

**Public Document Pack  
SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Place Scrutiny Committee**

**Date: Monday, 11th July, 2016**

**Time: 6.30 pm**

**Place: Committee Room 1 - Civic Suite**

**Contact: Tim Row - Principal Committee Officer**

**Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)**

**AGENDA**

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Questions from Members of the Public**
- 4 Minutes of the Meeting held on DAY MONTH YEAR (Pages 1 - 4)**
- \*\*\*\* ITEMS REFERRED DIRECT FROM CABINET - Tuesday 28th June 2016**
- 5 Petition - Alcohol Free Zone Westcliff Library (Pages 5 - 6)  
Minute 44 (Cabinet Book 1, item 4 refers)**
- 6 Petition - Playfootball Licenced Hours (Pages 7 - 8)  
Minute 46 (Cabinet Book 1, item 6 refers)**
- 7 Corporate Plan and Annual Report - 2016 (Pages 9 - 38)  
Minute 49 (Cabinet Book 1, item 9 refers)**
- 8 2015/16 Year End Performance Report (Pages 39 - 50)  
Minute 50 (Cabinet Book 1, item 10 refers)**
- 9 Information Management Strategy (Pages 51 - 74)  
Minute 51 (Cabinet Book 1, item 11 refers)**
- 10 Hackney Carriage Unmet Demand Survey (Pages 75 - 80)  
Minute 58 (Cabinet Book 1, item 18 refers)**
- 11 Preparation of New Southend Local Plan for Southend on Sea (Pages 81 - 96)  
Minute 59 (Cabinet item 19 refers)**
- 12 Feed and Food Safety Service Plan 2016/17 (Pages 97 - 122)  
Minute 61 (Cabinet Book 2, item 21 refers)**
- 13 Community Infrastructure Levy Financial Report 2015/16 (Pages 123 - 144)  
Minute 62 (Cabinet Book 2, item 22 refers)**
- 14 Former Beecroft Art Gallery Building - Artist Studios Feasibility Study (Pages 145 - 196)**
- 15 Devolution (Pages 197 - 204)  
Minute 64 (Cabinet Book 2, item 24 refers)**

- 16 **Council Procedure Rule 46** (Pages 205 - 206)  
**Minute 67 (Cabinet Book 2, item 27 refers)**

\*\*\*\* **ITEMS REFERRED DIRECT FROM CABINET COMMITTEE - Thursday 16th June 2016**

- 17 **Objections to Traffic Regulation Orders – Various Locations** (Pages 207 - 214)  
**Minute 37 refers**
- 18 **West Leigh Area – Report on Ward Councillor Consultation for Parking Controls** (Pages 215 - 220)  
**Minute 38 refers**
- 19 **Greenways - Residents' Permit Parking Scheme Update** (Pages 221 - 224)  
**Minute 39 refers**
- 20 **Temporary Traffic Management Measures - The Fairway, A127 and Bellhouse Lane**  
**Minute 40 refers**

**PRE-CABINET SCRUTINY ITEMS**

None

**ITEMS CALLED-IN FROM THE FORWARD PLAN**

None

\*\*\*\* **OTHER SCRUTINY MATTERS**

- 21 **Suggested in depth Scrutiny projects - 2016 / 17**  
Report of Corporate Director for Corporate Services
- 22 **Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 28th June, 2016** (Pages 225 - 226)
- 23 **Exclusion of the Public**
- To agree that, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 24 **Waste Disposal - Contract Issues** (Pages 227 - 246)  
**Minute 70 (Confidential Cabinet item 30 refers)**

**Members:**

Cllr K Robinson (Chair), Cllr P Wexham (Vice-Chair), Cllr Habermel, Cllr Evans, Cllr M Assenheim, Cllr Callaghan, Cllr J Garston, Cllr Bright, Cllr Jarvis, Cllr Kenyon, Cllr Willis, Cllr Councillor David, Cllr M Davidson, Cllr N Folkard, Cllr Terry and Cllr McDonald

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Place Scrutiny Committee

Date: Monday, 11th April, 2016

Place: Committee Room 1 - Civic Suite

# 4

**Present:** Councillor Habermel (Chair)  
Councillors Evans (Vice-Chair), M Assenheim, Callaghan, Courtenay, Cox, A Crystall, C Endersby, J Garston, Jarvis, McMahon, Mulroney, Phillips, Ware-Lane and Willis

**In Attendance:** Councillors Betson, Moyies, Norman MBE and Terry  
J K Williams, A Lewis, A Atherton, N Harris, S Crowther, Z Ali, L Watson and T Row

**Start/End Time:** 6.30 - 8.45 pm

### 762 Apologies for Absence

Apologies for absence were received from Councillors D Kenyon and N Ward.

### 763 Declarations of Interest

Councillors Betson, Moyies, Norman MBE, Terry (Executive Councillors) – interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.

### 764 Questions from Members of the Public

The relevant Executive Councillors responded to written questions that had been received from members of the public.

### 765 Minutes of the Meeting held on Monday 25th January 2016

Resolved:-

That the Minutes of the Meeting held on Monday 25<sup>th</sup> January 2016 be received, confirmed as a correct record and signed.

### 766 Monthly Performance Report

The Committee considered Minute 712 of Cabinet held on 15th March 2016, together with the Monthly Performance Report (MPR) covering the period to end February 2016, which had been circulated recently.

Resolved:

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

**767 PVX Review**

The Committee considered Minute 723 of Cabinet held on Tuesday 15<sup>th</sup> March 2016, which had been called in for scrutiny, together with the report of the Corporate Director for Place updating Members on the progress of the “Southend Central Area Transport Scheme” and set out proposals to take the scheme forward.

The Committee discussed the matter in detail and asked a number of questions which the Executive Councillor for Public Protection, Waste and Transport and officers responded to. However, in the light of the issues raised and the concerns expressed by the Committee, particularly in relation to the proposed mechanism for considering appeals in exceptional circumstances, it was:

Resolved:-

That the matter be referred back to Cabinet with the concurrence of the portfolio holder for Public Protection, Waste & Transport:

(a) To address concerns raised about the proposed appeal panel and to consider alternative appeal mechanisms including the existing Appeals Committees or the Cabinet Committee in conjunction with Traffic and Parking Working Party; and

(b) To facilitate other minor adjustments identified at the Committee with a view to new policy document in full (incorporating appropriate amendments) being presented to Cabinet which would be available for further scrutiny by the Committee.

Note:- This is an Executive Function  
Executive Councillor:- Terry

**768 Southend Physical Activity Strategy**

(This is a pre-Cabinet Scrutiny item.)

The Committee considered a joint report of the Director for Public Health and Corporate Director for Place by way of pre-Cabinet Scrutiny. This sought the Committee's views on the contents of the draft Southend-on-Sea Physical Activity Strategy 2016-2021.

The Committee discussed the report in detail, and whilst there was general consensus and support of the content of the draft strategy the Committee made a number of comments and suggestions for inclusion in the strategy.

Resolved:-

That the draft Southend-on-Sea Physical Activity Strategy 2016-2021 be noted and endorsed for submission to Cabinet at its meeting on 28th June 2016, with the following comments:



- Would like the strategy ambitions raised by considering the KPIs as a minimum achievement;
- Consider how physical activity contributes to reducing obesity and the gap in life expectancy;
- Improve communication to maximise opportunities particularly in respect of the trial activity sessions identified in the in-depth scrutiny study undertaken by the People Scrutiny Committee last year;
- Look at ways of helping people feel safer outside in the evening when undertaking physical activity such as the seafront and the Prittlebrook Greenway;
- Address issues around GP referrals- sustaining physical activity levels in people who complete exercise referral; and
- Work with the Southend BID to explore innovative ways to increase physical activity opportunities in the town.

Note:- This is an Executive Function  
Executive Councillors:- Betson and Moyies

**769 In-depth Scrutiny Project - 20mph in Residential Streets - Update**

The Committee received an update on the in-depth Scrutiny project regarding 20mph in residential streets.

Resolved:-

That the report be noted

Note:- This is a Scrutiny Function

**770 Vote of Thanks**

The Committee thanked the Chairman for the able way in which he had conducted the meetings of the last Municipal Year. The Chairman thanked the Committee for their contributions and hard work.

**Chairman:** \_\_\_\_\_

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# Westborough Community Association



## WESTCLIFF LIBRARY PETITION

We, Westborough Community Association, wish to petition Southend Borough Council and Southend Police Authority to make the area immediately surrounding Westcliff Library an **ALCOHOL FREE ZONE**.

If you agree with us, please sign this petition. Thank you.

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"We the undersigned petition the council to reconsider the licenced hours of trade of PlayFootball in Prittlewell Chase.

"At present PlayFootball is open until 10pm, 6 days a week and whilst we do not want to prevent customers from using the facilities, this has a significant impact on our lives. The noise levels prevent our children and those of us who work shifts from being able to sleep until well gone 10pm, once customers have left the site.

"We believe there could be a better balance of the needs of PlayFootball and their customers and the residents of the local area who were, after all, there before the facilities were installed and had no choice on the matter."

PRINTED NAME	SIGNATURE	ADDRESS + POSTCODE	COMMENT	DATE
KEVIN BELL		270 PRITTEWELL CHASE SS0 0PR	FOWL LANGUAGE, SHOUTING BANGING TILL 2200 DAILY	28-3-16
Sally Oakley		270 Prittlewell Chase SS0 0PR	Shouting, unable to go to bed until noise stops. Grand children cannot go to bed	28-3-16
Richard Nolan		202 Westbourne Grove SS0 0PS	Swearing & noise	28-3-16
Lise Spirez		202 Westbourne Grove SS0 0PS	Swearing & noise	28-3-16
FRANCIS NERBERA		254 WESTBOURNE GROVE SS0 0PS	NOISE, SWEARING, ACOUSTIC FENCE DOES NOT WORK	29/3/16
Kim Stone		252 WESTBOURNE GROVE SS0 0PS	SWEARING! FLOODLIGHTING TO BRIGHT	28-3-16
Linda Kemp		250 Westbourne Grove SS0 0PS	swearing & yelling + swearing on another	28-3-16
JAMIE STONE		252 Westbourne Grove SS0 0PS	Swearing & yelling swearing	28-3-16
PAMIL BATER		238 WESTBOURNE GROVE SS0 0PS	SWEARING FOR 5 HOURS NOISE FOR 5 HOURS ON 20-20-20	28-3-16
Bridli Boloin		" = 11 = "	" = 11 = "	-
Lydia Sair		236 Westbourne Grove SS0 0PS	Swearing + noise	28/3/16
Benjamin West		" = 11 = "	" = 11 = "	"

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# Southend-on-Sea Borough Council

Report of Chief Executive & Town Clerk  
to  
**Cabinet**  
On  
**28 June 2016**

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Report prepared by: Tim MacGregor  
Team Manager - Policy & Information Management

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## Corporate Plan & Annual Report – 2016

Relevant Scrutiny Committee(s): People; Place; Policy & Resources Scrutiny  
Committees. Executive Councillor: Councillor Lamb  
*A Part 1 Public Agenda Item*

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### 1. Purpose of Report

1.1 To agree the Council's draft Corporate Plan and Annual Report, 2016.

### 2. Recommendations

2.1 That the Council's draft Corporate Plan and Annual Report, 2016, is agreed.

### 3. Background

3.1 The Corporate Plan and Annual Report sets out the Council's vision, aims, priorities as well as the key actions and performance measures for the forthcoming year in one document. It also provides an opportunity for the Council to highlight its key achievements over the past year.

3.2 It is particularly useful in communicating the achievements, priorities, actions and performance measures to residents, staff, partners and other stakeholders.

3.3 Appendix 1 provides the draft text for the 2016 Corporate Plan and Annual Report, which will be subject to further work on design and production, with any changes authorised by the Chief Executive, in consultation, where necessary, with the Leader of the Council. The content and purpose of each section is outlined below:

<b>Section</b>	<b>Purpose</b>
Section 1 – Introduction	Provides context to the rest of the plan and a summary of some key achievements and key themes and aims for the forthcoming year.
Section 2 - Council Governance,	Outlines the Council’s governance arrangements
Section 3 - Structure charts,	Sets out the Council’s political and officer structures
Section 4 - Council Budget	Sets out the high level Council revenue and capital budget for 2016/17.
Section 5 – Council Values	Outlines the values of the Council
Section 6 – Key achievements,	Sets out the key achievements of the Council over the last year.
Section 7 - Corporate Priorities, 2016/17.	Sets out the Council’s 15 Corporate Priorities for 2016/17.
Section 8 – Equality Objectives	2016/17 – Council’s Equality Objectives
Section 9 – Corporate Priority performance measures	Sets out the key performance measures identified to help deliver the Corporate Priorities.
Section 10 – Public facing performance measures,	Sets out those performance measures that have particular relevance to residents.
Section 11 - Corporate Priority actions	Sets out the key actions identified to help deliver the Corporate Priorities.

3.4 Progress against the plan will be reported regularly to Cabinet, Scrutiny Committees and the Corporate Management Team to assess whether the Council is delivering against its priorities and actions.

#### **4. Other Options**

4.1 There is no requirement to have an Annual Report or Corporate Plan but it enables the Council to set out its vision, aims and priorities in one document – making it easier to communicate these to staff, residents, partners and others.

#### **5. Reasons for Recommendation**

5.1 To ensure the Corporate Plan and Annual Report reflects the needs of the organisation and the borough’s communities.

#### **6. Corporate Implications**

6.1 Contribution to Council’s Vision and Corporate Priorities:  
The Corporate Plan and Annual Report sets out the Council’s vision, Corporate Priorities and related performance targets and actions which can then be monitored to assess whether the Corporate Priorities are being delivered.

6.2 **Financial Implications** - None specific.



- 6.3 **Legal Implications** - None
- 6.4 **People Implications** - None.
- 6.5 **Property Implications** - None.
- 6.6 **Consultation** – None specific
- 6.7 **Equalities and Diversity Implications** - Assessments of the impact of decisions relating to the budget on different sections of the community and staff was undertaken as part of the budget making process and helped to shape the content of the Corporate Plan and Annual Report.
- 6.8 **Risk Assessment** - Corporate Risks are identified and monitored alongside the actions and indicators in the Corporate Plan.
- 6.9 **Value for Money** - The Council benchmarks its performance and spend against comparators to ensure that it is providing value for money.
- 6.10 **Community Safety Implications** - The Council has corporate priorities to ‘Create a safe environment across the town for residents, workers and visitors’ and to ‘Work in partnership with Essex Police and other agencies to tackle crime’ and has identified appropriate performance measures and actions.
- 6.11 **Environmental Impact** - The Council has corporate priorities to ‘encourage and enforce high standards of environmental stewardship’ and ‘continue to promote the use of green technology and initiatives to benefit the local economy and environment’
  
- 7. **Background Papers** - None.
  
- 8. **Appendices**
  - 8.1 Appendix 1: Draft Corporate Plan and Annual Report - 2016.

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Draft

# Corporate Plan and Annual Report 2016

## Draft Introduction from the Leader and Chief Executive

**Welcome to Southend-on-Sea Borough Council's Corporate Plan & Annual Report – 2016. I hope you find this a useful document in outlining our vision, aims and values, showing where the Council spends your money and where we get it from, highlighting the Council's recent activity and in setting out our ambitions for the coming years.**

The Council faces enormous challenges in meeting the growing needs of local residents and in finding the savings required of us by central government. Since 2011/12 the Council has taken £56m from its budget with a further £10.5m required for 2016-17 and projected £28m savings for 2017-20.

In achieving these savings we will be doing our best to protect front line services and prioritise those most valued by local people. This also means getting the best value in commissioning services, targeting services to those who need them most, looking at new ways to do things and helping residents and communities to help themselves. This may also mean stopping certain things that we currently do and providing services in different ways. We, therefore, want to hear your views on what sort of borough you want in the future and what sort of Council is needed to make those views a reality.

Despite the challenges the Council has big ambitions for the borough and is continuing to invest in the town's infrastructure, environment, cultural vibrancy and tourism offer. The current year will see the new seafront lagoon open, the energy efficient LED street-light replacement programme continue and more investment going into schools, parks, roads, footways, car parks, homes, the pier and seafront cliff.

The Council is also driving projects to transform the Queensway area, develop the airport business park, including the Med-Tech campus and innovation centre, re-develop Victoria Avenue and create a 'Smart City' that uses new technology to create opportunities for innovation and sustainable growth as well as developing new models of health and social care.

The May 2016 elections saw the Conservative Group return as the administration of the Council and it is determined to ensure it gets the very best outcomes for residents, businesses and visitors. It will be working hard with community groups, partners and residents to make this happen and we hope this Corporate Plan & Annual Report gives you a good flavour of what, and how, this will be done in the coming years.

**Councillor John Lamb  
Leader of the Council**

**Rob Tinlin  
Chief Executive**

### About Southend-on-Sea Borough Council

Southend-on-Sea Borough Council serves a population of 177,900 residents. The Council's gross expenditure is approximately £390m and employs around 1,800 staff to provide a huge range of services to meet the needs of local people. The A-Z of all our services can be found at [www.southend.gov.uk](http://www.southend.gov.uk)

The Council's vision of 'Creating a better Southend' is supported by 5 aims:

- Clean
- Safe
- Healthy
- Prosperous
- Led by an Excellent council

The Council identifies priorities, related actions and performance measures to assess how well it is doing in achieving its aims.

Consultation with residents and our key partners, including Essex Police, NHS South Essex, Essex Fire and Rescue, plus the business and voluntary and community sectors inform the Corporate Priorities.

