **10. Appendices**

Appendix A – evidence submitted by residents

Appendix B – equality assessment

## APPENDIX A













### Resident's evidence

#### Resident statement



TBG resident  
statement regarding €

#### Photographs

<p>21 March 2019</p>  <p>01 21Mar19.pdf</p>	<p>04 April 2019</p>  <p>02 4April19.pdf</p>
<p>23 April 2019</p>  <p>03 23April19.pdf</p>	<p>28 April 2019</p>  <p>04 28April19.pdf</p>
<p>08 July 2019</p>  <p>05 8July19.pdf</p>	<p>25 July 2019</p>  <p>06 25July19.pdf</p>
<p>03 June 2020</p>  <p>07 3June20.pdf</p>	<p>10 June 2020</p>  <p>08 10June20.pdf</p>
<p>16 June 2020</p>  <p>09 16June20.pdf</p>	<p>Undated</p>  <p>10 undated photographs.pdf</p>
<p>Resident spreadsheet (redacted)</p>  <p>11 Residents redacted spreadsheet</p>	<p>Echo front page</p>  <p>Echo front page.pdf</p>

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## Appendix B

# Equality Analysis

### 1. Background Information

1.1 Evaluation of evidence – Thorpe Bay Gardens

1.2 Department:- Traffic and Highways

1.3 Service Area: Business Change and Development

1.4 Date Equality Analysis undertaken: 16/08/2022

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

Name	Role	Service Area
Alistair Turk	Senior Policy Manager	Traffic and Highways

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

#### **Evaluation of evidence – Thorpe Bay Gardens.**

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

#### **Evaluation of evidence:-**

- The conveyance and restrictive covenants relating to the amenity land known as Thorpe Bay Gardens;
- Alleged evidence of ongoing anti-social behaviour submitted by a resident of Thorpe Bay Gardens;
- All anti-social behaviour reports to the Community Safety team under the PSPO for Thorpe Bay Gardens between July 2019 and July 2022;
- Police evidence in relation to anti-social behaviour on Thorpe Bay Gardens.
- Legal powers under the Road Traffic Regulation Act 1984.

## 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 (e.g., likely impact on a particular group).
Residents submitted evidence	Part of the evaluation of evidence of alleged anti-social behaviour
Conveyance of amenity land known as Thorpe Bay Gardens	Consideration of restricted covenants that may apply to the discharge of Council functions
Public space protection orders – guidance for councils	Establishes framework for councils wishing to implement a PSPO
Feedback from police and community safety team	To establish the actual number of reported incidents of anti-social behaviour in Thorpe Bay Gardens

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.

N/A.

## 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.

3.2 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		
<b>Age (including looked after children)</b>	X				
<b>Disability</b>	X				X
<b>Gender reassignment</b>					X
<b>Marriage and civil partnership</b>					X
<b>Pregnancy and maternity</b>	X				
<b>Race</b>					X
<b>Religion or belief</b>					X
<b>Sex</b>					X
<b>Sexual orientation</b>					X
<b>Carers</b>					X
<b>Socio-economic</b>	X				

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

- 3.3 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
<b>Age</b>	The ability for visitors to park and enjoy the views and sunset in the evening from parked vehicles
<b>Disability</b>	The ability for visitors to park and enjoy the views and sunset in the evening from parked vehicles
<b>Gender reassignment</b>	Unclear
<b>Marriage and civil partnership</b>	Unclear
<b>Pregnancy and maternity</b>	The ability for visitors to park and enjoy the views and sunset in the evening from parked vehicles
<b>Race</b>	Unclear
<b>Religion or belief</b>	Unclear
<b>Sex</b>	Unclear
<b>Sexual orientation</b>	Unclear
<b>Carers</b>	Unclear
<b>Socio-economic</b>	The ability for visitors to park for free and enjoy the views and sunset in the evening from parked vehicles

#### 4. Community Impact

- 4.1 There were problems of anti-social behaviour caused by speeding vehicles on Thorpe Bay Gardens in 2019. This was resolved by the Council introducing speed humps. The Council also introduced a Public Space Protection Order in 2019 (PSPO) covering the central Southend and seafront area which includes the public highway and public open space known as Thorpe Bay Gardens.

- 4.2 Since the introduction of traffic calming measures and the PSPO in 2019 there have been no reported incidents of anti-social behaviour in Thorpe Bay Gardens for the last 3 years. The original proposal to introduce waiting restrictions as a measure to combat an alleged anti-social behaviour problem is not a legitimate reason for introducing a traffic regulation order. If the Council were to proceed, there is a significant risk of legal challenge and reputational damage to the authority and wider community.
- 4.3 There is not a traffic or highway safety issue with vehicles parking on the south side of the highway particularly in the evening. Removing the ability to park would not serve any traffic or highway safety purpose and would impact on the ability for non-residents in the wider community from parking to enjoy the views. This would particularly impact those in the community who have mobility issues or difficulty standing for lengthy periods. The officer recommendation for maintaining the status quo is provides the best solution for the wider community.

## 5. Equality Analysis Action Plan

Planned action	Objective	Who	When	How will this be monitored (e.g., via team/service plans)
<b>No proceed with previous decision</b>	Maintain status quo	Traffic Regulations Working Party	Q3 meeting	<b>Community Safety Team</b>

Julie Nash (BC&D service manager): .....  .....

Signed (Director): .....  .....

John Burr (Executive Director, Neighbourhoods and Environment) (Interim)

Once signed, please send a copy of the completed EA (and, if applicable, CCIA) to Sarah Brown [Sarahbrown@southend.gov.uk](mailto:Sarahbrown@southend.gov.uk).

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# Southend-on-Sea City Council

Agenda  
Item No.

6

Report of Executive Director  
(Neighbourhoods & Environment)  
To

Traffic Regulation Working Party and Cabinet Committee

On

6<sup>th</sup> November 2022

Report prepared by: Chris Read, Service Manager –  
Highways & Asset Management

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**Highways Asset Management Annual Report 2021/22**

**Relevant Scrutiny Committee(s): Place Scrutiny Committee**  
**Cabinet Member: Councillor Wakefield**  
**Part 1 (Public Agenda Item)**

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## 1. Purpose of Report

The purpose of this report is to provide all stakeholders with an annual update on the implementation of our highway asset management approach to managing the City's highway infrastructure.

## 2. Recommendations

N/A – annual report

## 3. Background

N/A – annual report

## 4. Other Options

N/A – annual report

## 5. Reasons for Recommendations

N/A – annual report

## 6. Corporate Implications

### 6.1 Contribution to the Southend 2050 Road Map

This report supports the more specific desired outcomes for each theme, including: -

- Our streets and public spaces are valued and support the mental and physical wellbeing of residents and visitors. People in all parts of the city always feel safe and secure.

- A range of initiatives help increase the capacity for communities to come together to enhance their neighbourhood and environment.
- We are leading the way in making public and private travel smart, clean and green.

To help achieve these goals, investing in our highway asset is essential to the long-term prosperity of the Southend-on-Sea city as a safer, cleaner greener place to live together and a better place for business.

The Highways Asset Management report is an annual summary on the health of our highway infrastructure, how we are performing and our aims.