#### Governance:

The Council has 51 Councillors representing 17 wards. Councillors serve for four years and one third of the council is elected each year for three years, followed by one year without election. The last elections took place on 5 May 2016, resulting in the following political make-up of the Council:

- |                               |           |
|-------------------------------|-----------|
| - Conservative Group          | <b>24</b> |
| - Labour Group                | <b>10</b> |
| - Independent Group           | <b>9</b>  |
| - Liberal Democrat Group      | <b>2</b>  |
| - Southend Independence Group | <b>3</b>  |
| - UKIP Group                  | <b>2</b>  |
| - Non-aligned                 | <b>1</b>  |

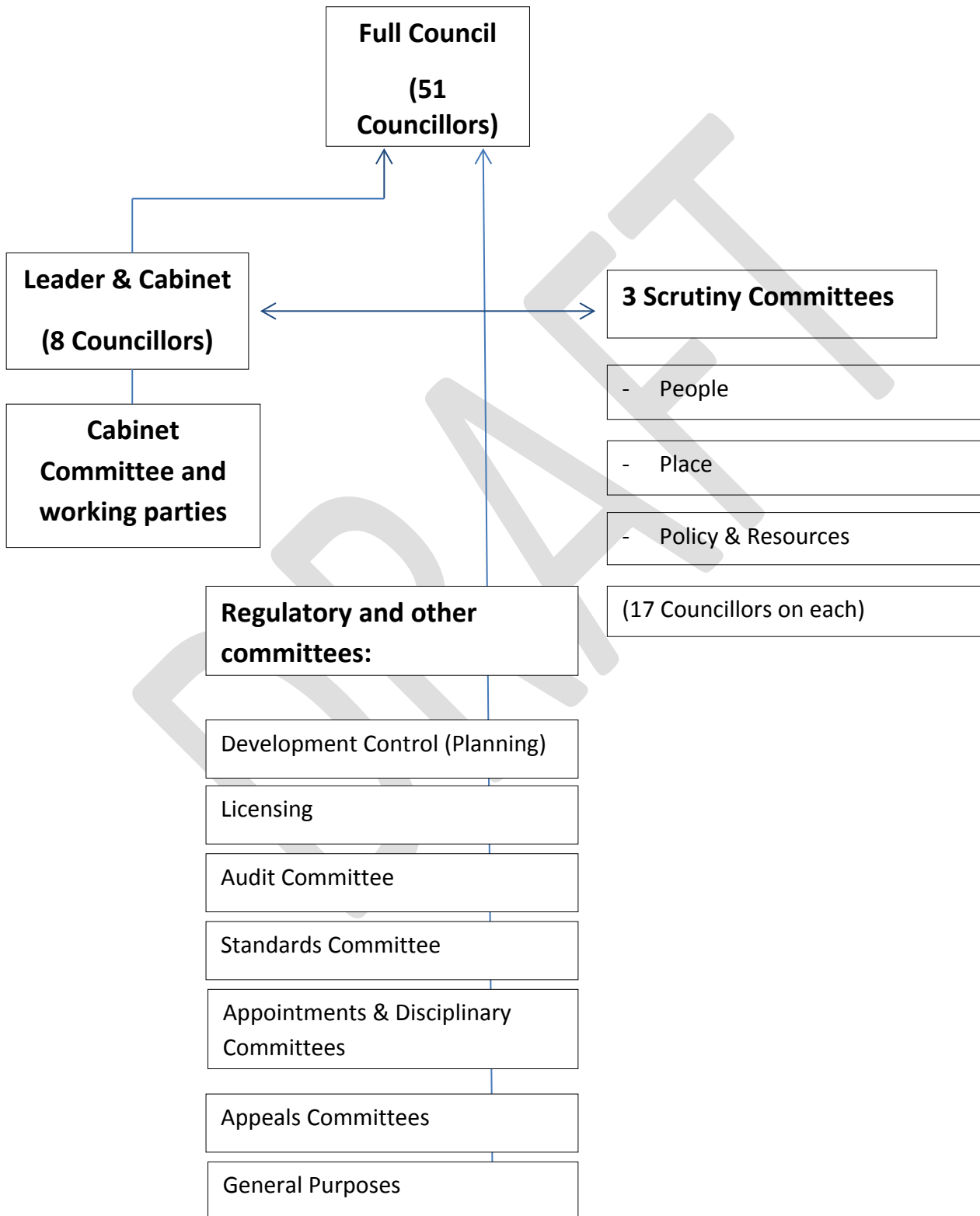
Following the local elections, the Conservative Group formed a minority administration.

The Council operates a Leader and Cabinet model. Major functions, such as agreeing the budget and policy framework are taken by the whole Council. Key executive decisions are taken by a Cabinet of eight Councillors with decisions and other issues reviewed by three scrutiny committees, made up of Councillors not in the Cabinet. Other committees undertake specific functions, for example, in relation to Planning and Licensing. Full details of the Council's decision making process are available at [www.southend.gov.uk](http://www.southend.gov.uk)

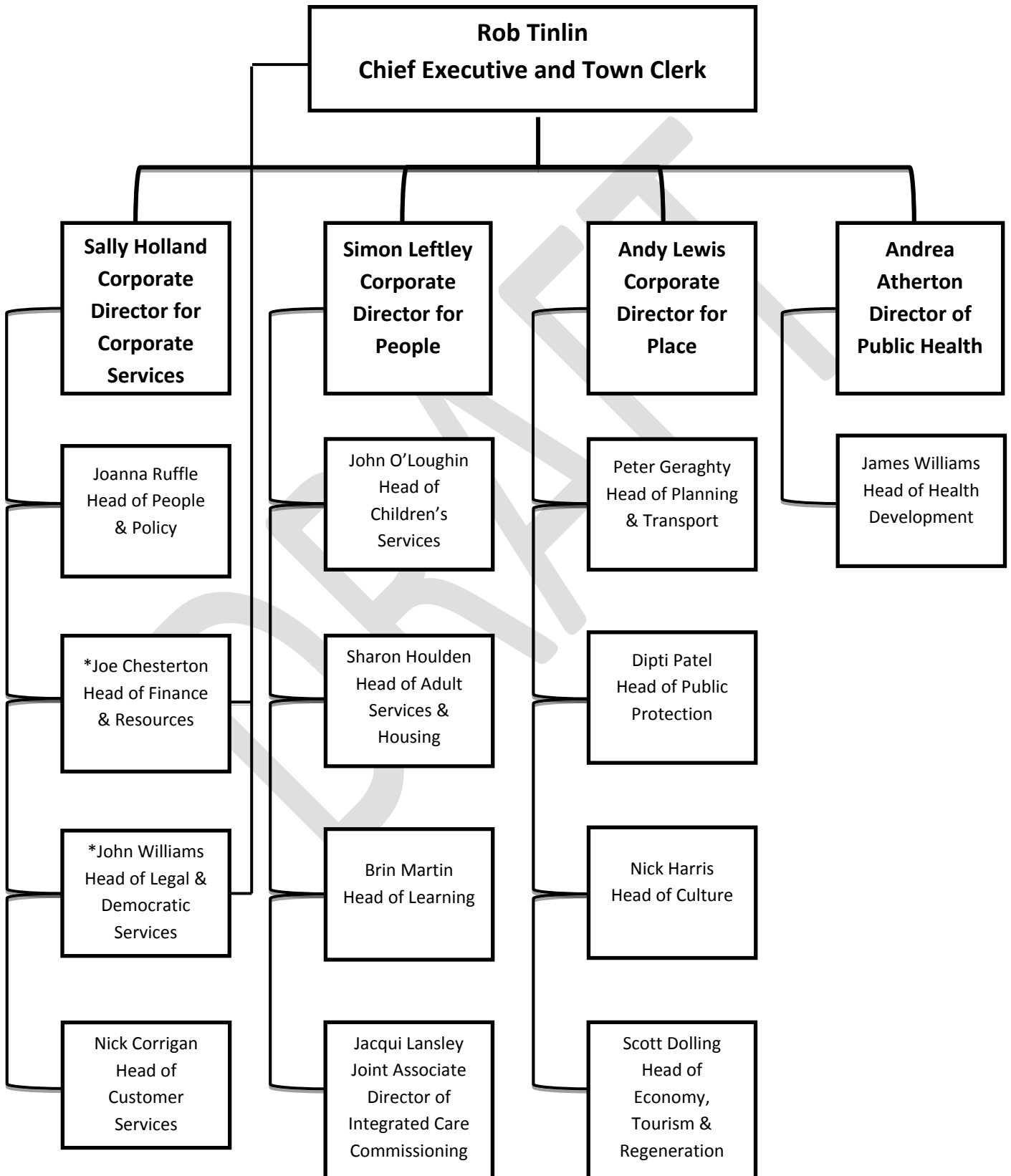
#### Officer Structure:

The Council has three departments, People, Place and Corporate Services – with 13 separate service areas, which in turn are divided into about 70 service groups. The Council is also responsible for the provision of most public health services.

Structure Chart - Political



# Senior Officers: Corporate Directors and Heads of Service



\*Directly reporting to the Chief Executive in respect to their statutory roles  
15.6.16,TM

## Council Budget

	Budget 2015/16	Budget 2016/17
	£000	£000
<b>Portfolios</b>		
Leader	3,285	3,419
Culture, Tourism & the Economy	13,732	14,261
Corporate & Community Support Services	3,323	2,950
Housing , Planning & Public Protection Services	13,664	10,747
Children & Learning	33,477	30,770
Health & Adult Social Care	39,911	40,912
Transport, Waste & Cleansing	25,236	23,127
Technology	(386)	110
Contingencies, Savings etc.	4,775	5,616
<b>Net Cost of Services</b>	137,017	131,912
Capital financing removed	(19,982)	(18,642)
<b>Adjusted Net Cost of Services</b>	117,035	113,270
Levies	550	585
Interest Payable and Receivable	16,062	15,787
<b>Net Operating Expenditure</b>	133,647	129,642
Contribution to /(from) earmarked reserves	(6,671)	(8,656)
Revenue Contribution to Capital	3,090	6,472
General Government Grants	(3,973)	(4,252)
<b>Total to be funded from Council Tax and Government Grant</b>	<b>126,093</b>	<b>123,206</b>
<b>Funding from Council Tax and Government Grant</b>		
Revenue Support Grant	(28,728)	(21,412)
Business Rates	(33,062)	(33,628)
Council Tax	(63,303)	(65,875)
Adult Social Care Precept	0	(1,291)
Collection Fund Surplus	(1,000)	(1,000)
	<b>0</b>	<b>0</b>



## Capital investment in Southend

The Council has plans to spend a total of £73.5m on capital schemes for 2016/17

<b>General Fund Services</b>	<b>£m</b>
Highways & Infrastructure Maintenance & Improvements	11.9
Energy Efficiency and Street Lighting	11.2
School Improvement	8.8
Improvements & Priority Works to Council Property	8.5
Pier, Foreshore & Regeneration	5.3
Investment in ICT	3.8
Disabled Facilities Grants and Private Sector Housing	3.1
Transport and Parking Schemes	3.1
Leisure Facilities Improvements	2.6
Investment in Commercial Property	2.0
Adult Social Care	1.5
Cemeteries & Crematorium	0.9
	<b>62.7</b>
<b>Council Housing</b>	<b>£m</b>
Decent Homes Improvements	7.3
Construction of New Housing/Acquisition of Leaseholds	3.1
Sheltered Housing Remodelling	0.4
	<b>10.8</b>

## Section 5

# Southend on Sea Borough Council's Values

### Living Our Values

Our values guide how we go about our work. They provide a framework for everything we do from day-to-day activities to key business decisions.

<p><b>EXCELLENCE</b> We aspire for excellence in our work</p>
<p><b>AS ONE</b> We work as one organisation</p>
<p><b>RESPONSIBLE</b> We are all responsible for the performance of our organisation</p>
<p><b>OPEN &amp; HONEST</b> We are open, honest and transparent, listening to other's views</p>
<p><b>CUSTOMER CARE</b> Good customer care is at the heart of everything we do</p>
<p><b>SUPPORTIVE</b> We support, trust &amp; develop each other</p>
<p><b>VALUING ALL</b> We value the contribution of all our people</p>

# Key Achievements - 2015/16

(against the 2015/16 Corporate Priorities)

### Safe:

#### **1. Create a safe environment across the town for residents, workers and visitors**

The Council joined forces with the emergency services and other councils to launch the Safer Essex Roads Partnership aimed at reducing deaths and serious injuries on county roads to zero.

£1.3m was spent on road resurfacing and pavement renewal based on priority need following an extensive survey of the borough's roads and pavements.

A new surface pedestrian crossing at the Kent Elms junction was installed to improve access, particularly to people with disabilities, prior to Phase 2 of the project, which will see the junction widened to better manage traffic and ease congestion.

The Council implemented new road schemes to improve road safety, particularly around the borough's schools and hospital and the Council's Road Safety Team has delivered numerous events and road safety sessions, encouraging pedestrians, drivers, riders, and cyclist to stay safe

The Council managed the Government's grant programme to support over 100 homes and businesses previously affected by flooding to install flood prevention measures

About 1.2 metric tonnes of illegally picked oysters were seized to help keep the public safe from potentially contaminated products.

The three year £13.5m project to upgrade the borough's 14,000 streetlights with new energy-efficient LED units accelerated thanks to Green Investment Bank funding, enabling the programme to be extended to illuminated street furniture and replacement/refurbishment of ageing light columns.

3,157 environmental investigations were undertaken in relation to local environmental crime, for example fly-tipping, littering, and duty of care breaches

#### **2. Work with Essex Police and other partners to tackle crime**

With Essex Police the Council secured and enforced an injunction on dangerous and unauthorised 'car-cruise' events in the borough.

Southend-on-Sea continued as a Purple Flag area, in recognition of its safe and well-managed night-time economy, achieving the national gold standard.

The Council, in partnership with Essex County Council, Essex Police, Thurrock Council and others, contributed to the '#TogetherWeCan' campaign to break the stigma of domestic abuse by getting people to talk about it and show their support, particularly on social media

The Anti-Social Behaviour Team dealt with 638 reports and obtained seven Criminal Behaviour Orders. The Team also conducted 23 mediation sessions with an 82.6% success rate

27 car parks have been awarded the 'Park Mark' award by the Association of Chief Police Officers and the British Parking Association for meeting national standards for safety, security, quality, and facilities management

### **3. Look after and safeguard our children and vulnerable adults**

Hands-on training and support helped to raise awareness of what makes children and adults vulnerable to exploitation by extremists and how they can help prevent it from happening. The Home Office approved training programme, was rolled out across schools and colleges to ensure that teachers and other members of staff know how to intervene appropriately.

A restructured Integrated Locality Service and Streets Ahead (Southend's Troubled Families programme) Team now provides a 'core' integrated Early Help Family Support Service to enable all contributors to early help in the borough to act before the needs of children and families escalate.

Streets Ahead has grown from strength to strength, achieving 100% 'Payment by Results' for 420 'Turned Around Families', enabling the borough to be selected to be one of the Phase 2 'early starters', giving 1480 more families the opportunity for support and a better quality of life over the next 5 years.

A number of local shops and businesses signed up to a new scheme, led by the Safeguarding Adults and Children's Boards in partnership with SHIELDS support group for people with learning difficulties and the Council. The 'Keep Safe' scheme means they will let vulnerable people use their phone to call someone they trust, or make a call on their behalf, with permission

The Council and the Local Safeguarding Children's Board (LSCB) supported a national campaign, to tackle child abuse and encourage local people to report any concerns. The 'Together, we can tackle child abuse' campaign emphasises the role everyone can play in protecting children and young people.

22.2% of appropriate social care clients received direct payments to help them plan their social care a further improvement on 2014/15.

The number of delayed discharges from hospital attributable to adult social care improved again to a rate of 1 per 100,000 of the population - against the 2015 national rate of 3.7.

82.80% of over 65s remained at home 91 days after discharge from hospital to rehabilitation

Southend Dementia Action Alliance, a new partnership of firms, charities, public sector partners and the Council, was launched to help boost the quality of life for those with dementia, their families and carers. There are now 530 Dementia Friends across the borough.

Two adult social care pilot schemes were launched as part of a project to transform the social and healthcare system. 'Discharge to Assess' is supporting timely and appropriate hospital discharges, while 'The Overnight Support' project provides adults with waking-night care from 10pm to 7am for up to five days

The Council was 6<sup>th</sup> in the country in terms of speed of processing adoptions with no disruptions.

The Council improved the recruitment and retention of foster carers, meaning more children could be fostered locally.

The Council supported over 2700 clients to stay in the community and be as independent as possible - 500 adult clients with a learning disability, 152 adults with mental health conditions and 800 adult clients with a physical or sensory impairment.

The Council agreed to establish a local authority trading company to manage Delaware House, Priory House adult care homes and Viking Day Centre to lead improvements in social care across the borough's care economy

#### Clean:

#### **4. Promote the use of green technology and initiatives to benefit the local economy and environment**

The Council has delivered a series of solar Photovoltaics (PV) projects across its property portfolio, which will generate 454KWh of solar energy – enough to power 1,000 houses for a year

The Council delivered the Borough's first carbon positive project at the Pier Lift Tower, which through the installation of solar PV, will see the building generate more energy than it actually uses

The Council's award winning partnership with OVO Energy has helped residents and businesses save around £1.2m from their bills by switching to a Southend specific energy tariff and helping those in fuel poverty.

The Council continued to roll-out a low-carbon and renewable technology programme throughout its buildings. The programme is designed to save costs, reduce CO2 emissions, generate new revenue streams and includes specifically targeted CO2 reduction in schools

Funding has been secured from Innovate UK for a two year project, 'Utilising Emobility Hubs to install electric vehicle charging posts, electric car club, bike and e-bikes for hire, a website for bookings and an integrated smart card system

The borough was recognised as the 'greenest' location in the 2016 UK Vitality Index, annual assessment of every large town/ city outside London, in terms of healthy, expansive economics, and those best placed to support growth and opportunities for business to expand.

Southend-on-Sea was ranked joint first out of 63 cities and towns in the 'Cities Outlook' 2016 report in terms of urban environment with the lowest CO2 emissions per capita

The Council has been selected, ahead of 36 other councils, by the Environment Agency to work in partnership with their Climate Ready team to use their tools and methods to support progress at a local level in the borough

The Council approved a £1.29m energy efficiency programme for Temple Sutton Primary School, the largest solar PV project in the borough. The project aims to deliver £2.84m gross saving across 25 years (before costs) with 285 tonnes saving in CO2.

The Council's Strategic Planning Team was successful in securing a grant from the Department of Energy and Climate Change's Heat Network Delivery Unit. Funding was utilised to help identify areas of high heat usage and potential opportunities to operate district heating schemes in Southend-on-Sea

## **5. Encourage and enforce high standards of environmental stewardship**

The Council launched the 'make Southend Sparkle' campaign to recruit volunteers, bring community groups together and attract funding to target 'grot spots' and clean up the borough

A new 15 year recycling, waste and street cleansing service contract started in October 2015, with the new contractor, Veolia, committed to improving recycling rates, maintaining weekly collections and improving the street scene. The new contract will save £22.2m over its life.

The Council managed about 1m waste and recycling collections, collecting about 75,000 tonnes of waste, with about half recycled.

The Council won a prestigious National Cleansing Award from the Chartered Institute of Waste Management and 98% of streets in the borough met the acceptable standard of cleanliness across the whole of the borough

The Council emptied and maintained around 700 litterbins and 300 dog bins within the borough

The Council cleaned more than 400km of streets and roads and also maintains its cleanliness to promote environment stewardship for Southend residents

All seven of Southend's beaches have been awarded achieved a prestigious Keep Britain Tidy 'seaside award', including three beaches achieving the top Blue Flag award

The Council maintains more than 1,000 acres of parkland and open spaces, including 45 parks and open spaces, with five Green Flag award winning parks and open spaces continuing to promote environmental stewardship.

## **Healthy:**

### **6. Promote healthy and active lifestyles for all**

1300 Southend residents were helped to stop smoking with the help of the stop smoking service. A new 'Smoke Free' strategy was agreed following public consultation.

The NHS Health Check programme saw 6619 residents between 40 and 75 take the opportunity to check their health risks, particularly in relation to strokes and heart attacks, exceeding the national target.

A new Older People Strategy was agreed to set out how Southend Clinical Commissioning Group and the Council will commission and deliver services for older people over the next three years.

170 older people completed the Councils extensive 16 week community falls prevention programme. A further 216 older people received a comprehensive assessment and support to help reduce their risk of falling.

Free flu jabs and nasal sprays were made available through GP practices. Two to four year olds are eligible for the vaccine sprays while those entitled to a free jab include over 65s, pregnant women, people with asthma and diabetes and those with chest and heart complaints.

Vaccination, which protect against four different types of meningococcal bacteria, are being offered to teenagers, sixth formers and first year university students as part of the NHS childhood vaccination programme

48 more employers were signed up to the Public health Responsibility Deal, meaning over 100 local organisations have committed to helping local people improve their health and wellbeing.

130 families were supported by the MoreLife programme, a scheme aimed at tackling childhood obesity.

The Warm and Well partnership scheme, continued to target more vulnerable resident, making sure the risk of serious health problems are reduced during the winter months.

The £40m Big Lottery funded programme, Fulfilling Lives: 'A Better Start', continues its work to help parents give their children from 0-3 a better start in life. The project is seeing a wide range of activities and services promoting personal, social and emotional development, communication, health and nutrition over the next nine years and beyond

## **7. Enable the planning and development of quality, affordable housing**

The second phase of the Better Queensway housing regeneration project was begun. The project could see a new community of 1000 homes a new commercial and mixed use re-development that transforms the area in the coming years

The Council continued its drive to create more local affordable homes for rent, with contractors appointed to build 19 new properties across six underutilised garage sites in Shoeburyness.