## 6.2 Financial Implications

N/A – annual report

## 6.3 Legal Implications

N/A – annual report

## 6.4 People Implications

N/A – annual report

## 6.5 Property Implications

N/A – annual report

## 6.6 Consultation

N/A – annual report

## 6.7 Equalities and Diversity Implications

N/A – annual report

## 6.8 Risk Assessment

N/A – annual report

## 6.9 Value for Money

N/A – annual report

## 6.10 Community Safety Implications

N/A – annual report

## 6.11 Environmental Impact

N/A – annual report

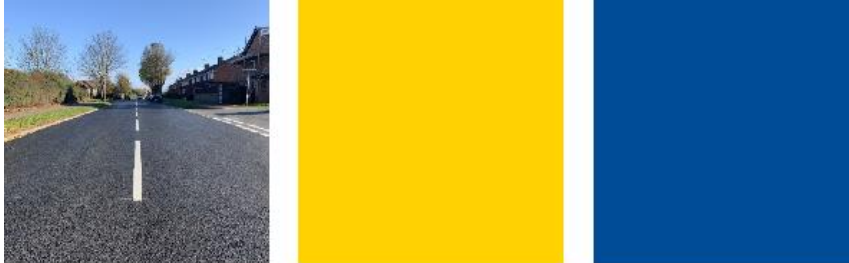


**7. Background Papers**

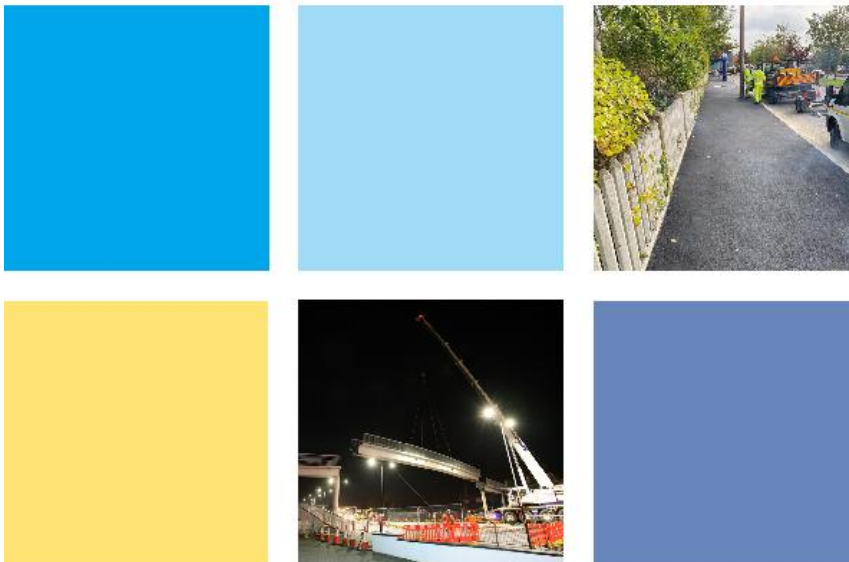
N/A – annual report

**8. Appendices - Report Body**

Highways Asset Management Annual Report 2021/22



**Highways Asset Management  
Annual Report  
Report 2021/22**



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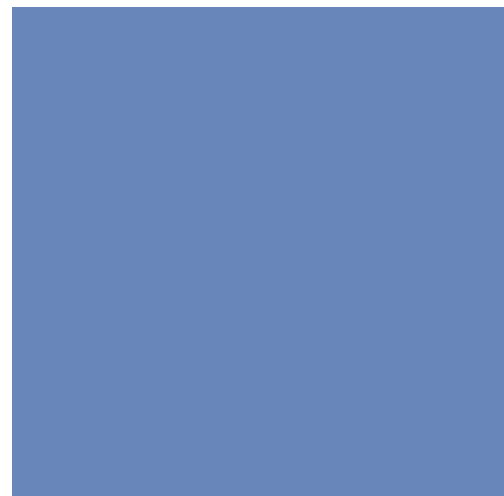
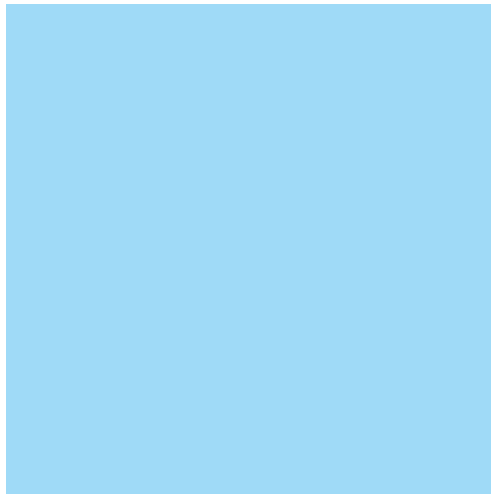


Please double click on the report cover to open a PDF of the full report in Acrobat Reader

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# Highways Asset Management Annual Report Report 2021/22



# Highways Asset Management Report 2021/22

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# 1. Introduction

Southend-on-Sea City Council's shared ambition to transform the city by 2050 is aligned to five themes, with related desired outcomes: -

- **Pride & joy** - By 2050 South Enders are fiercely proud of, and go out of their way, to champion what our city has to offer;
- **Safe & well** - By 2050 people in Southend-on-Sea feel safe in all aspects of their lives and are well enough to live fulfilling lives;
- **Active & involved** - By 2050 we have a thriving, active, and involved community that feel invested in our city;
- **Opportunity & prosperity** - By 2050 Southend-on-Sea is a successful city and we share our prosperity amongst all of our people;
- **Connected & smart** - By 2050 people can easily get in, out, and around our city and we have world class digital infrastructure.