The Council provided support to 850 households to remain in, or secure, accommodation, preventing homelessness within the Borough.

## **8. Work with the public and private rented sectors to provide good quality housing**

£7.8m was allocated to the decent homes programme to continue improvements to energy efficiency and health and safety in the Council's housing stock.

£1m of capital funding was secured from the Homes and Community Agency's Homelessness Change Programme for three projects in the borough.

264 properties were adapted, through £1m of Disabled Facilities Grants, helping to improve properties and enable more people to live in their home.

Proactively inspected over 100 Houses in Multiple Occupation (HMOs) to ensure basic minimum standards of accommodation were achieved in often high-risk homes.

About 350 serious hazards, such as those relating to fire, damp and sanitation, were removed from privately rented properties

The Council assisted willing landlords and managing agents to improve standards throughout the private rented sector by offering free information sessions and training through Landlords Forums and on-going support to the South East Alliance of Landlords, Agents and Residents (SEAL).

Effective enforcement was undertaken against 'rogue'/'criminal' landlords through, as a last resort, successful prosecutions, to encourage failing landlords to improve and good landlords to maintain their higher standards



## **Prosperous:**

### **9. Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities**

A higher proportion of adults with learning disabilities (11%) are in paid employment compared to last year

The Council came 16th out of 45 local authorities in the Stonewall Education Equality Index, showcasing how well they tackle homophobia and homophobic bullying in schools. 11 schools are working towards becoming Equality and Diversity Champions and have undertaken a range of training sessions for students and teachers – including with Show Racism the Red Card

For the seventh year running, the Council retained its position as one of the UK's top 100 employers in the Stonewall Workplace Equality Index, an annual benchmarking exercise that ranks the top 100 employers in Britain. The Council was ranked 82nd overall

### **10. Ensure continued regeneration of the town through a culture led agenda**

The Forum, Southend-on-Sea has was officially opened by The Duke of Kent, unveiling a stunning sculpture of HM The Queen. His Royal Highness carried out the ceremony at the thriving library and learning hub in Elmer Square, developed through a unique three-way partnership

The new Shoeburyness library opened in September 2015 as part of the redevelopment of the Shoebury Youth Centre and new community supported branch libraries were introduced.

83 volunteers regularly supported the library and museum's services

Volunteers gave 18,304 hours of their time in relation to cultural services providing support free of charge for the community encouraging active lifestyles

There were 4,321,179 attendances at and participated at Council owned or affiliated cultural and sporting activities and events

There were 1,084,918 visits to our libraries, including 778,023 at The Forum alone.

The Focal Point Gallery celebrated its 25<sup>th</sup> Anniversary with a series of imaginative exhibitions, receiving 66,387 visitors during this celebratory year.

A new leisure centres contract with Fusion Lifestyle charity, started in July 2015, which will see a saving of £4m over 10 years and offer more outdoor activities in the summer, healthier lifestyle promotions, a new 'Tennis in the Parks' scheme along with many other new initiatives

The world's first digital park in Chalkwell Park opened, giving art lovers a chance to use their smartphones and tablets to enjoy cutting edge installations

Work to create a new lagoon along Southend seafront started, which together with new toilets and showers at the Three Shell Beach, will provide first class water facilities for the area, including when the tide is out

Work continued with Historic England on the conservation of the London shipwreck site

Major capital funding from the Lawn Tennis Association was received to refurbish tennis courts in Priory and Chalkwell Parks.

£1.98m was been earmarked for non-structural Pier work and improvements to decking, lamp columns, electrics, shelters, and toilets in addition to £2.65m identified for structural works that has been brought forward from 2015 budget

The Council received Sport England Community Sports Activation funding to deliver the Active Women project across the borough

Strong partnership working continued to develop with local arts organisations in the delivery of events such as Village Green, 12,000 people enjoying 45 performances at the Bandstand and 800 people captivated by Royal Opera House and Last Night of the Proms live screenings at Elmer Square.

### **11. Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment**

The Council supported 810 people into employment either created or safeguarded through the Government's business grants programme, which closed in June 2015

Fit4 Work courses, run by Seejobgroup, were set up to give unemployed Southend residents the best possible preparation for finding jobs. The courses offer a wide range of activities and give practical advice to help people transform their confidence and tackle job applications

Southend firms joined a bid to boost apprenticeships through the Council's Business Partnership Briefing, raising the awareness of apprenticeships and the benefits they can bring to businesses

88% of parents received their first choice primary school place for their child within the borough.

Nearly 83% of Southend school pupils attend a school judged by OFSTED as good or outstanding.

64.7% of pupils in 2015 achieved the national benchmark for GCSE grades A\*-C. This has risen from previous years and shows a continuing trend of improvement above the national average.

The percentage of 16-24 year olds Not in Education, Employment or Training (NEET) was 3.9% against 4.3% nationally and 5.4% for our statistically comparable neighbour average.

### **12. Ensure the town is 'open for business' and that new, developing and existing enterprise is nurtured and supported**

The Seaway car park £50m leisure and residential scheme progressed further, with plans continuing to develop a cinema, restaurant units, apartments and car parking in the coming years

Plans continued to potentially develop a state of the art museum to house the unique Saxon King and HMS London findings

A new Traffic Management Contract was awarded to Siemens, which will deliver further efficiencies and see a new state of the art traffic light system introduced to improve traffic flows within the borough.

The Borough's first 'Youth Market' was held to help promote entrepreneurial skills among young people and supported by a 60 Minute Mentor session from Essex Farmers' Market

Thurrock Council bought some of the Council's Town Centre Management expertise and resource.

A Broadband voucher scheme was launched enabling businesses to access financial support to upgrade their broadband provision

The Hive Enterprise Centre was officially opened and is now home to over 25 businesses

Social Saturday supported for the first time as well as small business Saturday which have been supported previously

£3.2m was secured for the Airport Business Park from Local Growth Fund via South East Local Enterprise Partnership (SELEP).

The CONNECT project was launched in partnership with Stobart Group and partner organisations in Cumbria (via the Local Enterprise Partnerships) to maximise opportunities of the new route between Southend and Carlisle airports by improving infrastructure at both ends and developing trade, education and tourism links.

#### **Excellence:**

#### **13. Work with and listen to our communities and partners to achieve better outcomes for all**

The Council entered into an Service Level Agreement with Southend Carnival Association to support community events through management of a refreshed community events store and support with community event applications as well as delivery of military parades in partnership with the Council.

An Investors in Volunteering assessment highlighted good practice in Southend, particularly the quality of management of volunteers and clear communication – with 101 volunteers across the youth service and good representation from hard to reach groups, people with a disability and those from ethnic minorities.

The Early Help and Family Support and Youth Offending Service has concentrated on improving and developing processes and working toward the Investors in Volunteering quality assurance standard.

The Council consulted with the public and stakeholders over the Southend Central Area Action Plan – a blueprint for the future development of the centre and seafront areas of Southend, which once adopted will inform planning decisions in the area for five years.

The Council's website was viewed 1,605,650 times, with 35,460 online payments made, helping to save resources compared to other payment methods. 31,962 online forms were submitted.

The Council exceeded its staff sickness target with 6.99 days lost per (non-school) member of staff, compared to the local government average of 8.8 days

The Council achieved the Public Service Network (PSN) accreditation from Cabinet Office.

#### **14. Enable communities to be self-sufficient and foster pride in the town**

The Hub in Victoria Shopping Centre, Southend continued its success in providing additional support for vulnerable residents and those facing hardship. Advice is provided by a range of voluntary and statutory services and by providing a community facility for use by local people and community groups. The success of the hub has led to the development of a similar facility in Shoeburyness

The MySouthend new online facility now has over 11,000 users, allowing residents, business and landlords to quickly and easily manage Council transactions online, including Housing Benefit, Council Tax and Business Rates. MySouthend aims to expand its facilities in the near future to allow users to access a wider range of tools.

#### **15. Promote and lead an entrepreneurial, creative and innovative approach to the development of our town**

Plans were further progressed with Rochford Council for development of the Airport Business Park which could include an Anglian Ruskin Medtech Campus, an innovation centre, hotel and space for local engineering and aviation businesses, together with hi-specification office space

The Hive Southend, business enterprise centre officially opened in Spring 2015. Managed by Enterprise4Good, and based in the Beecroft Art, the centre, and has created over 1500m<sup>2</sup> of business and meeting space in the town centre and offers businesses a range of flexible accommodation options

The Council promoted the start of the re-development of derelict office blocks in Victoria Avenue through threatened use of compulsory purchase powers.

The Council's award-winning planning team were shortlisted for the prestigious Royal Town Planning Institute (RTPI) Awards for Planning Excellence

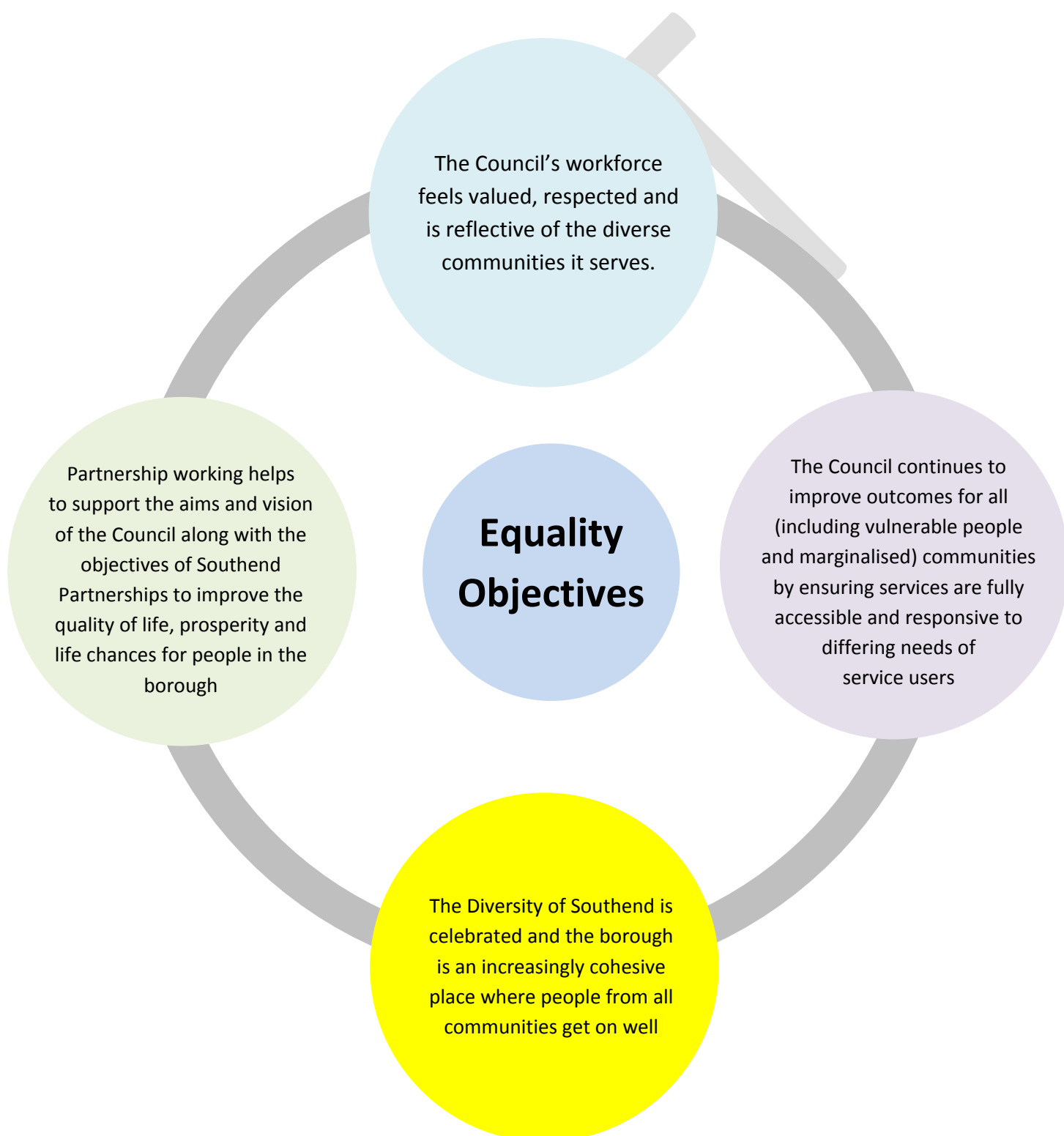
The Council was successful in the Horizon 2020 bid called 'TRACE', that aims to support the award winning 'Ideas in Motion' campaign to promote walking and cycling in the borough by determining the best use of technology and ICT tracking tools.

# Corporate Priorities 2016/17



## Equality Objectives

The Council's equality objectives, which support the Corporate Priorities, are listed below. These are supported by service level objectives which are specific, measureable and realistic with progress on how the Council is meeting its equality responsibilities reported regularly.



## Section 9

### Corporate Priority Performance Measures for 2016/17

Performance Measures	Target for 2015/16	Target for 2016/17	Aim
Number of children subject to a Child Protection Plans (per 10,000 population) [Monthly Snapshot]	37.8-45.2	45.7-52.3	<b>Safe</b>  Create a safe environment across the town for residents, workers and visitors  Work in partnership with Essex Police and other agencies to tackle crime  Look after and safeguard our children and vulnerable adults
Number of Looked After Children (per 10,000 population) [Monthly Snapshot]	54.4-65	57.7-68.3	
Adults in contact with secondary mental health services living independently, with or without support (expressed as a percentage) [Quarterly Snapshot]	66%	66%	
Percentage of children reported to the police as having run away that receive an independent return to home interview (where parents' consent)[Cumulative]	85%	85%	
Score against 10 British Crime Survey crimes; Theft of vehicle, theft from vehicle, vehicle interference, domestic burglary, theft or cycle, theft from person, criminal damage, common assault, woundings, robbery [Cumulative]	7389	7389	
Percentage acceptable standard of cleanliness: litter [Cumulative]	90%	92%	<b>Clean</b>  Continue to promote the use of green technology and initiatives to benefit the local economy and environment  Encourage and enforce high standards of environmental stewardship
Number of reported missed refuse collections per 100,000 [Monthly Snapshot]	45	45	
Percentage of household waste sent for reuse, recycling and composting [Cumulative]	54%	54%	
Proportion of people who use services who receive Direct payments [Year to date Snapshot]	N/A	30%	<b>Healthy</b>  Actively promote healthy and active lifestyles for all  Work with the public and private rented sectors to provide good quality housing  Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities
Proportion of older people 65 and over who are still at home 91 days after discharge from hospital to rehabilitation.	86%	86%	
Proportion of adults with learning disabilities in paid employment [Quarterly Snapshot]	10%	10%	
Delayed transfers of care from hospital for social care per 100,000 population [Average]	N/A	1.43	
Number of Children having participated in an Early Help Assessment (cumulative)	N/A	2000	
Number of attendances at council run or affiliated arts and sports events and facilities [Cumulative]	3,429,000	4,000,000	
Number of people successfully completing 4 week stop smoking course [Cumulative]	1300	1300	
Take up of the NHS Health Check programme – for those eligible [Cumulative]	5673	5673	

Number of Southend employers signed up to the Public Health Responsibility Deal [Cumulative]	40	40	
Percentage of Children in good or outstanding schools	75%	80%	<b>Prosperous</b>  Maximise opportunities to enable planning and development of quality, affordable housing  Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment  Ensure the town is 'open for business' and that new, developing and existing enterprise is nurtured and supported  Ensure continued regeneration of the town through a culture led agenda
Major planning applications determined in 13 weeks [Cumulative]	79%	79%	
Minor planning applications determined in 8 weeks [Cumulative]	84%	84%	
Other planning applications determined in 8 weeks [Cumulative]	90%	90%	
Current Rent Arrears as percentage of rent due [Monthly Snapshot]	1.77%	1.7%	
Percentage of Council Tax for 2015/16 collected in year [Cumulative]	97.0%	97.2%	
Percentage of Non-Domestic Rates for 2015/16 collected in year [Cumulative]	97.6%	97.8%	
GovMetric measurements of satisfaction (3 channels – Phones, Face 2 Face & Web) [Cumulative]	≥80%	≥80%	<b>Excellent</b>  Work with and listen to our communities and partners to achieve better outcomes for all  Enable communities to be self-sufficient and foster pride in the town  Promote and lead an entrepreneurial, creative and innovative approach to the development of our town
Number of payments made online [Cumulative]	≥50,000	≥50,000	
Number of volunteers hours delivered within cultural services [Cumulative]	12,000	13,000	
Working days lost per FTE due to sickness – excluding school staff [Cumulative]	7.20	7.20	



## Public Facing Performance 2016/17

<b>Outward Facing Name</b>	<b>Indicator Name</b>	<b>Annual Target 2015/16</b>	<b>Annual Target 2016/17</b>
How much of your household waste is recycled?	Percentage of household waste sent for reuse, recycling and composting	54%	54%
How quickly are your planning applications decided?	Other planning applications determined in 8 weeks	90%	90%
How reliable are your refuse collections?	Number of reported missed collections per 100,000	45	45
Customer Satisfaction	GovMetric measurement of satisfaction (3 channels)	≥80%	≥80%
How clean are your streets?	Percentage acceptable standard of cleanliness: litter	90%	92%
How many visits to council run or affiliated arts and sports events and facilities in Southend-on-Sea	Number of attendances at council run or affiliated arts and sports events and facilities in Southend-on-Sea	3,429,000	4,000,000

## Corporate Priority Actions 2016/17

Action	Due Date	Directorate	Aim	
1 Deliver the priorities of the Strategic Intelligence Assessment to support a reduction in crime	31 Mar 2017	Place	<b>Safe</b> Create a safe environment across the town for residents, workers and visitors	
2 Successfully implement the new parking enforcement contract	31 Mar 2017	Place		
3 Implement the outcome of the 20mph Speed Limit Scrutiny Project	31 Mar 2017	Place		
4 Implement and embed the Early Help offer redesign	31 Mar 2017	People		
5 Monitor the implementation and delivery of the new commission the new Emotional Health and Wellbeing service	31 Mar 2017	People		
6 Implement and performance manage the Multi-Agency Risk Assessment Team	31 Mar 2017	People		
7 Delivery a high performing waste collection and street cleaning service across the Borough including the recycling / composting rate to 54%	31 Mar 2017	Place	<b>Clean</b> Continue to promote the use of green technology and initiatives to benefit the local economy and environment	
8 Continue to utilise environmental enforcement powers where appropriate to maintain an attractive street scene for residents and visitors (Clean and Green)	31 Mar 2017	Place		
9 Implement the new model for service delivery for the Grounds Maintenance Service	31 Mar 2017	Place		
10 Deliver the aspirations of the Council's Low carbon Energy Strategy 2015-2020	31 Mar 2017	Place		
11 Continue to implementation the agreed corporate Energy Projects including the Southend Energy Partnership	31 Mar 2017	Place		
12 Produce a new Highway Asset Management Plan to support the maintenance and improvement of the roads, pavements and street furniture across the Borough	31 Mar 2017	Place		
13 Delivery and implement the Traffic & Highways Capital Programme	31 Mar 2017	Place		
14 Delivery the programmed replacement of old street lighting lantern with new LED type	Multi-year programme with annual targets	Place		
15 Develop and implement an Accident Prevention Strategy	31 Mar 2017	Public Health	<b>Healthy</b> Actively promote healthy and active lifestyles for all  Work with the public and private rented sectors to provide good quality housing  Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities	
16 Develop a Mental Wellbeing Strategy	31 Mar 2017	Public Health		
17 Develop a social marketing programme for health improvement	31 Aug 2016	Public Health		
18 Develop a public health vision that informs prioritisation of public health needs within the community and revise the public health strategy to address these	31 Dec 2016	Public Health		
19 Deliver Phase 2 of the Streets Ahead programme	31 Mar 2017	People		
20 Deliver Year 2 of the Fulfilling Lives programme to improve the life chances of children aged 0-3	31 Mar 2017	People		
21 Narrow the achievement gap for all disadvantaged groups	31 Mar 2017	People		
22 Develop and implement an asset based model of assessment and service provision across Adult Social Care	31 Mar 2017	People		
23 Embed the integrated community recovery pathway as the standard model for service delivery in adult social care	31 Mar 2017	People		
24 Delivery the join integrated work plan across children's, adults and community services	31 Mar 2017	People		
25 Work in partnership to develop affordable housing	30 Jun 2016	People		<b>Prosperous</b> Maximise opportunities to enable the planning and development of quality affordable housing
26 Deliver the agreed Council strategy for Southend adult social care homes and other care services	31 Mar 2017	People		
27 Develop a secondary school places strategy to cater for the increasing pupil numbers	31 Mar 2017	People		
28 Further develop the School Led School Improvement System (school –	31 Mar 2017	People		

	to – school support)			Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment
29	Increase the number of schools judged as 'Good' or 'Outstanding'	31 Mar 2017	People	
30	Improve school attendance for the academic year 2016/17	31 Mar 2017	People	
31	Seaway Car Park – to bring forward the development of a leisure-led scheme, including the relocation of coach parking and the seafront area waste depot, 2016/17 actions: <ul style="list-style-type: none"> <li>To support Turnstone to submit a planning application</li> <li>To meet the Coach Park Relocation Condition</li> <li>To support Turnstone in securing prime tenants</li> </ul>	31 Mar 2016 30 Jun 2016 31 Aug 2016	Corporate Services	Ensure the town is 'open for business' and that new, developing and existing enterprise is nurtured and supported
32	Airport Business Park – to bring forward development of land north of Aviation Way over 15-20 years for a Business Park via a development partnership, 2016/17 actions: <ul style="list-style-type: none"> <li>To commence Phase 1 infrastructure works</li> <li>To agree Westcliff Rugby club relocation strategy and commence work</li> <li>To submit a planning application for the Innovation centre</li> </ul>	31 Jul 2016 30 Sep 2016 30 Sep 2016	Corporate Services / Place	Ensure continued regeneration of the town through a culture led agenda
33	Queensway Area Regeneration Project, 2016/17 actions: <ul style="list-style-type: none"> <li>Progress the finance option and housing plans for the Queensway area regeneration project</li> <li>Consultation and communication with existing residents of the Queensway development to inform specifications for the redevelopment</li> </ul>	31 Mar 2017 31 Mar 2017	Corporate Services / People / Place	
34	Continue to make the case for Growth Fund Investment in Southend by working with the South Essex Growth Partnership and SELEP	31 Mar 2017	Place	
35	Develop a Smart Cities Strategy and associated projects	31 Mar 2017	Place	
36	Delivery of Seafront Lagoon	31 Mar 2017	Place	
37	Complete detailed design for the Seafront Museum	31 Mar 2017	Place	
38	Implement the recommendations from the Library Review	31 Mar 2017	Place	<b>Excellent</b>
39	Southend Way – To continue to embed the Southend Way cultural change programme (Aspiration programme – Council)	31 Mar 2017	Corporate Services	Work with and listen to our communities and partners to achieve better outcomes for all
40	Identify and support opportunities that improve community capacity and resilience (Aspiration programme for the borough)	31 Mar 2017	Corporate Services	Enable communities to be self-sufficient and foster pride in the town
41	Work the Government and local partners develop and deliver a devolution deal which maximises the benefits for Southend, building on City Deal and profile of the Thames Gateway	31 Mar 2017	Place	Promote and lead an entrepreneurial, creative and innovative approach to the development of our town

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# Southend-on-Sea Borough Council

Report of Chief Executive & Town Clerk  
to  
Cabinet  
on  
28<sup>th</sup> June 2016

Report prepared by:  
Leo Lord – Senior Business Management Advisor  
Tim MacGregor – Team Manage, Policy and Information

Agenda  
Item No.

8

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**2015/16 Year End Performance Report**  
**Relevant Scrutiny Committee(s): People; Place; Policy & Resources.**  
**Executive Councillor: Councillor Lamb**  
***A Part 1 - Public Agenda Item***

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**1. Purpose of Report**

1.1 To report on the end of year position of the Council's corporate performance for 2015/16.

**2. Recommendation**

2.1 **To note the 2015/16 end of year position and accompanying analysis.**

**3. Background**

3.1 The Council's Monthly Performance Report (MPR) provides members, staff and public with an overview of Council performance in key areas relating to customers, staff, finance and projects. The content is reviewed each year, based on what has been identified as requiring particular focus for that year.

3.2 The MPR is monitored each month by service groups, Departmental Management Teams and Corporate Management Team and at each meeting of Cabinet and each Scrutiny Committee. Each assesses whether performance is on or off target - enabling appropriate action to be taken. This report outlines performance and provides analysis for the end of year position up to March 2016 of the corporate performance indicators reported in the MPR.

3.3 The analysis focuses on:  
- performance against targets;  
- performance against previous years' performance and  
- performance against comparable authorities (where available)

3.4 **Appendix 1** provides detail of the 2015/16 outturn with a commentary against individual indicators, including, where available, comparative performance information against other local authorities.

- 3.5 Corporate performance monitoring and management has been an important element of the Council's improvement journey and, to provide more context **Appendix 2** provides an overview of this improvement over recent years.
- 3.6 In considering corporate performance for 2015/16, account should be made of a number of contextual issues, including:
- the significant reductions in council spending for the year,
  - the on-going challenging economic climate
  - challenges faced in meeting new Government requirements, including changes to welfare provision.
  - the challenge of maintaining rates of improvement after periods of sustained better performance.
  - other new commitments and priorities.

#### 4. Performance in 2015/16

4.1 Despite the challenges outlined above, the Council continued to perform well in 2015/16 with some indication that the financial and economic climate has had an impact in some areas. In addition, benchmarking analysis indicates that in many areas the council performs better than similar authorities and our statistical neighbours. The following points are of particular note:

- 23 of the 28 (82.1%) performance indicators met their year-end targets
- Of the 28 indicators for which data is available for the previous year, 22 (78.6%) have maintained or improved performance from 2014/15.
- The number of volunteer hours within cultural services exceeded its target by 8,304 hours (18,304 against a target of 12,000) highlighting the borough's support of the cultural offer in Southend.
- 75 new affordable homes were delivered, up from 50 in 2014/15.
- The proportion of children in good or outstanding schools has increased almost 5% to 83.1%.
- Adult Social Care outcomes have performed well:
  - The number of delayed transfers of care from hospital (social care) reduced for the third consecutive year (2013/14 – 30, 2014/15 – 18, 2015/16 - 17).
  - A greater percentage of older people over 65 remained at home 91 days after discharge from hospital to rehabilitation.
  - A higher proportion of adults with learning disabilities are in paid employment compared to last year.
- The take up of the NHS Health Check programme – by those eligible has exceeded the target by 15.3%.
- A further 43 local employers have signed up to the Public Health Responsibility Deal in Southend.

- Cleansing standards for litter have improved to 96% from 94% in 2014/15.
- The percentage of Non-domestic Rates collected exceeded target by 0.2 % with a 97.8% collection rate. The percentage of Council tax collected also exceeded target by 0.2% with a 97.2% collection rate.
- The council's extensive offer of events and facilities in 2015/16 resulted in 4,321,179 visits to council run or affiliated arts and sports events or facilities, exceeding last year's performance by just over 148,000 visits.

4.2 Corporate performance for 2016/17 will follow a similar format, with the revised performance measures and actions having been agreed by Cabinet in February and these are outlined in the Council's Corporate Plan and Annual report for 2016.

## 5. Other Options

Not applicable to this report.

## 6. Reasons for Recommendation

Not applicable to this report.

## 7. Corporate Implications

### 7.1 Contribution to Council's Vision & Critical Priorities

The MPR monitors performance of the Corporate Indicators achieved against the Corporate Priorities.

### 7.2 Financial Implications

The MPR monitors performance achieved against the Corporate Priorities and these priorities are key drivers for the Medium Term Financial Strategy.

### 7.3 Legal Implications

There are no legal implications.

### 7.4 People Implications

People implications are included in the monitoring of performance relating to the council's resources where these relate to the Council's priorities.

### 7.5 Property Implications

There are no property implications.

### 7.6 Consultation

Performance Indicators relating to the Council's priorities included in the MPR are as included in the Corporate Plan, which was developed through consultation.

### 7.7 Equalities Impact Assessment

The priorities and outcomes contained with the Corporate Plan are based upon the needs of Southend's communities. This has included feedback from consultation and needs analyses.

7.8 Risk Assessment

The monitoring of performance information supports the council in identifying potential areas of risk as part of the Council's governance processes.

7.9 Value for Money

Value for Money is a key consideration of the Corporate Plan and performance indicators in the MPR assist in identifying Value for Money from services.

7.10 Community Safety Implications

Performance Indicators relating to community safety are included in the MPR.

4.11 Environmental Impact

Performance Indicators relating to environmental factors and impact are included in the MPR.

**8. Background Papers**

8.1 Monthly Performance Reports, April 2015 to March 2016.

**9. Appendices**

9.1 **Appendix 1: Corporate Priority Indicators – Year End**

9.2 **Appendix 2: Southend-on-Sea BC Improvement Journey**



## Corporate Performance Indicators - Year End

**Outcome against target: Missed target 5, Achieved target 23**



Comparative information, in most cases, is with all unitary authorities in England or with the appropriate 'family' group (eg those authorities with characteristics that are most similar to Southend). The majority of benchmarking data is from 2014/15 as data for 2015/16 from other authorities is not yet available – although this still offers a good indication into how our performance is progressing. Comparative performance is often described in terms of 'quartiles' where:

- Upper Quartile – Top 25% performing councils
- Upper Middle Quartile – Top 50% performing councils
- Lower Middle Quartile – Bottom 50% performing councils
- Lower Quartile – Bottom 25% performing councils

MPR Code	Short Name	Minimise or Maximise	Year End 2015/16	Annual Target 2015/16	Outcome	Year End 2014/15	Comments / Benchmarking
43 CP 1.1	Score against 10 BCS crimes; Theft of vehicle, theft from vehicle, vehicle interference, domestic burglary, theft of cycle, theft from person, criminal damage, common assault, woundings, robbery. **Cumulative from April**	Aim to Minimise	8382	7389	Not Met Target	7464	Number of crimes per 1000 residents is higher in Southend than both 'most similar group' average and Essex average. Representatives from Essex Police attended Policy and Resources Scrutiny Committee on 3 <sup>rd</sup> December 2015 to provide an update on Southend crime statistics, current demand and future challenges.
CP 1.2	Adults in contact with secondary mental health services who are in stable accommodation (ASCOF H1)	Aim to Maximise	67.5%	66%	Met Target	66.4%	This indicator is in line with the National Social Outcomes Framework. Performance has met target. Against all English Unitary Authorities for 2014/15 the Council is in the upper middle Quartile Performance for this indicator. (LG Inform 26/04/2016)
CP 1.3	The percentage of children reported to the Police as having run away that receive an independent return to home interview [Monthly Snapshot]	Aim to Maximise	69.05%	85%	Not Met Target	66.2%	During the year the police changed the way they triaged missing children which meant an increase in the number of children report to us as missing, as a result performance dropped. We now risk assess and triage all clients ourselves, the result will be a risk assessed and moderated volume ensuring an improvement in the reporting of the performance indicator. In addition we also count children who are placed here by other local authorities. If we excluded these numbers the performance rises to 77.7% with 91% attempted.

MPR Code	Short Name	Minimise or Maximise	Year End 2015/16	Annual Target 2015/16	Outcome	Year End 2014/15	Comments / Benchmarking
CP 1.4	Rate of children subject to a Child Protection Plan per 10,000 (not including temps) [Monthly Snapshot]	Goldilocks	49.2	37.8-45.2	Not Met Target	48.8	The nature of this indicator makes it very difficult to set a relevant target. We have robust thresholds and management oversight to ensure a CPP is appropriate. As such an outturn that is outside of the set range does not imply weak performance. The average rate for the year is 45.7. The Figures are in line with 2014/15 All Unitary average and below 2014/15 children services near neighbour average.
CP 1.5	Rate of Looked After Children per 10,000 [Monthly Snapshot]	Goldilocks	68.3	54.4-65	Not Met Target	60.61	The nature of this indicator makes it very difficult to set a relevant target. We have robust thresholds and management oversight to ensure a child only becomes LAC when necessary. As such an outturn that is outside of the set range does not imply weak performance. The average rate for the year is 63.0. Figures are in line with 2014/15 All Unitary average. The reason for the increase in numbers of LAC has been explored and the decision to bring children into care has been appropriate.
CP 2.1	Number of reported missed collections per 100,000**Snapshot of monthly performance**	Aim to Minimise	40	45	Met Target	45	Benchmarking not available
44 CP 2.2	% acceptable standard of cleanliness: litter **Cumulative from April**	Aim to Maximise	96%	90%	Met Target	94%	Benchmarking not available
CP 2.3	Percentage of household waste sent for reuse, recycling and composting **Cumulative from April**	Aim to Maximise	47.11%	54%	Not Met Target	51.25%	Target not met due to late commissioning of Partnership MBT Plant which meant that the recycling element at the plant produced less tonnage to contribute to our performance. Poor out turn of garden waste from the summer of 15/16 which is the result of poor growing conditions linked to the weather. Garden waste contributes to the recycling performance. There is a national downturn in recycling rates (the Essex region has also seen a decrease)

MPR Code	Short Name	Minimise or Maximise	Year End 2015/16	Annual Target 2015/16	Outcome	Year End 2014/15	Comments / Benchmarking
CP 3.1	Proportion of older people 65 and over who are still at home 91 days after discharge from hospital to rehab	Aim to Maximise	87.4%	86%	Met Target	86.2%	This indicator is part of the Adult Social Care Outcomes Framework indicator, which reports those older people (65+) who started reablement to support a hospital discharge and who started reablement between October 2015 and December 2015. This shows 103 people started reablement in this period. During the three month period to the end of March 2015, 90 people were still at home, a success rate of 87.4%. Against all English Unitary Authorities for 2014/15 the Council is in the upper middle Quartile Performance for this indicator. (LG Inform 12/04/2016)
CP 3.2	Delayed transfers of care from hospital (social care) [Cumulative]	Aim to Minimise	17	24	Met Target	18	The annual target has been met. There have been 17 delays in 2015/16. This is a further improvement on 18 in 2014/15 and 30 in 2013/14.
CP 3.3	Number of attendances at council run or affiliated arts and sports events and facilities [Cumulative]	Aim to Maximise	4,321,179	3,429,000	Met Target	4,172,647	Benchmarking not available
45 CP 3.4	Public Health Responsibility Deal [Cumulative]	Aim to Maximise	43	40	Met Target	43	Target Met and exceeded - 43 businesses signed up to the Southend public health responsibility deal.
CP 3.5	Number of people successfully completing 4 week stop smoking course [Cumulative]	Aim to Maximise	1300	1300	Met Target	1301	
CP 3.6	Take up of NHS Health Checks programme – by those eligible [Cumulative]	Aim to Maximise	6,617	5,673	Met Target	5,739	A range of targeted work around the borough has supported exceeding target and a 15.3% increase from last year's performance.
CP 3.7	Number of new affordable homes acquired [Cumulative]	Aim to Maximise	75	45-72	Met Target	50	50% increase in the number of affordable homes delivered from 2014/15
CP 4.1	Proportion of appropriate people using social care who receive direct payments [Monthly Snapshot]	Aim to Maximise	22.2%	21%	Met Target	17.76%	Performance on this indicator has out turned above the target. Against all English Unitary Authorities for 2013/14 the Council is in the upper middle Quartile Performance for this indicator. (LG Inform 26/04/2016)
CP 4.2	Proportion of adults with learning disabilities in paid employment [Quarterly Snapshot]	Aim to Maximise	10.2%	10%	Met Target	7.1%	We currently have 48 LD service users recorded as being in paid employment from 470 service users. Against all English Unitary Authorities for 2014/15 the Council is in the upper Quartile Performance for this indicator. (LG Inform 12/04/2016).

MPR Code	Short Name	Minimise or Maximise	Year End 2015/16	Annual Target 2015/16	Outcome	Year End 2014/15	Comments / Benchmarking
CP 4.3	% of Council Tax for 2015/16 collected in-year [Cumulative]	Aim to Maximise	97.2%	97%	Met Target	96.81%	2014/15 England All Unitary Average is 96.62%.
CP 4.4	% of Non-domestic Rates for 2014/15 collected in-year [Cumulative]	Aim to Maximise	97.8%	97.60%	Met Target	97.60%	2014/15 England All Unitary Average is 97.21%.
CP 4.5	Major applications determined in 13 weeks **Cumulative from April**	Aim to Maximise	90.90%	79.00%	Met Target	86%	England Top Quartile = 88% (2014/15)
CP 4.6	Minor planning applications determined in 8 weeks **Cumulative from April**	Aim to Maximise	90.77%	84.00%	Met Target	88%	England Top Quartile = 81% (2014/15)
CP 4.7	Other planning applications determined in 8 weeks **Cumulative from April**	Aim to Maximise	95.48%	90.00%	Met Target	94%	England Top Quartile = 90% (2014/15)
CP 4.8	Current Rent Arrears as % of rent due [Monthly Snapshot]	Aim to Minimise	1.37%	1.77%	Met Target	1.77%	
CP 4.9 46	% of children in good of outstanding schools [Monthly Snapshot]	Aim to Maximise	83.08%	75%	Met Target	77.2%	The annual target has been met. The council continues to work directly with schools and academies to move to the situation where all schools in Southend are either Good or Outstanding.
CP 5.1	Number of volunteer hours in delivered within cultural services [Cumulative]	Aim to Maximise	18,304	12,000	Met Target	12,334	Benchmarking not available
CP 5.2	Govmetric Measurement of Satisfaction (3 Channels - Phones, Face 2 Face & Web) (Cumulative)	Aim to Maximise	91.98%	80.00%	Met Target	93.24%	
CP 5.3	Number of payments made online	Aim to Maximise	58,494	50,000	Met Target	49,926	Benchmarking not available
CP 5.4	Working days lost per FTE due to sickness - excluding school staff **Cumulative from April**	Aim to Minimise	6.99	7.20	Met Target	6.91	Local Government Association Workforce Survey shows councils reported a median of 8.4 days lost per FTE employee in 2013/14.

## Southend on Sea BC Improvement Journey

Key Indicators	2012/13	2013/14	2014/15	2015/16	Comments
Score against 10 BCS crimes; Theft of vehicle, theft from vehicle, vehicle interference, domestic burglary, theft of cycle, theft from person, criminal damage, common assault, woundings, robbery.	7563	7706	7464	8382	Number of crimes per 1000 residents higher in Southend than both 'most similar group' average and Essex.
Adults in contact with secondary mental health services who are in stable accommodation (ASCOF H1)			66.4%	67.5%	This indicator is in line with the National Social Outcomes Framework, performance has met target. Against all English Unitary Authorities for 2014/15 the Council is in the upper middle Quartile Performance for this indicator. (LG Inform 26/04/2016)
The percentage of children reported to the Police as having run away from home that receive an independent return to home visit interview [Monthly Snapshot]			66.2	69.1	
Rate of children subject to a Child Protection Plan per 10,000 (not including temps)			48.8	49.2	Figures in line with 2014/15 All Unitary average and below 2014/15 children services near neighbour average.
Rate of Looked After Children per 10,000			60.61	68.3	Figures in line with 2014/15 All Unitary average. The reason for the increase in numbers of LAC has been explored and the decision to bring children into care has been appropriate.
Number of reported missed collections per 100,000	27	26	45	40	Annual target for 2015/16 of fewer than 45 missed collections per 100,000 has been met.
% acceptable standard of cleanliness: litter	90%	90%	94%	96%	Out turn of 96% continues improvement seen over the last three years.