This report supports the more specific desired outcomes for each theme, including: -

- Our streets and public spaces are valued and support the mental and physical wellbeing of residents and visitors. People in all parts of the city always feel safe and secure.
- A range of initiatives help increase the capacity for communities to come together to enhance their neighbourhood and environment.
- We are leading the way in making public and private travel smart, clean and green.

To help achieve these goals, investing in our highway asset is essential to the long-term prosperity of the Southend-on-Sea city as a safer, cleaner greener place to live together and a better place for business.

The Highways Asset Management report is an annual summary on the health of our highway infrastructure, how we are performing and our aims.

## 2. Purpose of the Annual Report

The purpose of this report is to provide all stakeholders with an update on the implementation of our highway asset management approach to managing the City's highway infrastructure, to: -

- review the performance of our highway services over the last twelve months;
- identify areas of success;
- assess lessons learned; and,
- to raise awareness of some of the key issues that we will face going forward.

This report also forms, in part, our response to the Government's national approach through the Department for Transport (DfT), in that local authorities adopt a highway asset management approach to managing its highway infrastructure. The Council's Highways Asset Management Policy and Strategy were reviewed by the Places Scrutiny Committee in March 2015, and subsequently approved by Cabinet in April 2015. This is due for an update in 2023. This report forms a part of our communications plan as per recommendation 2 of the Highway Infrastructure Asset Management Guidance for Communications, which states:

'Relevant information associated with asset management should be actively communicated through engagement with relevant stakeholders in setting requirements, making decisions and reporting performance.'

The above recommendation is also included within the new Well Managed Highway Infrastructure:

A Code of Practice recommendation 4.

Also, it will be used to support our DfT self-assessment question 2:

'Has your local authority communicated its approach to highway infrastructure asset management?'

Furthermore, the Band 3 performance self-assessment requires Councils to have a 'communication strategy is in place, its implementation is monitored, and lessons learnt are incorporated. Stakeholder consultation information is used to develop levels of service. There is a transparent process for decision-making available to the public'. Southend-on-Sea City Council has been a band 3 authority for the last 3 years.

## 3. Covid-19: Easing of Restrictions

We shall continue to always work in a safe and professional manner, even at this stage as restrictions have been lifted there remains an on-going concern, with covid figures fluctuating and with new variants emerging, keeping the workforce safe/well along with their safety is of paramount importance to ensure we continue in keeping the highway network operational with minimum disruption.

## 4. Capital Investment Activities

The Council secured £10m investment for 2021/22 to support its highway improvement programme (specifically for carriageway & footways) to ensure that we continue to deliver an improved asset condition, performance/resilience, and value for money, while delivering in a risk-based approach. The other key investment activities for 2021/22 comprised of:

- £773k DfT Pothole Action Fund to carry out planned preventative maintenance works or the repairing potholes.
- £797k from the LTP Maintenance fund, which will be used for the delivery of various roads schemes.
- £193k DfT Highways capital maintenance allocation (Needs Based, Incentive Element) to undertake the delivery of the annual highway infrastructure programme of planned maintenance works.

Programme:

These investments are making a significant difference in ensuring we are able to adopt a maintenance strategy based on the longer-term view and consider the whole life cycle planning of assets. In particular:

- Highway Improvements programme – improvements in the process were utilised to ensure that the increased investment delivered not just new schemes, but a whole street scene improvement, rather than purely focussing on resurfacing. It is envisaged that further improvements this year will enhance the schemes further e.g. the replacement of kerbing.
- Highway Maintenance – adoption of a prevention is better than cure approach to carriageways and footways;
- Street Lighting – Sustainability for the future by reducing our carbon footprint and elimination the need for bulk lamp replacement. – 14 roads were completed on the infill programme with a total of 66 additional columns installed including Roads: Bailey Road, Barnard Road, Burlescoombe Road, Cheltenham Drive, Dawlish Drive, Greyhound Way, Poynings Avenue, Recreation Avenue, Richmond Avenue, Stanfield Road, Sunningdale Avenue, Sydney Road, Symons Avenue & Tudor Gardens – due to shortage of Materials caused by the pandemic these were the only schemes that took place.
- Drainage – The Civil Engineering Team undertakes the flooding responsibilities Southend City Council has as Lead Local Flood Authority. These include the responsibility to manage ‘local flood risk’, defined as flooding from ordinary watercourses (ditches and streams), groundwater (springs) and surface water (mostly flooding following heavy rainfall). This primarily involves producing strategic plans and policies, undertaking inspections, and providing advice, but also involves the delivery of capital schemes. These range from both large-scale flood alleviation works to smaller, more localised highway drainage improvement schemes. We were fortunate to secure a small budget to allow the delivery of highway drainage improvement works in 2022/23.

The works include the delivery of newer, more innovative measures such as Supergullies and HydroRocks including locations: Progress Road/ Glenwood Avenue/ Rayleigh Road/ Mayfield Avenue/ Leigh Hall Road & Highlands Boulevard. Following the implementation of the measures all sites will be monitored to measure effectiveness so that learning can be gained to allow other sites to receive similar measures and for the systems to be incorporated into wider highways schemes, where appropriate.

- Junction Protection – improving the safety and sightlines for motorists and pedestrians
- Vehicle Restraint Improvement Programme– all current VRS that is out of specification have been replaced and now a full condition survey is looking to utilise further safety improvements.
- Zebra Crossing improvement programme - to replace poor crossings and assess any requirements for new ones, an implementation plan is being developed.
- Car Park Resurfacing Programme – Alexandra Street Carparks 1&2, Clarence Road Carpark, Warrior Square Carpark and Southchurch Park East were all resurfaced in 2020/21, with additional infrastructure added for current and future EV charging points.
- Fairheads Green Carpark has been programmed in for this financial year (22/23)– Drainage team and Parks teams will be working collaboratively together
- Small Works schemes – utilising a patching programme to encompass works not covered by the Find and Fix programme

## 5. The Asset

To effectively and efficiently manage the Council’s highway network asset, there needs to be an appreciation of the size and condition of it. A managed inventory of highway network assets is therefore fundamental. Southend-on-Sea City Council’s highway network comprises mostly of an urban network, either classified as A, B, C roads or unclassified local roads and the Council holds a significant amount of data on its assets.

The Council, as the Highway Authority, has a statutory duty to maintain the highway network in a condition to enable the safe passage of the travelling public and users. The Council’s highway network comprises of many diverse assets; this report shows how our asset management is applied to all highway infrastructure assets that are the responsibility of the Council.



## Asset Groups and Components

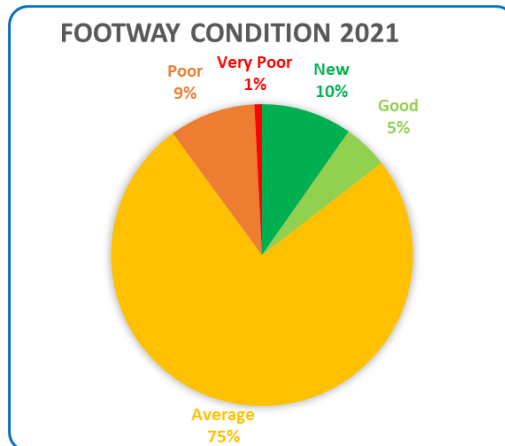
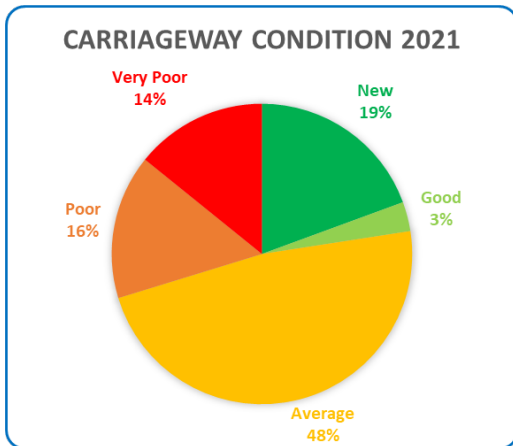
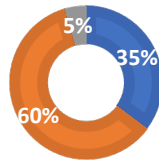
The Council's highway infrastructure has been divided into key asset groups in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) reporting framework:

Asset Group	Asset Component
Carriageway	Carriageway
Footways and cycle tracks	Footways, cycleways and shared surfaces
Structures	Bridges, culverts, retaining structures etc.
Lighting	Streetlights, illuminated traffic signs and bollards
Traffic management	Traffic signals, information signs, VMS and control equipment
Drainage	Road gullies, carrier drains, manholes, pump stations and chambers
Street Furniture	Grit bins, public transport infrastructure, on street parking infrastructure