Key Indicators	2012/13	2013/14	2014/15	2015/16	Comments
Percentage of household waste sent for reuse, recycling and composting	48.28%	53.12%	51.25%	47.11%	Target not met due to late commissioning of Partnership MBT Plant which meant that the recycling element at the plant produced less tonnage to contribute to our performance. Poor out turn of garden waste from the summer of 15/16 which is the result of poor growing conditions linked to the weather. Garden waste contributes to the recycling performance. There is a national downturn in recycling rates (the Essex region has also seen a decrease)
Proportion of older people 65 and over who are still at home 91 days after discharge from hospital to rehab		82.4%	86.2%	87.4%	2015/16 target has been met
Delayed transfers of care from hospital (social care) [Cumulative]	31	30	18	17	Out turn of 17 continues improvement seen over the last three years.
Number of attendances at council run or affiliated arts and sports events and facilities [Cumulative]	3,694,891	4,001,742	4,172,647	4,321,179	The council's extensive offer of events and facilities in 2015/16 meant 4,321,179 visits to council run or affiliated arts and sports events or facilities. This continues the year on year improvements seen over the last three years.
Public Health Responsibility Deal [Cumulative]			43	43	Target Met and exceeded - 43 businesses signed up to the Southend public health responsibility deal.
Number of people successfully completing 4 week stop smoking course [Cumulative]		1304	1301	1300	
Take up of the NHS Health Check programme - by those eligible[Cumulative]		5372	5739	6617	A range of targeted work around the borough has supported exceeding target and a 15.3% increase from last year's performance.

Key Indicators	2012/13	2013/14	2014/15	2015/16	Comments
Number of new affordable homes acquired [Cumulative]	20	30	50	75	50% increase in the number of affordable homes delivered from 2014/15
Proportion of appropriate people using social care who receive directed payments	13.08%	16.15%	17.76%	22.2%	
Proportion of adults with learning disabilities in paid employment [Quarterly Snapshot]	9.9%	8.9%	7.1%	10.2%	We currently have 48 LD service users recorded as being in paid employment from 470 service users. Against all English Unitary Authorities for 2014/15 the Council is in the upper Quartile Performance for this indicator. (LG Inform 12/04/2016.)
% of Council Tax collected in-year	97.90%	97.1%	96.8%	97.2%	2014/15 England All Unitary Average is 96.62%. Local Council Tax Support Scheme introduced nationally from 01/04/2013, which had a national downward impact on Council Tax collection rates.
% of Non-domestic Rates collected in-year	97.40%	97.5%	97.6%	97.8%	2014/15 England All Unitary Average is 97.21%.
Major planning applications determined within 13 weeks	84.62%	95.92	86.00%	90.90%	England Top Quartile = 88% (2014/15)
Minor planning applications determined within 8 weeks	90.82%	90.41	86.67%	90.77%	England Top Quartile = 81% (2014/15)
Other applications determined within 8 weeks	94.15%	94.40	94.40%	95.48%	England Top Quartile = 90% (2014/15)
Current Rent Arrears as % of rent due			1.77%	1.37%	
% Children in good of outstanding schools [Monthly Snapshot]			77.2%	83.1%	2015/16 outturn above target and significant improvement on previous year's performance

<b>Key Indicators</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>Comments</b>
Number of volunteer hours in delivered within cultural services	11,194	12,251	12,334	18,304	Benchmarking not available
Govmetric measurement of 'satisfied' customers (3 channels – Phones, Face to Face and Web)	88.8%	88.8%	93.2%	91.98%	
Number of payments made online	40,331	50,644	49,926	58,494	Benchmarking not available
Working days lost per FTE due to sickness – excluding school staff	7.85	6.21	6.91	6.99	Local Government Association Workforce Survey shows councils reported a median of 8.4 days lost per FTE employee in 2013/14.



# Southend-on-Sea Borough Council

Report of Corporate Director for Corporate Services  
To

9

**Cabinet**

On  
**28 June 2016**

Report prepared by:  
Tim MacGregor – Team Manager, Policy and Information  
Management

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**Overarching Information Management Strategy – 2016**  
**People; Place; Policy and Resources Scrutiny Committees**  
**Executive Councillor: Councillor Lamb**  
**A Part 1 Public Agenda item**

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## **1. Purpose of Report**

- 1.1. To agree the Council's revised Information Management Strategy

## **2. Recommendations**

**It is recommended that:**

- 2.1. Cabinet agrees the Council's Information Management Strategy - set out at Appendix 1.

## **3. Background**

- 3.1 The Council last agreed an Information Management Strategy in October 2013 and the strategy is, therefore, in need of review and updating. While the previous strategy focussed mainly on issues of data security, the revised strategy aims to also place emphasis on how the Council, along with partners and community can make better use of the information it holds, while ensuring best practice in maintaining information security and data protection.
- 3.2 The strategy outlines the current context for information management, including key drivers, and reports on recent progress by the Council in this area. It provides a vision to promote the effective use of information, a set of principles for officers and members to abide by and an action plan to help make the vision a reality. The strategy also highlights forthcoming legislation, in the form of the EU General Data Protection Regulation which will have a significant impact on the data protection framework for all organisations in the UK (including, as advised by the Information Commissioners Office, if there is a 'leave' vote in the European Union referendum).

#### **4. Reasons for Decision.**

Other Options – Not updating the strategy and related action plan could mean the Council's information security and data protection arrangements will not be as robust as required. This could leave the Council vulnerable to malicious use of its information and heavy fines from the Information Commissioners Office.

#### **5 Reasons for Recommendations**

- 5.1 To ensure the Council's information security and data protection policies and practice are as robust as possible and that the Council is making best use of its information.

#### **6 Corporate Implications**

##### **6.1 Contribution to Council's Vision & Corporate Priorities**

The strategy helps to enhance the safety and security of residents and will contribute to all of the Council's Aims and Corporate Priorities by encouraging better and more creative use of the Council's information.

##### **6.2 Financial Implications – none specific**

##### **6.3 Legal Implications**

The Council must ensure that it is compliant with a range of legislation to ensure people's rights are protected. Inappropriate disclosure of data could leave the Council open to legal claims and fines. The collection, use and disclosure of personal information are governed by a number of different areas of legislation, notably:

The Human Rights Act 1998;  
Data Protection Act 1998;  
Freedom of Information Act 2000;  
Environmental Information Regulations 2004;  
Computer Misuse Act 1990;  
The Access to Health records  
Civil Contingencies Act 2004;  
Crime and Disorder Act 1998;  
Children Act 2004

##### **6.4 People Implications - None**

##### **6.5 Property Implications - None**

##### **6.6 Equalities and Diversity Implications**

The Council collects a range of information to help it meet the needs of its customers and staff, including, where relevant, information on those with 'protected characteristics as defined by the Equality Act 2010 (age, disability, gender

reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation). In line with the Act the Council, each year, publishes a profile of its customers (along with how they rate services) and staff who share protected characteristics. All information is collected and maintained in line with the Data Protection Act, for example, to ensure it is anonymous.

6.7 Risk Assessment

Non-compliance with the law would adversely affect the Council's reputation in the community and reduce public trust and could lead to "incidents" with regulatory penalties and disruption to business continuity.

6.8 Value for Money – none specific

6.9 Community Safety Implications - None specific

6.10 Environmental Impact - None specific

7. **Background Papers - none**

8. **Appendices**

**Appendix 1 – Information Management Strategy**

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# Southend-on-Sea Borough Council

## Overarching Information Management Strategy

June 2016

### Version Control

<b>Date</b>	<b>Version</b>	<b>Author</b>	<b>Owner</b>
26.4.16	Draft	Tim MacGregor	Sally Holland
29.4.16	Draft	Tim MacGregor	Sally Holland
9.5.16	Draft	Tim MacGregor	Sally Holland
12.5.16	Draft for CMT, 18.5.16	Tim MacGregor	Sally Holland
26.5.16	Revised draft following CMT	Tim MacGregor	Sally Holland
15.6.16	Draft for Cabinet, 28.6.16	Tim MacGregor	Sally Holland

# Overarching Information Management Strategy

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## 1. Introduction and purpose

The Council holds and uses a vast range of information in a variety of different formats. The effective management and use of this information is key to ensuring the Council can achieve its vision, aims and priorities. Decision-making, policy development, day-to-day service delivery, and forward planning are all founded on effective use of information, which is also crucial to ensuring the Council's accountability to residents and other stakeholders.

However, increasingly organisations are looking at how they can use the information they hold in far more creative and imaginative ways to improve the customer experience and drive efficiencies. Local authorities across the world have demonstrated that the digitising of services, cross-matching different data sets and using information in different ways is producing new and exciting ways of addressing a range of challenges.

This strategy builds on and replaces the Council's previous Information Management Strategy agreed in 2013. It provides a foundation to help the Council continually improve by promoting better, more creative, use of information, encouraging appropriate sharing and transparency while ensuring data security and compliance with data protection legislation (notably the Data Protection Act 1998 and Freedom of Information Act 2000).

The strategy outlines a vision to promote the effective use of information and principles by which the Council will operate to make the vision a reality. It also highlights impending legislation, which will have a significant impact on how Council information is managed, further areas of work and includes a related action plan for the coming years.

## 2. The Council's vision for information management

The Council's vision for managing Council information is:

*'To create a culture that promotes the creative and innovative use of information to empower residents, enhance efficiency and generate fresh approaches for the Council to achieve its aims. The Council will: ensure personal data is held securely; ensure information is disseminated effectively; be transparent and enabling in its handling of information and operate within the necessary legal framework'.*

## 3. The Council's Information Management Principles

To support the vision, Council officers and Members will adhere to the following principles:

- Hold personal data and information securely and safely;
- Adopt a proportionate, risk based approach to security and information governance, ensuring that controls do not provide a barrier to innovation;
- Promote and apply a transparent approach to the release and provision of information and data, publishing information in a way that is easy to find and in a

format that is easy to re-use;

- Support a collaborative approach to the creation, use and sharing of information, both internally and externally, where this is appropriate and in the interests of local communities and service users;
- Ensure that data is accurate; valid; reliable; timely; relevant and complete and
- Ensure information is stored in a way that it can be found, used and re-used and is available in the event of an interruption to service.

#### 4. Key Drivers

Key issues driving this strategy include:

- Rising customer expectations of the availability and accessibility of information from all organisations, including an intolerance of public services that are not joined up.
- Increasing demands for, and increasing awareness of the need for, security of personal information.
- Digital services, including mobile data devices, are making traditional ways of organising local government obsolete, compelling councils to collaborate more both internally and externally.
- This process is being accelerated by the need to achieve large-scale savings in the short, medium and long term, the drive to integrate health and social care and the Government's devolution agenda.
- The increasing use of 'Big Data' by organisations to improve their effectiveness, through better understanding of customer behaviour and improving business processes, with areas of public health, community safety, community planning and environmental services among those of particular potential benefit for councils.
- The government has been pressing the public sector to share its data under the open government licence (including through the statutory Local Government Transparency Code) which allows data to be copied, adapted or exploited by companies, charities and residents with few limitations.
- The increasing risk of data loss, (heightened by greater sharing and third party hosting of data) through cyber attacks and/or human error and systemic failures - resulting in significant financial and reputational loss.
- The impending EU General Data Protection Regulation (GDPR), due to be in place by 2018, which aims to harmonise the current data protection laws across EU member states.



## 5. Key aims of the strategy

This strategy is designed to:

### 1. Support:

- The Council's vision 'Creating a Better Southend';
- The Council's 5 aims of creating a: Clean; Safe; Healthy; Prosperous borough, led by an Excellent Council;
- The Council's Corporate Priorities;
- The Council's seven values, including: *'Open & honest: we are open, honest and transparent, listening to other's views'*.

### 2. Provide an overarching framework for a series of other policies, procedures and strategies which complement, underpin, and feed into this strategy. These are outlined in Appendix 1.

### 3. Help meet the challenges the Council faces in the coming years, notably:

- Taking an anticipated £30m from the Council's budget over the next 3 years;
- Developing and sustaining new models of service provision to save resources and improve those services;
- Enhance organisational capacity, including supporting the increasing demands on staff, equipping them with the rights skills and tools;
- Meet the increasing demands on services from an aging and increasingly diverse population;
- The need to create a higher value economy to replace or supplement more traditional businesses and
- Developing a compelling vision for Southend's community through the 'Our Town, Our Future' programme of community engagement programme.

### 4. Encourage the development of high quality business intelligence about: service users; the make-up of a changing population; current workforce skills and future requirements and resource availability.

### 5. Highlight areas where the Council needs to further develop policies, procedures and areas for further training and development.

### 6. Help raise levels of understanding about the need for effective and secure information management.

### 7. Agree the Council's key actions in implementing the strategy.

## 6. Background and context

The Council is transforming the way it operates to meet the challenges and opportunities outlined above.

Information in all its forms is a critical resource for any organisation. It is increasingly recognised as one that is under-exploited and has huge potential for the public sector. While good information management has long been recognised as important, this has often been in the context of the need for robust security and governance. This has included ensuring comprehensive policies and processes are in place in relation to data protection, ICT security, records management, document retention and disposal policies.

The Council, therefore, needs to move information management from predominantly being about compliance to also being about effective and innovative use of information. Advances in technology together with the better use of data held by public authorities offer exciting opportunities to gain better insight into issues that anticipate future demand and informs the development of new policies and services. More data enabled collaboration between public authorities can help ensure citizens receive the services they require, help early intervention to prevent greater costs later, better manage resources and support efforts to reduce fraud and debt.

### **6.1 Recent progress by the Council in promoting good information management has included:**

- A comprehensive set of data protection policies and procedures – available on the council's intranet;
- Significant streamlining of information management systems following the refurbishment of the civic centre;
- Undertaking regular, extensive, data protection training for staff (with 90% of staff completing the data protection e-learning tool);
- Regular communication relating to raising awareness of the importance of data protection among staff;
- Successfully complying with the requirements of the Information Governance toolkit self-assessment to enable the sharing of health and other personal data (the Council has scored Level 3, the highest possible, from the first year of completion in 2013);
- Being a signatory to the Whole Essex Information Sharing Framework (WEISF) designed to enable public, third sector and contracted private organisations across Essex to 'share relevant, minimum and appropriate personal information between them in a lawful, safe and informed way';
- Bringing adults and children's services together, with an integrated data team, is, along with an integrated commissioning team, enabling the combination of different systems and a more holistic analysis of matched data. This has already impacted positively on data quality and better intelligence for commissioned services.
- Obtaining pioneer status in creating new models for integrating NHS and social care services, feeding into the Better Care Fund. This has specifically focussed on tackling issues of information sharing between partner organisations, with a view to enabling single, comprehensive datasets for the purpose of risk stratification and commissioning, all aligned to single packages of care to encapsulate patient/client needs;
- Updating the Council's Information Centre and Publication Scheme to provide regularly requested information in a more accessible and up to date way – helping to reduce the number of Freedom of Information requests;
- The Council undertakes work to ensure it is meeting the needs of the Local Government Transparency Code.

- An ICT security strategy has been put in place with a complementary cyber security self-assessment undertaken to identify future action;
- A digital strategy is in place to vastly improve the borough's connectivity and
- Work has begun on delivery of a new 'state of the art' Data Centre ensuring data is stored securely and is capable of being recovered in the event of a disaster.

### **Freedom of Information (Fol) and Subject Access Requests (SAR)**

This progress has been at a time of processing significant numbers of requests for information, notably Freedom of Information requests, Subject Access Requests (SARs) and 'Section 29' third party requests. The desire for more information from the public and other interested parties is shown by the growth of Fol requests in recent years.

2007/8	08/9	09/10	10/11	11/12	12/13	13/14	14/15	15/16
214	297	444	475	647	643	1052	1082	1101

Given the cost of responding to an Fol (some estimates put this at an average of £160 each) the Council has an incentive to ensure that these requests are minimised, or made easy to respond to by ensuring commonly requested information is available on the Council's website, via the Publication Scheme, or other means. The number of SARs has also increased (as outlined below) with growing awareness of the process.

2011-12	2012-13	2013-14	2014-15	2015-16
113	93	160	180	164

The range of work being undertaken was recognised in the successful Information Commissioners Office Audit in 2012 (with a rating of 'reasonable assurance') and the Council being used as a reference authority, in relation to SARs, by the ICO.

However, given the size and nature of the Council, the risk of data breaches through human or systemic error is relatively high. All efforts are made to limit the number of breaches, and raising staff awareness on the issues is critical to mitigating the risk. It should also be recognised that there is a likelihood of increased reporting of breaches as awareness of the need to report incidents grows.

### **6.2 Sources of information**

The Council has a large range of information sources, with a rich seam of data and a huge number of potential uses. Some of the main systems include: Mosaic 'geo-demographic segmentation' system; Govmetric customer satisfaction feedback; Caretrak social care and patient data sets; Care 1<sup>st</sup>; Capita One schools and Special Educational Needs, Integrated Youth Support Service; Planning and geographic systems such as Ark GIS mapping; local level property gazetteer (LLPG); housing and employment land monitoring; Uniform planning system; Annual health profiles Symology Highways asset register (condition reports – incidence of flooding etc.); Council Tax and other benefits; births, marriages and deaths data.

Information held in these systems could be invaluable to other service areas and more creative means of achieving this while adhering to the Data Protection Act should be pursued.

The Council also has access to external systems that hold information on the borough and Council. These include: LG Inform and LGInform Plus, borough and ward based performance data; Cipfa stats: providing information on corporate and service specific financial and performance data, helping to assess the value for money; Office for National Statistics demographic data; Nomis (workforce data), DoH 'Finger tips' (public health outcomes framework); POPPI & PANSI (adult and older people projections).

## **7. The future:**

### **7.1 Channel shift and Digital City revolution**

It is recognised that a step change is required in the need for, and use of, intelligence about communities and people in Southend to enable better targeting and tailoring of Council services. This will be aided by the drive for the 'channel shift' of customers away from face to face and phone contact with the Council to 'self-serve', primarily through the My Southend, Citizens Account, so that by 2019/20, 90% of interactions with the council will be online. Currently enabling residents and businesses to manage their Council Tax, Business Rates account, housing benefit and Council Tax Reduction claims and landlord accounts on-line, MY Southend aims to expand its offer to most Council services, with 'place based' services such as waste collection, public protection, highways and parking due next.

In addition, the Council is embarking on an ambitious programme of introducing new digital infrastructure across the borough with pure fibre connection providing super-fast connectivity for Council buildings, schools, businesses and homes. The Council's Digital Strategy outlines how improved connectivity, offering Gigabit speed, will not only help to better drive Council services and reduce costs, but will also provide opportunities 'for energy saving, carbon reduction, citizen focus, innovation and sustainable growth' for its residents and businesses.

2016/17, will see the re-provision of the Council's core infrastructure (the 'Wider Area Network' and 'Local Area Network'), the deployment of wireless and small cell (3G and 4G) units across the borough. In addition to increased connectivity, this work will produce a revenue stream from street furniture leasing, integrating the deployment with the street light / column replacement programme including the use of the Central Management System (CMS) with the wider council infrastructure to provide the basis for a 'Smart City'. Sensors located in street furniture, including street light columns, will provide a wealth of information, particularly in relation to energy efficiency; CCTV (Intelligence Hub); noise detection; movement detection (providing footfall/traffic data); air pollution; independent living enablement and smart metering enablement.