Currently the Council's inventory includes:



■ Carriageway    ■ Footway    ■ Cycle Track



Illuminated Signs = 1776	Illuminated Bollards = 1057
<b>Signage</b>	
Non - Illuminated Signs = 11074	Non - Illuminated Bollards = 9830

Bridges = 109	Subways & Underpasses = 14
<b>Structures</b>	
Retaining Walls = 22	Large Culverts = 15

Gullies = 23,334	Variable Message Signs = 14	
Vehicle Activated Warning Signs = 44	Pedestrian Guardrail Length = 18.8km	Disabled Parking Bays = 456
Traffic Signal Junctions = 111	Controlled Pedestrian Crossings = 482	

Asset Growth:

Asset	Quantity
Length of new carriageway adopted (m)	0
Length of new footways adopted (m)	0
Number of new gullies	0

This approach has been adopted to allow a clear understanding of budget allocation across different asset components and facilitating the recording of where money is invested linked to expenditure on activities.

Identifying where money is invested, allows the Council to monitor performance against service delivery and the implementation of a continuous improvements process, within the constraints of available funds.

## 6. Service Performance

By adopting the principles of asset management, the Council will be able to maintain its highway infrastructure so that it is fit to serve current and future highway user's needs; and provide levels of service that can meet stakeholder's expectations for a given budget allocation.

Our strategy outlines that our highway maintenance services are organised into three distinct approaches, comprising of **Reactive**, **Planned** and **Preventative** maintenance activities.

**Reactive maintenance** – maintain public safety

**Planning maintenance** – replace or enhance

**Preventative maintenance** – arrest deterioration, prolong lifecycle

### Levels of Service

Levels of Service are defined by the County Surveyors Society (CSS) Framework for Highway Asset Management as “the quality of the service for the asset for the benefit of the customers”.

As a form of asset management objective, 'Levels of Service' are a series of public facing high level statements which outline how this plan aims to deliver on corporate, engineering and stakeholder objectives. They are linked to completed works through the Lifecycle Management for each asset group, providing a “line of sight” between the high-level objectives of this plan and works carried out on the ground.

The following highways objectives have been established:

- keeping our city moving
- to ensure that our customers feel safe, and are confident about personal safety, when they use the highway asset
- to provide our customers with a reasonable level of confidence that their journey on the highway asset, by any mode of transport, will be predictable and timely
- to ensure that the highway network is available and accessible, as far as possible
- to reduce the environmental impact of the highway asset to the benefit of our customers and the locality
- to maintain the condition of the Strategic Routes and the Local Resilient Network at an agreed level
- to maintain the remaining highway asset at an agreed level and quality commensurate with its use and purpose
- to respond to the repair of highway defects within the timescales defined in the Highway Safety Inspection Manual
- to minimise highway flooding by enhanced maintenance of the highway drainage assets

Targets and Performance Measures to monitor whether the Council is meeting the objectives are considered in more detail in the asset Lifecycle Plan at the tactical and operational level, and have the following Key Performance Indicators (KPIs):

<b>Objective</b>	<b>KPI Description</b>	<b>Criteria</b>	<b>Target</b>
To ensure that our customers feel safe, and are confident about personal safety, when they use the highway asset	To confirm compliance with Policy for category 1 defects made safe within time	% Response to defects within Policy timescales	90%
To ensure that our customers feel safe, and are confident about personal safety, when they use the footway asset	To confirm compliance with Policy for category 1 defects made safe within time	% Response to defects within Policy timescales	90%
To provide our customers with a reasonable level of confidence that their journey on the highway and footway assets, by any mode of transport, will be predictable and timely	To monitor compliance with safety inspections. (The KPI also acts as an indicator of effective programme planning and responsiveness)	The % of inspections completed within Policy timescales	90%

# 7. Maintenance Activity

## Our Activity for 2021/22

We had the following highway ad-hoc maintenance works orders for 2021/22:

	Number to treat
Bus Stops	335
Carriageways	1895
Coastal Works	66
Drainage	147
Footways and cycle tracks	3149
Lighting	296
Street Furniture	462
Structures	137
Traffic management	322

The breakdown of the highways ad-hoc maintenance works orders for 2021/22 are as follows:

Asset	Number of Works Carried out
<b>Bus Stops</b>	
Bus Stops	335
<b>Carriageway</b>	
Carriageways	1895
Inspection Covers	6
Potholes	918
<b>Coastal Works</b>	
Beach Steps	2
Coastal Defences	5
Flood Gates	6
Groynes	37
Jetties/Platforms	1
Outfalls	0
Paddling Pool	3
Sea Defences	6
<b>Drainage</b>	
Drainage Connections	13
FW Drainage SBC	8

<b>Asset</b>	<b>Number of Works Carried out</b>
Gullies	137
Main Drains	1
<b>Footways and Cycle tracks</b>	
Crossovers	325
Cycle Tracks	2
Footways	3147
Kerbing	166
Verges	53
<b>Lighting</b>	
Streetlights	296
<b>Street Furniture</b>	
Pedestrian Guardrails	43
Safety Fences	4
Street Furniture	462

<b>Structures</b>	
Bridges	137
Retaining walls	2
<b>Traffic Management</b>	
Bollards	117
Bus Stops	335
Detect Loops	43
Hazzard markers	5
Road Markings	175
Signage	193
Traffic Islands	0
Traffic Signals	12

The highways work schemes in 2021/22:

<b>Asset Group</b>	<b>Number of schemes</b>
Carriageway Resurfacing	45
Zebra Crossing Resurfacing	10
Footway Resurfacing	43

## 8. Key Successes

One of the key outcomes of this report is to recognise the areas of success, so that we learn and develop from good practises and use this learning to further improve areas that may not have performed as well as planned. In broad terms our successes are outlined in the following categories:

### Financial

Despite the challenges presented by Covid-19, we have been able to deliver 100% of our planned capital investment on highways maintenance for the year. The overall capital expenditure for highways and infrastructure was £15m in 2020/21, compared with £10m 2019/20 and in 2021/22 the investment was £29m which equates to 32% of the overall Council Budget. We will continue to invest year on year on renewing our network to ensure that our structures and road surfaces are well maintained and operating safely.

### Service Development

We are always continuing to improve the way that we work and taking forward policies and procedures in line with the Highways Code of Practice and working more efficiently with our term contractors.

For example: our find and fix programme of works to repair potholes and reduce safety issues, has reduced customer complaints by 50% on carriageways and brings a cost saving to the repair of potholes, this programme delivered them for approximately £50 each, whereas the national average is over £70.

Risk based approach - we have adopted a risk-based process for all the works we do, how we select schemes and how we prioritise works. This aligns with Codes of Practice requirements and ensures we deliver works where the greatest need and risk is required. This system has now been embedded in our Asset Management system and will form the basis of all Highway Improvement work.

### Staff Development

Southend's Highways team underwent a restructure of the service in late 2020; this was implemented in April / May 2021 with staff being supported and empowered to undertake their statutory duties. We created a career graded matrix to support those officers who aspire to learn and undertake more varied tasks within the service. One of the functions of staff development is to help the workforce to practise new skills and values in a safe setting.

# 9. Looking Forward

In the coming 12 months the Council will continue to manage in maintaining its highway infrastructure, as Covid-19 measures are slowly eased, becoming a city is something special, we can build on lessons learned during the pandemic and move forward as a community. Together we can make the City of Southend-on-Sea great, and we can build a brighter future.

Also, by the end of the 2022/23 financial year, we will have a suite of documents / policy that will support the delivery of the service in an efficient and timely manner.

## Highways Improvements

We are hoping to develop this process further to not only deliver carriageway & footway resurfacing but to bring improvements to all assets as part of a whole street scene approach. It is led by a clear policy and then the required process and criteria for each area, to ensure all works are assessed for suitability, prioritised, and undertaken within available budgets. It will ensure that all required works are logged, reviewed, and undertaken where budgets allow. It will also enable long term programmes to be developed for all assets, integrated programme of works to be established (close once, fix many, approach) and accurate budget requests for annual and long-term funding. We are hoping to deliver a 5-year programme during 2022 for the main assets (carriageway & footway) with the other elements to follow or be incorporated into these works to bring key cost benefits.

## Highways Enforcement

The Highways Enforcement team was introduced to the City of Southend-on-Sea in March 2021, the team was implemented to combat damage being caused to the Council assets (Highways) and to preserve what is currently existing. The Enforcement team work closely alongside the authorities Highway Inspectors and there are on average ninety first stage enforcement letters sent each month.