### **7.2 Big Data**

Councils are often said to be sitting on 'an untapped goldmine' of data which could offer valuable insight into understanding the needs of its residents by matching data sets across service areas. Joining up public sector data sources can make public services more efficient, save money, improve service outcomes, tackle crime (particularly identify fraud) and help public bodies better serve their citizens. Police forces are using data to undertake predictive modelling on how best to deploy resources, transport authorities use data to change driver behaviour and London and New York city governments have pioneered new approaches to

using data, including promoting fire prevention and recycling . UK Councils have used a big data platform notably to help tackle debt collection, illegal subletting and fraud, but the potential for extending its use is considerable and could, for example, include helping social workers make better decisions about when and how to intervene.

To make best use of the data requires systems that can talk to each other, the right skills and resources to undertake analysis and a framework for the Council to develop its approach. Local academic institutions, particularly the University of Essex and Anglia Ruskin University, are keen to engage with local authorities to undertake analysis of data and partnerships with these institutions and others could prove mutually very productive.

### **7.3 Open Data**

A further route to help address these issues is to make more Council information and data freely available, with a view to reuse and redistribution. Such information would need to adhere to data protection requirements and making it available would require careful consideration of risks around data quality, potential for mis-use, along with any commercial and financial sensitivities. However, providing data for others, including academics, charities and public, may provide some interesting findings and new policy options that may not otherwise have been considered. This would mean going beyond the requirements of the Local Government Transparency Code.

### **7.4 Cyber Security**

The risk of theft, damage to, or misuse of, hardware, software and the information on IT systems is growing year on year as criminals become more creative in ways to steal or cause harm. This risk will only grow as more business processes are hosted on a variety of platforms including smart, mobile devices, and a range of different networks. The Council has undertaken a review of the vulnerability of the Council to future cyber-attack and has a strategy in place to address this with identified action for the coming years.

## **8. EU General Data Protection Regulation (GDPR)**

This GDPR, due to enforced from 2018, is the most significant change in data protection legislation in the past 20 years. It is designed to create a uniform approach to data protection across Europe while empowering citizens and enhancing economic growth by removing barriers that restrict data flows. However, it poses significant challenges to local authorities in meeting their desired information management needs

Key measures, which the Council will need to address include:

- Obligations on data controllers to demonstrate compliance, including requiring them to: maintain certain documentation; conduct DP impact assessments for more risky processing and implement data protection by design and default;
- Data subjects must freely give their consent to processing of their personal data. Consent for sensitive data must be 'explicit';
- Data Protection Authorities (the ICO in the UK) can impose fine of up to 4% of annual turnover;

- Abolition of the £10 data SAR fee is likely to see an increase in the number of SARs received by the Council and the timeline for processing a request will be a month rather than the current 40 days;
- Data controllers must notify most data breaches to the ICO 'without undue delay' and, where feasible, within 72 hours of awareness and, in some cases, the data controller must also notify the affected data subjects, without undue delay;
- Data processors will have direct obligations. This includes implementing technical and organisational measures and appointing a Data Protection Officer (DPO), with 'sufficient expert knowledge' and
- A 'right to be forgotten' where individuals can require the removal of their personal data without undue delay by the data controller in certain situations;

It should be noted that, in practice, a company outside the EU which is targeting consumers in the EU will also be subject to the GDPR.

In addition, issues relating to 'the EU-US Privacy Shield safe harbour', whereby a European citizen's personal data being processed by a US company on US-based computers is under the same protections as if it were still in Europe on a European-owned system, are still to be resolved.

The regulation will, therefore, require a review of the Council's current data protection policy and practice, particularly in relation to the area of data subject consent and content of existing privacy notices.

## **9. Governance arrangements**

- The Corporate lead for Information Management will be provided by the Senior Information Risk Owner (SIRO), Corporate Director for Corporate Services.
- Co-ordination of the strategy and action plan will be provided by the Team Manager – Policy & Information Management, supported by the Data Governance Advisor – Policy, Engagement & Communication. This will include identifying any gaps and liaising with information management project leads.
- Monitoring of and refresh of the strategy and action plan will be overseen by the Information Management Group, whose membership will include: Corporate Director for Corporate Services; Head of Customer Services; Head of Legal and Democratic Services; Head of Children's Services; Team Manager, Policy & Information Management; Data Governance Advisor.
- Reports will be provided to Corporate Management Team and Good Governance Group as necessary and appropriate.

### **9.1 Role and responsibilities of the SIRO**

The SIRO takes overall ownership of the Council's information management framework and has specific responsibility to:

- Ensure an effective Information Governance Framework is in place;
- Ensure compliance with regulatory, statutory and organisational information security policies and standards;
- Ensure that identified information threats and vulnerabilities are followed up for risk mitigation, and that perceived or actual information incidents are managed in accordance with Council's risk management framework;

- Act as the champion for information risk within the Council;
- Establish a reporting and learning culture to enable the Council to understand where issues exist and develop strategies, policies, procedures and awareness campaigns, to prevent problems occurring in the future;
- Ensure all staff are aware of the necessity for information assurance and of the risks affecting the Council's information;
- Ensure an annual SIRO report on Information Governance is presented to Members;
- Provide leadership for Information Asset Owners (IAOs) of the Council through effective networking, sharing of relevant experience, provision of training and creation of information risk reporting structures;
- Identify business critical information assets and set objectives, priorities and plans to maximise the use of information as a business asset;
- Establish and maintain an appropriate risk appetite with proportionate risk boundaries and tolerances for the use of Council information.

### **9.2 The Chief Privacy Officers**

The Chief Privacy Officers (Data Controllers), the Head of Legal and Democratic and Head of Customer Services oversee all on-going activities related to the development, maintenance of, and adherence to the Data Protection Act 1998. This includes all policies and procedures related to the processing of, and access to personal data in compliance with the Data Protection Act 1998

### **9.3 Caldicot Guardians**

The Head of Children's Services acts as the Council's Caldicot Guardians. [The 1997 Review of the Uses of Patient-Identifiable Information, Chaired by Fiona Caldicott set out six Caldicott Principles on information governance as well as requiring the appointment of Caldicott Guardians].

### **9.4 Information Asset Owners**

The Information Asset Register (IAR) is a mechanism for understanding and managing an organisation's information assets and the risks to them. It is a register of information or collection of information, held electronically or in hard copy.

Each asset should have an owner who is responsible for making sure the asset is meeting its requirements (the IAO), and that risks and opportunities are monitored. The Senior Information Risk Owner has overall responsibility for the IAR with Group Managers acting as Information Asset Owners

Addressing the issues outlined above will help increase the effectiveness of the organisation in making robust evidence based decisions and support the provision of information and data to our customers and partners.

Appendix 2 sets out the high level information management governance arrangements.

## 10. Areas identified for further development:

To help achieve the desired vision and meet the challenges outlined, areas for further work have been identified, including:

- Review and update the current suite of policies and procedures, many of which require review to ensure they are up to date and relevant to ever changing circumstances. In particular, the Council needs to ensure it has up to date policies and practice to withstand a cyber-attack and deal with 'disaster recovery'.
- Increasingly systems are hosted by third party organisations. Any data that is handled or processed on behalf of the Council by contracted third parties remains the responsibility of the Council. An on-going assessment of information security is, therefore, required to assess the adequacy of security controls for all applications/systems/projects/services that host or process SBC data, prior to systems going live, after a major change or at regular intervals.

It is essential, that where suppliers/contractors are handling personal information on behalf of the Council, the Council ensures the same standards in handling information as it has for itself. This includes ensuring all contracts include appropriate information security arrangements - with, for example, appropriate non-disclosure agreements, information security policies and relevant data protection clauses.

- Enhance the levels of understanding by staff of their requirements and the potential for the effective management of information so that security is at the heart of the day-to-day activities and aligned to the business objectives. This includes enhanced use of Privacy Impact Assessments for all projects involving the use of personal information.
- Continue the streamlining of ICT and remaining paper based records management systems, including reducing levels of information stored locally, on personal drives, which could otherwise create a barrier to sharing and collaborating.
- Encourage mechanisms for enabling greater awareness of the potential for the creative use of sharing of, information and data across the Council, with other organisations, including academic institutions and the wider public, including learning from best practice and further development of predictive modelling methodology.

These areas are addressed in Information Management Strategy action plan (Appendix 3), which will feed into and complement the Council's 'Do the Right Thing' programme of support and development for Council managers.

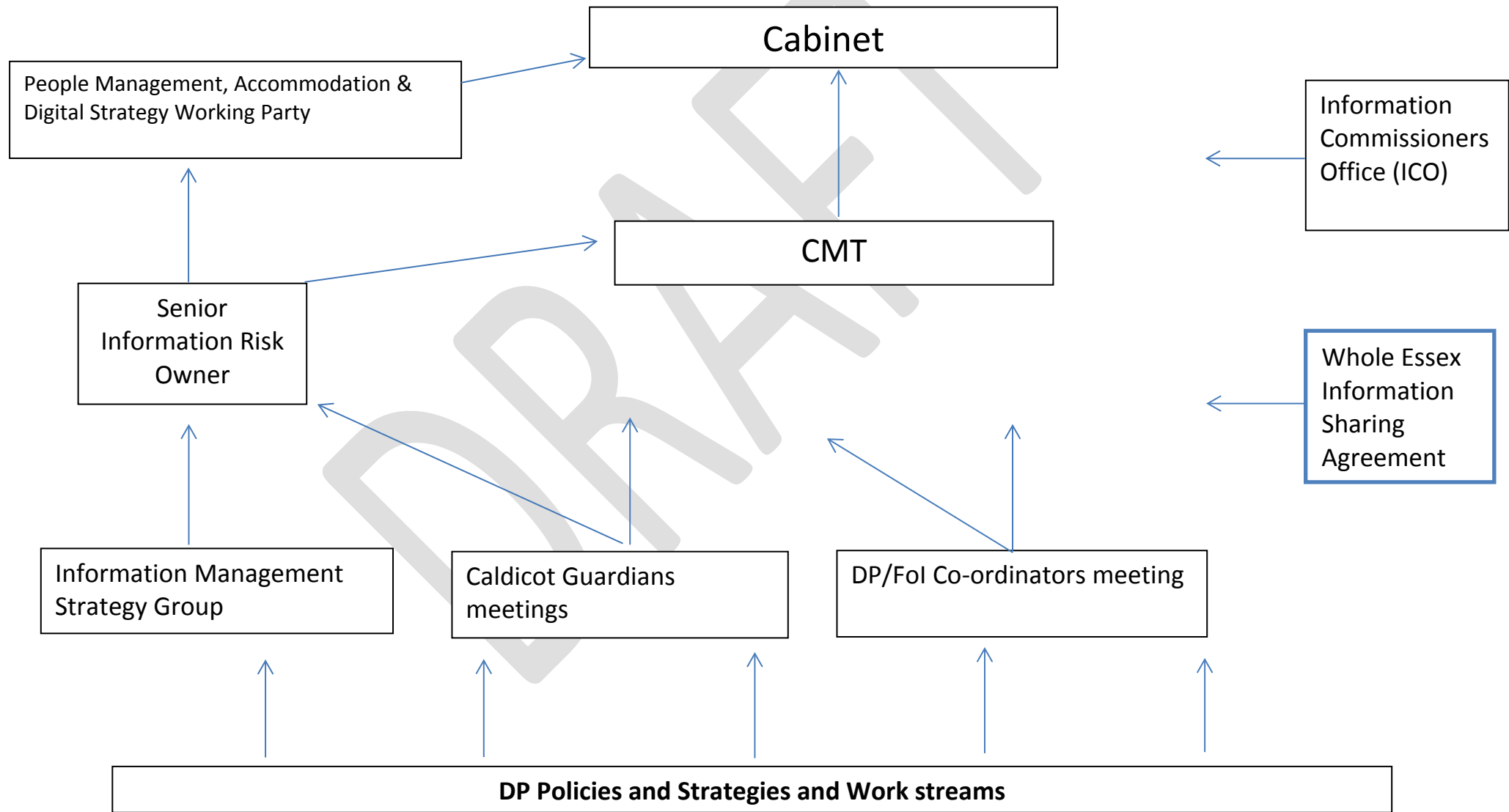


## Appendix 1

### Key Council Policies, Strategies and Procedures relating to information management

- The Digital Strategy, 2014-18 – ‘A Digital Vision’
- Data Protection Policy
- Breach Management Policy
- Incident and breach management procedures
- The Council’s Web strategy
- The Whole Essex Information Sharing Protocol
- Records Management Policy
- Document Retention and Disposal policy and Guidance
- ICT Security policy
- Disaster Recovery policy and process
- Home working and flexible working policies
- Confidential Waste Policy
- Information Asset Register
- Social Media Strategy
- Project management guidance
- Contract procedure rules and procurement guidance
- Joint Strategic Needs Assessment (JSNA)
- Business Continuity Plan/s
- Council’s Publication Scheme
- Council’s Freedom of Information policy and procedure

# Southend Council Information Management Governance



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**Information Management Strategy 2016 - Key actions:****Appendix 3**

No.	Action	Objective	Target Completion Date	Responsibility
1	Undertake preparatory work to implement the General Data Protection Regulation, to ensure the Council is appropriately prepared by 2018 (GDPR),	Ensure the Council is compliant with the regulation and is able to use it to best effect.	April 2018	Team Manager – Policy & Information Management
2	Data Protection (DP) – Ensure a comprehensive DP action plan is in place and is reviewed on a regular basis.	Ensure the current action plan is up to date and provides an overview of the actions required to be undertaken in relation to DP and security.	On-going	Team Manager – Policy & Information Management
3	Ensure all contract managers take data governance arrangements into account when letting contracts, with contracts explicitly addressing the data security and sharing issues required.	Ensure all third parties delivering services on behalf of the Council have appropriate information security and management arrangements in place. This is likely to require standard wording for contracts and implementation of Privacy Impact Assessments.	Dec 2016	Data Governance Advisor/ Group Manager Procurement
4	Raise the awareness for the requirement to undertake Privacy Impact Assessments (PIAs) and Data Protection by Design for all Council projects involving the holding of personal data.	Ensure all projects requiring the holding of personal information undertake a Privacy Impact Assessment.  It is also good practice to adopt a Privacy by Design approach and to carry out a PIA as part of this. This encourages a data minimisation approach.	Mar 17 and on-going	Data Governance Advisor
5	Review, update and implement the Council's Document Retention and Disposal Policy	Ensure the Council is legally compliant and that data quality is as good as possible.	Sept 2016	Data Governance Advisor/ All service managers

Appendix 1 - Cabinet (28.6.16)

No.	Action	Objective	Target Completion Date	Responsibility
6	Ensure compliance with the Local Government Transparency Code	Ensure the Council is legally compliant and providing information in a way that can be used innovatively by others.	On-going	GM – Policy, Engagement & Communication
7	Creative use of information	Develop a framework for enabling the more creative use of Council information, including the Council’s approach to ‘Big Data’ and enlisting the support of third parties, such as local universities, to help facilitate this.	March 2017	Information Management Group
8	Undertake a data mapping exercise to identify all personal / sensitive information transfers and update records, including Information Asset Registers to ensure additional or changed transfers are identified	Help to ensure there is a common understanding of what information is available across the organisation and, help protect information in transfer.	Sept 2016	Data Governance Advisor
8	Develop an updated communications plan for disseminating this strategy and data protection requirements generally across the Council.	Staff take responsibility for customers’ information needs and security. They understand the broad possibilities in using information to add value and effectiveness to their service as well as the risks of not doing so.	On-going	Data Governance Advisor
9	Undertake regular data protection awareness raising and training for members.	Ensure members are aware of their legal obligations in appropriately holding and using personal data	On-going	Head of Legal & Democratic Services
10	Data Sharing – continue to promote appropriate data sharing with partner organisations in line with the Whole Essex Information Sharing Agreement	Enable effective sharing of information between partnership organisations and ensure the requirements in sharing information is made explicit	On-going	Group Manager – Policy, Engagement & Communication

Appendx 1 - Cabinet (28.6.16)

No.	Action	Objective	Target Completion Date	Responsibility
		managers responsibilities.		
11	ICT Security – Ensure a framework of ICT security policies and procedures are in place covering the governance of security of people, information, assets and systems. The framework is monitored, enforced, audited and reported to ...	Ensure the Council is able to resist a cyber-attack, minimise the risk of data breaches and ensure it is legally compliant	Mar 2017	Head of Customer Services/ Group Manager ICT
12	Cyber Security – Implement the Cyber Security action plan.	Put in place precautionary measures to prevent cyber security attacks on the Council and cyber fraud	Mar 2017 and on-going	Head of Customer Services/ Group Manager ICT
13	ICT Disaster Recovery – Implement the revised disaster recovery strategy, putting in place a hybrid cloud solution enabling active sharing of data with Thurrock Council	Ensure data can be used in the event of a catastrophic failure of the council’s ICT systems.	Mar 2017 and on-going	Head of Customer Services/ Group Manager ICT
14	Complete the installation of the new Data Centre and the Civic Centre	Ensure data is stored securely and is capable of being recovered in the event of service interruption		Head of Customer Services
15	Digital Strategy - Implement the Council’s Digital Strategy action plan	To provide the foundations for developing Southend as a Smart City, putting in place the required digital infrastructure to provide super-fast connectivity for residents, businesses and other stakeholders.	Mar 2017 and on-going	Head of Customer Services
16	Smart City – Develop the borough’s Smart City strategy, building on the	To make Southend a place where the quality of life and local economy is improved, while reducing the	Mar 2017	Head of Customer Services

Appendix 1 - Cabinet (28.6.16)

No.	Action	Objective	Target Completion Date	Responsibility
	Council's Digital Stratgy.	impact on the environment. Intelligence and insight are combined enabling services to be redesigned to meet a shared understanding of need. Citizens can take an active part in local decision making.	and on-going	
17	Continue the drive to remove or archive remaining paper information across Council offices.	Review current processes and change operational methods to help make remaining paper records appropriately digitised.	On-going	Corporate Director, Corporate Services
18	Ensure the Joint Strategic Needs Assessment is complete, updated regularly and available online.	Provide an evidence base for the current and future health and well-being needs of local people which will inform and guide the commissioning of health, well-being and social care services	On-going	Director of Public Health
19	IG Toolkit: Ensure recommendations from the IG Toolkit audit are implemented. Incl. Data mapping exercise to identify all Personal / Sensitive information transfers and update records to ensure additional or changed transfers are identified	Enables the Council to demonstrate that it is legally compliant and can be trusted to maintain the confidentiality and security of personal information. Enables the sharing of sensitive personal information, meaning the Council's public health and social care requirements, in particular, can be undertaken.	Mar 2017	Data Governance Advisor
20	Information Asset Register: ensure the register is maintained and up to date and available on the Council's intranet site	Provides a comprehensive list of information management systems and where the Council's data lives. It will also provide a basic form of classification for the data.	On-going	Data Governance Advisor
21	Further examine the intake of Fols for recent years to identify common themes which could pre-empt further requests/ make responses easier	To reduce the number of Fols received by the Council and make responses easier to deal with.	On-going	Senior Knowledge and Information Advisor

Appendx 1 - Cabinet (28.6.16)

No.	Action	Objective	Target Completion Date	Responsibility
22	Establish an information and data cross departmental officer community of practice	Help identify current data sources, improve the use of information and identify and disseminate good practice.	Sept 2016	Team Manager – Policy & Information Management
23	Review 'Section 29' requests	Ensure appropriate signposting of 'Section 29' requests made by the Police to ensure they are responded to promptly	Oct 2016	Caldicot Guardian & Data Governance Advisor

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# Southend-on-Sea Borough Council

Report of Corporate Director for Place

to  
**Cabinet**  
On  
28<sup>th</sup> June 2016

Agenda  
Item No.