The team quickly took up the role of assisting colleagues from Planning by means of visiting the locations of pre-approved applications and assessing for any pre-existing damage at the locations specified, these also average one hundred pre-planning site inspections completed per month. The team carry out three inspections of each location and photograph/document the condition of the highway before, during and after any building works. If damage is identified as being the result of said planning works Southend City Council Highways Enforcement team will seek to recover the costs either from the developer or owner of the properties that have commissioned the work (if no details will be given). The Highways Enforcement Team is also assisting colleagues from Waste by taking over the responsibilities of any Highway offence apart from dedicated waste related issues. The team are now able to follow up these works as they have been given Delegated Authority to issue Fixed Penalty Notices for certain issues and if necessary, prosecute those responsible.

The team consists of one team leader, one supervisor and four Enforcement Officer posts (one currently vacant) that are responsible for the seventeen wards across the city.



## Utilising Technology

We live in a world where technology is developing at a rapid rate, to keep up with change we are in the process of improving all our systems to ensure they link together so decisions can be made effectively and make costs efficient. Aurora will be replacing our current system Insight which will be implemented during 2023 – this provides map-based technology meaning Southend City Council can deliver an even better service, also ensuring residents and members have transparency on what we are trying to achieve and how.

# 10. Public Satisfaction

The highway infrastructure is accessed daily by residents, businesses, and visitors. As such we recognise the importance of engaging with the public to understand their levels of satisfaction and obtain their views on the condition of our highway infrastructure, service standards and levels of performance. The Council participates and utilises the information supplied annually to the National Highways and Transportation Network (NHT) Survey which serves to provide details on levels of customer satisfaction with local authority services and practices. Southend-on-Sea City Council, as part of the Eastern Highways Alliance, was detailed as the best improving authority in the eastern region for 2021 but there is still much work to be done, especially around the public's perception of Highways.

This helps target and publish information clearly and effectively to ensure members of the public and other highway stakeholders are as fully informed as possible about the current performance of the Council's services. It drives the Council's performance, identifying public perceived gaps, helps us analyse the public's understanding and will inform the communications approach. Details of the results of the surveys are available at <https://www.nhtnetwork.co.uk/>.

The public can report issues, request services and actions direct from the My Southend portal: <https://my.southend.gov.uk/portal>

Once registered a user can access a variety of useful information, buy services direct, report issues, amongst many more services on this online asset, you will find the Report It section for reporting issues.

Southend are the only authority who continued to provide a 24-hour response time on all roads, regardless of its class.

Additionally, many of our service policies, standards and annual programmes are now accessible directly by the public via the Council's website: <https://www.southend.gov.uk/>

# 11. Reporting and Requests

Highway Records Searches, service requests for the Traffic and Highways department are received via the MySouthend online system. The table below sets out the number of requests per quarter by the type of request received.

The year-on-year comparison shows an increase in requests for 2021/22 of more than 8%, demonstrating that the online system remains popular amongst the residents of the city and the department continues to respond to high demand.

<b>Highways Service Requests 2021/22</b>	<b><u>Apr - Jun</u></b>	<b><u>Jul - Sep</u></b>	<b><u>Oct - Dec</u></b>	<b><u>Jan - Mar</u></b>
Report a Highway Obstruction	160	195	124	241
Request for Road Markings (H Bar)	3	5	2	4
Disabled Parking Bay	12	9	15	13
Highways Records Searches	162	154	163	159
Public Rights of Way - General Enquiry	8	9	0	4
Street Naming and Numbering	28	17	17	17
Abandoned and Untaxed Vehicle	154	173	138	134
Report an Issue on our Highway Network (General)	1165	1135	1127	1360
<b>Totals</b>	<b>1692</b>	<b>1697</b>	<b>1586</b>	<b>1932</b>

<b>Comparison of My Southend Reporting and Requests for Traffic &amp; Highways</b>					
<b>Qtr</b>	<b>Year</b>	<b>2019/20</b>	<b>2020/21</b>		<b>2021/22</b>
Apr - Jun		1325	926	↓	1692 ↑
Jul - Sep		1679	1629	↓	1697 ↑
Oct - Dec		1609	1702	↑	1586 ↓
Jan - Mar		2004	2113	↑	1932 ↓
Total Requests		6617	6370	↓	6907 ↑
<b>Percentage Change</b>			-3.73		8.43

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