**10**

Report prepared by: Dipti Patel – Head of Public Protection

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## Hackney Carriage Unmet Demand Survey 2015

Environment & Economic Scrutiny Committee –Executive Council: Cllr Mark Flewitt

A Part 1 Public Agenda item.

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### 1. Purpose of Report

- 1.1 To consider the conclusions of a Hackney Carriage Demand Study 2015 undertaken by CTS Traffic & Transportation on behalf of this Authority.

### 2. Recommendation

- 2.1 **That Cabinet agrees to maintain the authority's current entry control policy and maintains a limit of 276 Hackney Carriages.**

### 3. Background

- 3.1 Section 16 of the Transport Act 1985 came into effect on 6 January 1986. It provides that the Licensing Authority may refuse an application for a taxi licence for the purpose of limiting the number of Hackney Carriages if, but only if it is satisfied that there is no significant demand for the services of Hackney Carriages within the area to which the licence will apply which is unmet.
- 3.2 The latest guidance provided by the Department for Transport (DfT) 'Best Practice Guidance'; for taxi licensing, restated that the DfT considers it best practice not to impose quantity restrictions. Where restrictions are imposed, the Department urges that the matter is regularly reviewed and considered.
- 3.3 As part of this authority's ongoing policy of limiting the issue of Hackney Carriage Licences, Unmet Demand Surveys were undertaken in 1988, 1990, 1996, 2001, 2009 and 2012.
- 3.4 The last of these surveys in 2012 also concluded that there was no significant unmet demand and it was decided by Cabinet to maintain the policy to limit numbers of Hackney Carriages and not to issue any further Hackney Carriage Vehicle licences.

- 3.5 In May 2015, the Authority commissioned CTS Traffic & Transportation to carry out a survey to assess whether or not there was significant unmet demand for the services of Hackney Carriages within the Borough.
- 3.6 The survey was carried out from July 2015 to November 2015. CTS Traffic & Transportation's Final Report (December 2015) has been placed in the Members Room for information. Members' attention is drawn particularly to page vii of the report which provides the Executive Summary, and pages 43 - 49 of the report which provides a Summary and Conclusions and Recommendations as a result of the survey. Attached at **Appendix 1** is the Executive Summary.
- 3.7 The 2015 report concludes that there is NO significant unmet demand for the services of Hackney Carriages in Southend.
- 3.8 The report goes on to make other recommendations in respect of public awareness of ranks and the potential to provide information boards at rank locations to assist the public. These matters will be considered outside the remit of this report.

#### **4. Other Options**

- 4.1 While the Unmet Demand Survey 2015 report recommends that the current limit on licences remains in place, the authority may consider other options, including agreeing to issue any number of additional plates as it sees fit, either in one allocation or a series of allocations OR to remove the numerical restriction currently in place.

#### **5. Reasons for Recommendation**

That the Unmet Demand Survey 2015 has identified that there is NO evidence of significant unmet demand for Hackney Carriages in Southend.

#### **6. Corporate Implications**

##### **6.1 Contribution to Council's Vision & Corporate Priorities**

The hackney carriage service contributes to the Safer and Excellent corporate priorities: Safe in respect of providing the only 24 hour transport service for residents and visitors, particularly during the late night / early morning period; Excellent in maintaining and improving transport availability within the borough.

##### **6.2 Financial Implications**

The recommendation does not place any financial burden on the authority. However it does reduce the opportunity for the council to generate additional income as the ability to manage demand and issue additional licences would be removed.

##### **6.3 Legal Implications**

The Department for Transport provides guidance that any Licensing Authority that imposes a restriction on numbers of hackney carriages undertakes to regularly review its considerations. The Unmet Demand Survey 2015 provides that review and supporting evidence for a decision to be taken. Any further DfT Guidance will be taken in to account in respect of reviewing this position.

#### **6.4 People Implications**

The hackney carriage service is seen as key in providing 24 hour transport services for the residents and visitors to Southend and in particular assists in the safe transport of passengers during the late night / early morning periods where other transport services are unavailable.

#### **6.5 Property Implications**

None.

#### **6.6 Consultation**

The Unmet Demand Survey included wide ranging consultation with the hackney carriage / private hire trade, the public, community representative groups and representatives of council services.

#### **6.7 Equalities and Diversity Implications**

The Unmet Demand Survey included Equality and Diversity considerations in consultation with the public and community representative groups, particularly in respect of wheelchair accessible vehicles (WAV), of which Southend's hackney Carriage fleet has 100 WAV out of 276 vehicles (36%).

#### **6.8 Risk Assessment**

The Unmet Demand Survey results and recommendations are considered valid / robust for a period of three year. A further survey will need to be commissioned after three years if the council agrees to continue to implement a policy of limiting hackney carriage numbers. Any future Department of Transport advice will be taken into account in consideration of variation to this review period.

#### **6.9 Value for Money**

The administration of the hackney carriage licensing service operates on a cost recovery basis.

#### **6.10 Community Safety Implications**

The hackney carriage / private hire service contributes to community safety in terms of it being the only 24 hour transport service for the residents and visitors to Southend and in particular assists in the safe transport of passengers during the late night / early morning periods where other transport services are unavailable.

#### **6.11 Environmental Impact**

The hackney carriage service is part of the integrated transport system for Southend and therefore contributes to the efficient and effective operation of public transport services across the borough, minimising the carbon footprint of transport services.

## **7. Background Papers**

7.1 Unmet Demand Survey Report 2015.

## **8. Appendices**

**Appendix 1-** Unmet Demand Survey 2015 – Executive Summary

### Executive summary

CTS Traffic and Transportation were appointed by Southend-on-Sea Borough Council to undertake their Demand survey 2015 on 29<sup>th</sup> May 2015. This report presents the results of all investigations undertaken to provide a database of robust information on which a decision can be taken by councillors in regard to the hackney carriage vehicle limitation policy. All research was undertaken in line with the current Department for Transport Best Practice Guidance (April 2010) and taking advantage of the extensive research undertaken by the Law Commission in their recent review of licensing.

Southend-on-Sea is a unitary authority with its own transport policy set within its own Local Transport Plan. This encourages licensed vehicles supporting the access that licensed vehicles can provide. This reduces social exclusion and enables everyone to be able to get around even when other public transport is not available. The LTP also supports adequate provision of rank facilities.

Hackney carriage policy sees a limit which has been retained since 1976 but with regular testing and issue of plates where necessary. The result has been equal growth in both the limited (hackney carriage) and non-limited (private hire) parts of the licensed vehicle trade – adequate evidence that the limit policy is in tune with market forces. Further, despite continued contraction in the overall demand for licensed vehicles in the area, the number of hackney carriages has not fallen giving a higher level of stability than might otherwise occur were market forces to apply to both sides of the trade.

The fleet currently sees WAV focussed on the hackney carriage fleet, but accessible by a wide range of methods since most are allied to one radio operator. Some hackney carriages remain independent but in general people in the area tend not to distinguish between the two parts of the trade as significantly as can occur in other areas. This is a benefit to the public.

300 hours of rank operation were observed at the ten main active ranks in the area. There are four ranks taking 80% of estimated weekly rank demand. London Road takes a third of trade, followed by Leigh Station (23%), Southend Victoria Station (13%) and Heygate Avenue (11%). Overall demand on the hackney carriage observed side is 9% lower than in 2009 but higher than that observed in the 2012 survey. This demonstrates there remains an impact of the recession in the area, but some signs of recovery. The fall in private hire vehicle numbers supports this conclusion.

The level of vehicles involved in providing the service to ranks was low – 23% of the fleet was observed active on the Friday of the survey. This confirms both spare capacity for rank service and a dominance of hackney carriages undertaking booked work. Initial industry standard ISUD index estimations suggested there was unmet demand, and that this was at a significant level. However, the occurrence of a major event on the Saturday, together with observations being during the third week of

Ramadan, led to sensitivity tests which demonstrated that in fact there were currently sufficient vehicles available to meet 'typical' levels of demand and only issues at times of more extreme demand levels.

299 people were interviewed in the streets across Southend-on-Sea including samples in Thorpe Bay and Leigh as well as around the town centre itself. The level of usage in the last three months of licensed vehicles at 45% was the same as in 2012. The average number of trips per person per month was 2.6 for all licensed vehicles and 2.2 for hackney carriages suggesting almost a one-tier system in Southend. This is confirmed by 18% saying they use ranks, 2% hailing and 79% booking vehicles by phone. It is also supported by the main company being phoned found to be the hackney carriage radio company – together with high loyalty to a small number of private hire or phone booking companies overall.

People knew and appreciated hackney carriages although nearly a quarter could not remember when they last used one. A high proportion – 10% - say they use hackney carriages almost daily. Most used ranks were well-known albeit by a wide range of colloquial names, suggesting there would be benefit in better advertising of ranks and their formal names. There was no significant demand for new rank provision.

Principal need for disability friendly vehicles focussed on the WAV style rather than any with other adaptations – supporting the current focus on increasing the level of such vehicles in the fleet. This might support a move towards a 100% WAV style fleet although any such policy change would need further focussed evaluation and consultation.

Stakeholders had positive views about licensed vehicle service, and there was a share between them phoning for vehicles for customers and being aware that their customers were able to get vehicles from ranks where these existed.

Trade response demonstrated good experience within the trade. It confirmed that the level of independents was low (6% not on any radio circuit). The average week from the sample was five to six days and 47 hours. Reasonable coverage of ranks was provided. Drivers supported the retention of the limit and also gave the reasons why they felt this was in the public interest.

Overall the hackney carriage and overall licensed vehicle market in Southend-on-Sea remains depressed following the recession. There is almost a one-tier system with a high proportion of bookings made with vehicles which are hackney carriage. People appreciate the service provided, the level of ranks, and reward this with loyalty to those providing the service. There is a high level of correlation between the action of market forces and the planned / evaluated growth on both sides of the trade.

The overall conclusion is that there is no significant unmet demand for the services of hackney carriages in Southend-on-Sea at this point in time. This conclusion covers both patent and latent demand. There is strong evidence to demonstrate that the limit policy is having benefit which is strongly in the public interest, although regular review of this is also essential (the next study should be within the three year recommended horizon).

# Southend-on-Sea Borough Council

Agenda  
Item No.

11

Report of Corporate Director for  
Place

to

Cabinet

on

28<sup>th</sup> June 2016

Report prepared by: Matthew Thomas, Team Leader  
Strategic Planning

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## Preparation of New Southend Local Plan for Southend on Sea

Place Scrutiny Committee  
Executive Councillor: Councillor Flewitt  
Part 1 (Public Agenda Item)

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### 1. Purpose of Report

- 1.1 To seek Member endorsement for the preparation of a new Local Plan for Southend on Sea, which will include long term housing targets, which will replace, once adopted, the Southend on Sea Core Strategy (2007) and supersede associated local development documents.
- 1.2 To outline the recent changes to national policy which have increased the need to commence early preparation of a Local Plan and endorse financial support for this.
- 1.3 To outline a list of key evidence base documents, which may need to be produced by Southend Borough Council to support the preparation of a new Local Plan.
- 1.4 To seek Member agreement to delegate authority to the Corporate Director for Place in consultation with the Executive Councillor for Planning and Housing to make necessary amendments which may be required, and agree a draft Local Plan and associated documentation for all statutory public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) 2012 Regulations “the 2012 Regulations”.

### 2 Recommendations

- 2.1 **That Members agree preparation of the new Southend on Sea Local Plan as a corporate priority, which will provide a positive planning framework to manage and guide regeneration and development in Southend on Sea over at least the next 15 year period.**
- 2.2 **That Members note that preparation of a new Local Plan for Southend on Sea, which will include a financial and human resource commitment on**

**behalf of the Council to facilitate delivery of a robust, long term strategic planning policy document, in a timely manner.**

- 2.3 That Members note that the new Southend on Sea Local Plan will replace, once adopted, the Core Strategy and associated local development documents, where indicated.**
- 2.4 That Members agree that a number of key evidence based documents be produced to support preparation of the new Southend on Sea Local Plan, including an environmental constraints and green belt review at an early stage.**
- 2.5 That Members agree to delegate authority to the Corporate Director for Place in consultation with the Executive Councillor for Housing, Planning and Public Protection to make necessary amendments which may be required, and agree a draft Local Plan and associated documentation for all statutory public consultation under Regulation 18 of the Town and Country Planning Regulations (Local Planning) (England) 2012.**

### **3 Background**

#### **The Importance of the Development Plan**

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 3.2 In March 2012 the Coalition government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and Wales. The NPPF must be taken into account in the preparation of local planning documents and is a material consideration in all planning decisions. The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 3.3 The NPPF stresses the importance of having a planning system that is plan led. It states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. Paragraph 14 sets out a presumption in favour of sustainable development which means approving development proposals that accord with this development plan without delay; and where the development plan is absent, silent or the relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, which assessed against the framework; or specific policies in the framework indicate development should be restricted.
- 3.4 The importance of the development plan has recently been emphasised in the Government's 'Productivity Plan' which was published as part of the July 2015 Budget. In relation to planning powers, the Plan states that it is vital that local authorities use their powers to put in place local plans that set the framework for the homes and jobs local people need. It stated that Government would take further action to ensure that local authorities put local plans in place a set



deadline. The Secretary of State for Communities and Local Government will intervene for those local authorities that do not produce a local plan.

### **The Existing Development Plan for Southend on Sea**

- 3.5 For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004, the adopted Development Plan for Southend on Sea currently comprises:
- Southend on Sea Core Strategy (December 2007)
  - London Southend and Environs Joint Area Action Plan (JAAP) (December 2014)
  - Southend on Sea Development Management Document (July 2015)
  - Essex County Council and Southend-on-Sea Borough Council Waste Local Plan (September 2001)
  - Southend on Sea Borough Local Plan Saved Policies – (Adopted 1994)
  - Southend Central Area Action Plan (SCAAP) Preferred Approach (December 2015)
- 3.6 The Southend on Sea Borough Local Plan was adopted in 1994, and a number of its policies were saved in 2007 to ensure that they remained part of the development plan prior to the adoption of a new plan. Some of these were replaced by the Southend on Sea Core Strategy and Development Management Document, but a number of them still remain valid.

### **Existing Development Plan Status and the need to prepare a new Local Plan for Southend on Sea**

- 3.7 Southend-on-Sea has an adopted Core Strategy Development Plan Document (DPD1). Policy KP1 of the Core Strategy sets out the Council's spatial strategy relating to growth. The primary focus for regeneration and growth within Southend is the Town Centre and Central Area, with appropriate additional regeneration and growth being focussed on the seafront and Shoeburyness.
- 3.8 The Core Strategy sets out the strategic priorities, including delivery of housing in Southend to 2021. This housing demand was tested at the strategic level before an allocation for the period (2001 to 2021) was agreed for Southend by a planning inspector, taking account of any adverse impacts and protected sites, as well as moderating it against other relevant constraints. This is consistent with the approach outlined in the NPPF. National Planning Practice Guidance (NPPG) acknowledges in paragraph 036 (Reference ID: 3-036-20140306) that 'housing requirement is set at the starting point of the plan, which can be earlier than the date the plan is adopted', as was the case with the Core Strategy.
- 3.9 The Core Strategy preferred approach was selected by the community above all other reasonable alternatives; this being to deliver regeneration of the existing urban area with a focus on the town centre, where a significant proportion of housing would be delivered over the plan period. The delivery of a significant portion of this housing is being taken forward through the Southend Central Area Action Plan (SCAAP). In addition, saved policies in the Borough Local Plan include proposals sites for delivery of housing both within the central area and wider Southend.

- 3.10 The Southend on Sea Borough Local Plan saved policies pre-date the existing planning system and the NPPF. Even so, it is still applied alongside the post-NPPF Southend Development Management Document and JAAP and the Core Strategy. As such the plans remain the principle documents of the Development Plan for the Borough. Recent case law has acknowledged that it would be unreasonable to expect all the planning documents of a Council to provide a seamless comprehensive and continuously up-to-date palette of planning policies and proposals (*Oxted Residential Ltd v Tandridge District Council [2015] EWHC 793*).
- 3.11 The NPPF also states in paragraph 211 that “for the purposes of decision-taking, the policies in the Local Plan should not be considered out of date simply because they were adopted prior to the publication of this Framework [in March 2012]”. The Council considers that the policies within the Core Strategy are consistent with the NPPF, seeking to deliver sustainable development that reflect the vision and aspirations of the local communities and was prepared using adequate, up to date and relevant evidence about economic, social and environmental characteristics and prospects of the area. Nevertheless, it is acknowledge and in line with Government policy there is still a need to review and update these policies where necessary, to ensure that they meet the sustainable development needs of the Borough beyond 2021.

*Government’s aim to get Local Plans in Place*

- 3.12 A Written Statement on Local Plans made by Brandon Lewis (Minister of State for Housing and Planning) in July 2015 stated that the Government will use sanctions, if required, to intervene where local planning authorities are not making sufficient progress in preparing new local plans. It states:

*“we will publish league tables setting out local authorities’ progress on their Local Plans. In cases where no local plan has been produced by early 2017 – five years after the publication of the NPPF – we will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan”.*

- 3.13 The strong implication, because to date there has not been a full clarification, is that by the end of March 2017 Local Plans need to be at least at the second statutory stage of the Local Plan examination process – known as ‘Submission stage’. This is the point at which the Local Plan may be deemed to have been ‘written’ by the local planning authority, though it will still be subject to an examination in public by an independent planning inspector.
- 3.14 It is clear that the Government is serious in its intent to ensure that Local Plan coverage is maximised as soon as possible. The Prime Minister’s announcements in October 2015 reiterated and reinforced previous Government announcements on the importance of Local Plans being in place to provide certainty for local communities on the locations for significant housing growth to support economic development.
- 3.15 The Housing and Planning Act (2016), currently at the committee stage in the House of Lords, contains measures that would allow the Secretary of State to require a local authority to produce a plan or fund its preparation, as part of an

intervention where no plan has been produced by early 2017. However, significantly, the Bill does not specify the circumstances in which this would happen. Even so, the imperative is for local planning authorities to take pragmatic steps to ensure that their Local Plan is progressed to a certain point by March 2017.

- 3.16 The Government's timetable for producing Local Plans does, however, offer some flexibility in the content and scope of the Local Plan. Local planning authorities are encouraged to make progress with Local Plans that meet the key criteria of the NPPF, but can commit to an early review of a consequently adopted Local Plan to enable, for example, further site allocations that contribute to meeting the objectively assessed needs for the area over a longer time period to be considered and tested through the plan-led process. To this effect, the Brandon Lewis' Written Statement included the following paragraph:

*“As we have made clear in planning guidance a commitment to an early review of a Local Plan may be appropriate as a way of ensuring that a Local Plan is not unnecessarily delayed by seeking to resolve matters which are not critical to the plan's soundness or legal competence as a whole. The Planning Advisory Service has published a note on where Local Plans have been found sound, subject to early review, which local authorities should consider.”*

- 3.17 Interestingly, the Ministerial Statement also reveals that:

*“Since the Planning and Compulsory Purchase Act 2004, local authorities have had more than a decade to produce a Local Plan. Most have done so – 82 per cent of authorities have published a Local Plan. Action is required to ensure that all local authorities meet the standards already achieved by the best.”*

If 82% of authorities that have published Local Plans, in the absence of further clarity, it may well be that the adoption of the Core Strategy has already ensured that the Southend Borough Council has produced a Local Plan by early 2017. However, in any event, the Core Strategy, along with the other components of the current Development Plan may not be considered to be fully NPPF compliant in the future and therefore its replacement by a new Local Plan is still necessary.

### **Scope of the Southend on Sea new Local Plan**

- 3.18 A local plan is a statutory policy document that sets out the spatial strategy and policies for a local authority to address housing supply, including the delivery of affordable housing; support growth in jobs and business; regenerate and encourage investment in the town centres and other areas; deliver supporting infrastructure (such as public transport, utilities, school places, health and other community facilities and space for leisure and recreation); achieve the highest quality in design and conservation of the built environment; protect and enhance residential amenity; and support the principles of sustainable development, including adaptation to, and mitigation of, climate change. The process for preparation of the Local Plan is set out in legislation (see **Appendix A** for a diagrammatic illustration of the planning process from preparation to adoption).

The National Planning Policy Guidance (NPPG) states that a Local Plan should make it clear **what** is intended to happen in the area over the life of the plan, **where** and **when** this will occur and **how** it will be delivered. Local plans should be tailored to the needs of each area in terms of their strategy and the policies required. Plans should focus on the key issues that need to be addressed and be aspirational, but also realistic and deliverable in what is proposed. In essence, the main scope of the plan should be as follows:

- site specific allocations including residential and employment uses;
- detailed development management policies against which planning applications will be determined;
- identification, phasing and implementation of local infrastructure;
- boundaries of retail centres;
- historic conservation, open space and nature conservation policies and designations; and
- policies map.

3.19 The NPPF makes clear that the Government's preferred approach is for each local planning authority to prepare a single Local Plan for its area (or a joint document with neighbouring areas) rather than a suite of documents, as with the existing Local Development Framework (now collective known as a 'Local Plan'). While additional local plans can be produced, for example, a separate site allocations document or Area Action Plan, there should be a clear justification for doing so.

#### *Planning for Housing*

3.20 A key objective of the NPPF is to 'boost significantly the supply of housing'. In undertaking reviews of housing need local authorities must now base their assessment of future needs on the most recent and up-to-date population, household and demographic information produced by Office of National Statistics (ONS)

The 2012 sub-national household projections (SNHP) were released in February 2015, representing a new official dataset published by the Department for Communities and Local Government. This forms, according to the NPPG, the 'starting point' for assessing housing need. The NPPG also suggests that this 'starting point' may require adjustment, based on factors affecting local demography and household formation rates.

3.21 Table 1 shows the projected growth in population and households across Thames Gateway South Essex (TGSE) and for each constituent authority. This shows change over the period from 2014 to 2037.

**Table 1: 2012 Population and Household Projections 2014 – 2037 (DCLG)**

	Change 2014-2037		Households	%	Average per year	
	Population	%			NetMigration	Dwellings
Basildon	26,766	15.0%	14,900	19.9%	351	659
Castle Point	10,327	11.6%	6,368	17.1%	702	286
Rochford	10,560	12.5%	5,934	17.3%	474	265
Southend-on-Sea	30,394	17.2%	18,528	24.1%	841	848
Thurrock	37,511	23.1%	18,586	28.8%	396	828
<b>TGSE</b>	<b>115,558</b>	<b>16.7%</b>	<b>64,316</b>	<b>22.4%</b>	<b>2,764</b>	<b>2,886</b>

Source: Edge Analytics

3.22 Across TGSE, it is evident that the 2012-based projections expect considerable growth in both population and households. The scale of population growth (16.7%) is higher than projected growth of 14.6% for England, with the 22.4% growth in households in TGSE also comparable to the projected growth rate of 21.3% for England.

3.23 These projections form the ‘starting point’ to assist with identification of an ‘objectively assessed need’ (OAN) figure and a Strategic Housing Market Assessment (SHMA). One is being prepared for South Essex authorities, will establish the OAN figure for TGSE and each constituent authority, in line with policy and guidance in the NPPF and NPPG.

3.24 NPPF in paragraph 14, states that:

*“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to change unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

3.25 The NPPG reveals that there is a clear distinction between the ‘objective assessment of need’ and the development of planning policy housing targets. As such it states that:

*“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans”.*

3.26 Establishing a future need for all housing is not an exact science. The OAN is essentially a technical exercise which may be a single figure, or it may be a minimum-maximum range – which if possible should include a preferred figure. Either way, the evidence base should set out the main uncertainties behind the assessed housing need and how they may be resolved through monitoring and

future plan reviews. It is vitally important that the OAN is not constrained or reduced/ manipulated artificially as this would result in unsound plans and grounds for appeal.

- 3.27 **The plan's housing target, or 'requirement', will not necessarily equal the OAN.** Three considerations come between the OAN and the target, as set out below. These are essentially determined by the plan making process, involving key stakeholders, the community and in co-operation with neighbouring authorities:
- the area's deliverability and sustainable supply capacity (this may include the availability of sites and examination of the Green Belt and other constraints);
  - cross-boundary unmet need; and
  - the authority's wider policy objectives, e.g. higher job growth (Nb. This factor can only be used to increase OAN).

*Risks associated with not planning for housing*

- 3.28 National policy and guidance states that local planning authorities should have an identified five-year housing supply at all points during a plan period. Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. It reveals that considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. Even so, evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs. (NPPG; Paragraph: 030; ID: 3-030-20140306).
- 3.29 Without an up-to-date and demonstrable 5 year housing land supply, the total number (and location) of houses to be developed in an area may be taken out of the control of the local authority, as described in paragraph 14 of NPPF, leading to a situation where there is 'planning by appeal'. This may also make it more difficult for the Council to apply other adopted planning policies.
- 3.30 Nevertheless, importantly for Southend, national guidance outlines that 'Unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt.' (Paragraph: 034 Reference ID: 3-034-20140306) However, as part of the plan making process, the appropriateness of the current green belt should be examined to understand if it still fulfils its policy objectives, especially if the Council is unable to meet a large proportion of its identified OAN.

**Duty to Co-operate: Policy and Legislative Framework**

- 3.31 The NPPF states that local authorities have a 'Duty to Co-operate' (DtC) on planning issues that cross administrative boundaries. The Planning and Compulsory Purchase Act (2004) also requires local authorities to engage constructively with neighbours.
- 3.32 The NPPF states that the required outcome of the DtC is that, through this constructive process, it should enable:

“Local planning authorities to work together to meet development requirements which cannot be met within their own areas”.

- 3.33 The DtC is not a duty to agree. However, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. This includes member level co-operation.
- 3.34 In respect of housing, the NPPF makes clear that local planning authorities should meet their own housing need and meet the needs of other authorities in the same housing market area, as far as is consistent with the policies set out in the NPPF (i.e. there is sustainable capacity to do so). However, local planning authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the NPPF, for example, green belt policies or other environmental constraints. These constraints should be examined robustly and transparently as part of a Councils evidence base, particularly if a Council is unable to meet a large proportion of its OAN.

### **Statutory Requirements and Stages in new Local Plan Preparation**

- 3.35 It is a statutory requirement for the Local Plan to be prepared in accordance with the relevant primary and secondary legislation i.e. the Planning and Compulsory Purchase Act 2004, as amended, and the Town and Country Planning (Local Development) (England) Regulations 2012, as amended. These regulations prescribe the form and content of plans and the procedure to be followed in their preparation. The Regulations set out the statutory stages including the nature of public participation and the requirements for publications and submission of documents, including the length of the representations period (**See Appendix A**).

### **Evidence Base**

- 3.36 Appropriate and proportionate evidence is essential for producing a sound local plan, and paragraph 158 onwards of the NPPF sets out the types of evidence that may be required by topic. NPPG provides more detailed guidance on evidence base. It is not a prescriptive list; the evidence should be focused tightly on supporting and justifying particular policies in the Local Plan. The evidence base required for each Local Plan will vary depending on the scope of the Plan and the nature of the local area. Evidence of cooperation under the legal undertaking of DtC and consideration of different options, which is assessed by sustainability appraisal, for meeting development needs are also important for the process, especially at examination in public.
- 3.37 A list of technical evidence which may be required includes *inter alia*:
- Economic Development Assessment
  - Employment Land Review
  - Strategic Housing Land Availability Assessment
  - Strategic Housing Market Assessment
  - Call for Sites including Assessment of Site Viability

- Heritage Study (and Character Assessment)
- Landscape (Green Belt) and Visual Impact Assessment
- Town Centre and Retail Study
- Strategic Flood Risk Assessment
- Whole Plan Viability Assessment
- Equalities Impact Assessment
- Habitats Regulations Assessment
- Sustainability Assessment/Strategic Environmental Assessment
- Revised Community Infrastructure Levy
- Statement of Community Involvement
- Gypsy, Traveller and Showpeople Assessment
- Infrastructure Delivery Plan (including transport and Green)
- Car Parking Study and Strategy

## **Conclusion**

- 3.38 It is essential the Council commences preparation of a Southend Local Plan to ensure its housing targets are 'up-to-date', in conformity with new government guidance, and the Council can effectively monitor housing delivery and regularly update its 5 year land supply position. Failure to do so may result in planning decisions being taken out of the Councils hands, as decisions are determined through the appeal system.
- 3.39 There will be added complexity to the plan making process when a new OAN is defined for Southend as part of the TGSE SHMA. It may be argued that this should form the basis of our 5 year supply target, prior to a new Local Plan being adopted. This OAN for Southend is likely to be very challenging to meet as it does not consider any applicable local constraints. However, the Council would contend that the existing Core Strategy housing targets represent the current identified sustainable capacity of Southend until the plan is formally reviewed.

## **4. Other Options**

- 4.1 A failure to undertake preparation of a new Local Plan would result in the Council becoming increasingly unable to positively influence the scale, nature and location of change within Southend on Sea. This would lead to the potential increase in the risk of "planning by appeal" with the responsibility for decision making in effect being passed from the Council and the local community to both the Planning Inspectorate and the Secretary of State. It would also likely that the Council would also incur increasing costs in attempting to defend refusals of planning permission based on an increasingly older Core Strategy and evidence base.
- 4.2 The preparation of a new Southend on Sea Local Plan is the only option which would allow for the proper consideration of a range of spatial options and policies which address more recent changes in national and regional planning policy, including the need to identify land to meet future housing and employment land requirements.



## **5. Reasons for Recommendations**

- 5.1 To ensure the expeditious production of a new Local Plan for Southend on Sea and associated evidence base to manage and guide future growth and development in Southend on Sea in a positive and timely manner, where the Council has control of decision making in the public interest as representatives of the local community.

## **6. Corporate Implications**

### **6.1 Contribution to Council's Vision & Corporate Priorities**

The successful delivery of the Local Plan will contribute to the fulfilment of a significant number of spatial elements of the Council's vision and priorities as laid down in The Southend-on-Sea Community Plan 2010-2020, for example, in relation to town centre and central seafront regeneration, and improving economic prosperity, health, education, green space, design, flood risk among others.

### **6.2 Financial Implications**

Financial input is necessary to fulfil the requirements of all statutory stages in the preparation and delivery of the Local Plan. It should be noted that taking a development plan document through to adoption does have significant financial implications owing to the statutory process which has to be adhered to.

It is anticipated that the Local Plan Review will take three years to progress to adoption. It will be necessary to provide a bespoke budget for the work. Because it is not established at this early stage the extent of the commitment it is proposed to prepare a business case on an annual basis until more detailed timetable and project plan has been prepared that would enable an overall budget to be set for the work.

### **6.3 Legal Implications**

To establish a housing target each local authority will need to engage under the Duty to Co-operate in the Localism Act.

It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

The status of a Local Plan is prescribed in Section 38(6) of the Planning and Compulsory Purchase Act 2004 which gives primacy to the development plan. It states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

As such having an up to date Local Plan in place allows the local authority to plan positively and direct development to those sites and locations that are in accordance with the Council Strategy for regeneration and growth. It will provide the authority with the framework to robustly defend planning decisions at appeal.

#### 6.4 People Implications

Significant staff resources from the Strategic Planning Team will be required in order to produce the Local Plan. Support from the Department of Place Business Support Unit will also be required particularly with regards to the public consultation.

#### 6.5 Property Implications

A new Local Plan will provide planning policy for all land in the Borough, including Council owned assets.

#### 6.6 Consultation

One of the key elements of the local planning system is the recognition of the need for the earliest and fullest community involvement in the preparation of new planning documents. The local plan will be subject to statutory consultation under the Regulation 17 and 18 of the 2012 Regulations. In addition it will be subject to an examination in public held by an independent government appointment planning inspector to consider when it is ‘sound’ and may be put forward for adoption by the Council.

#### 6.7 Equalities and Diversity Implications

An equalities impact assessment will be produced for the Local Plan. The public consultation will give the opportunity for different sections of the community to input into the plan making process.

The consultation process will be carried out in accordance with the Council’s Statement of Community Involvement (2013).

## 6.8 Risk Assessment

The Timetable for Local Plan preparation is challenging. Significant staff resources within the Planning Group will be required in order to take forward the Plan through its examination stages (as well as the Southend Central Area Action Plan (SCAAP) and Southend and Essex Waste Plan which are on-going).

If this Local Plan were not to be published and taken forward to adoption, the absence of the planning policies may result in inappropriate development taking place within the local authority area and there would be a potential impact on the green belt to meet future housing supply, if the Government guidance changes in the coming years towards its protection. In addition there would be no policy to manage strategically the development of key sites and infrastructure, as well as having adopted planning policy to help secure Government and European funding such as has been achieved for the London Southend Airport and Environs Joint Area Action Plan (JAAP) and SCAAP.

## 6.9 Value for Money

It is believed that there will be significant beneficial impacts on value for money, by carrying out the work proposed using in-house resources wherever possible. It will bring significant benefits in terms of experience and expertise which would not be gained otherwise.

It will also provide adopted planning policies which may be used to promote applications funding from Government and European sources, to help deliver needed infrastructure in the borough.

## 6.10 Community Safety Implications

The Local Plan will seek to improve the natural and built environment (including designing out crime in development and the public realm) thereby contributing towards improving community safety.

## 6.11 Environmental Impact

### *Sustainability Appraisal*

A Sustainability Appraisal is an assessment of the potential significant social, environmental and economic impacts of development and forms an integral part of the plan making process. It ensures that all policies and proposals are prepared with a view to contributing to the achievement of sustainable development. This appraisal has been used to assist decision-making and identification of the most sustainable policies to take forward.

### *Habitats Regulations Screening Report*

Southend-on-Sea and the surrounding districts are home to a number of important designated sites for nature conservation. Habitats screening is an assessment of the potential significant effects of a policy on European Sites designated for their nature conservation importance. These include Special

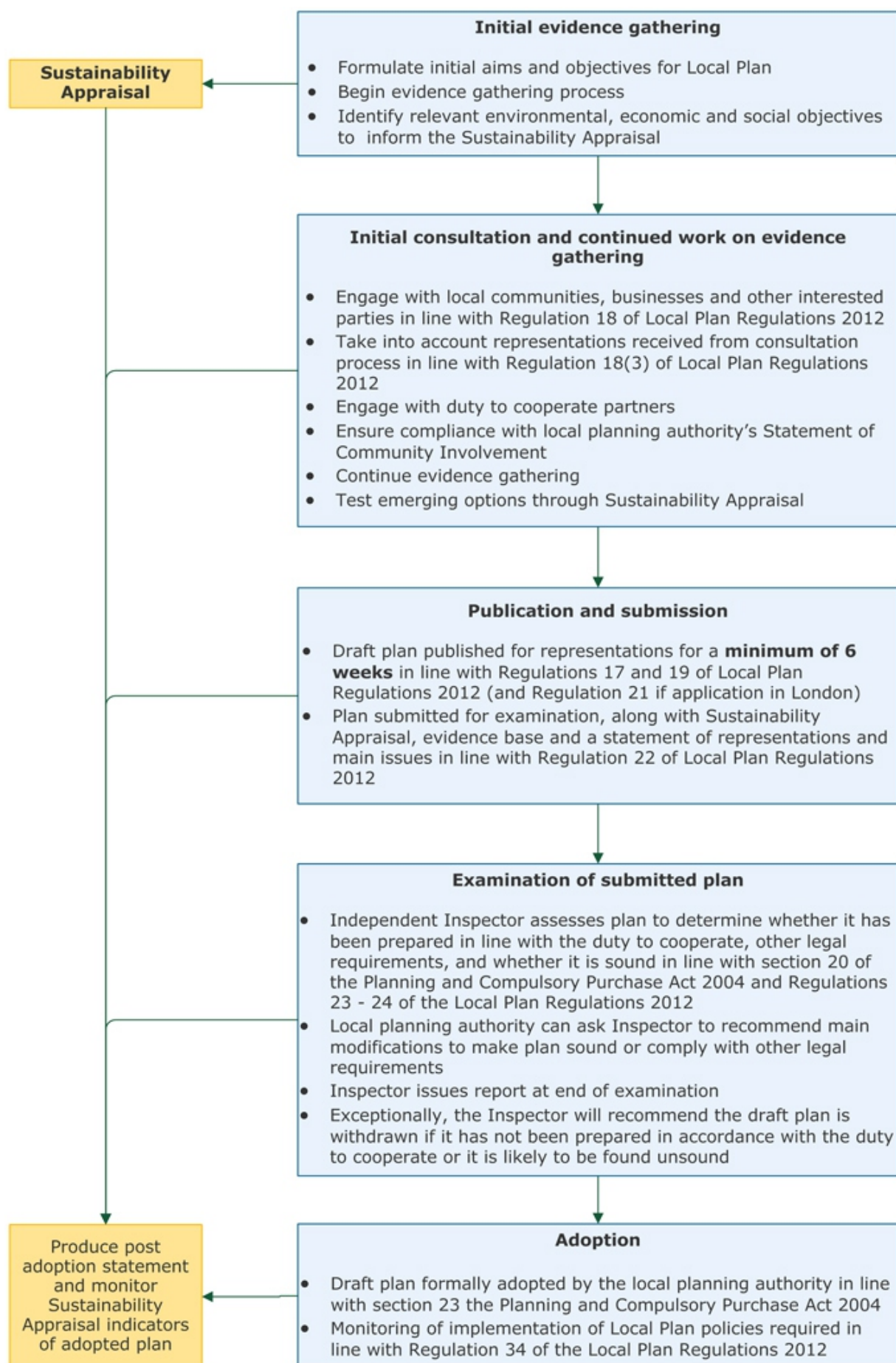
Areas of Conservation, Special Protection Areas, and international Ramsar sites. A policy should only be approved after determining that it will not adversely affect the integrity of such sites. Each policy has been assessed for any significant impacts on European sites within or outside the Southend-on-Sea.

## **7. Background Papers**

- 7.1 The Town and Country Planning (Local Development) (England) Regulations 2012.
- 7.2 Planning and Compulsory Purchase Act 2004.
- 7.3 Ten key principles for owning your housing number- finding your objectively assessed needs (April 2013).
- 7.4 Planning Practice Guidance.
- 7.5 Localism Act 2011.
- 7.6 National Planning Policy Framework (2012).
- 7.7 Housing and Planning Act (2016).

## **8. Appendices**

### **Appendix A – Diagrammatic Illustration of Plan Preparation Process**



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# Southend-on-Sea Borough Council

Report of Corporate Director of Place

To  
**Cabinet**  
On  
28<sup>th</sup> June 2016

Agenda  
Item No.

**12**

Report prepared by: Dipti Patel – Head of Public Protection  
Elizabeth Georgeou Regulatory Services Manager

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**The Official Feed and Food Control Service Plan 2016/17**  
**Place Scrutiny Committee - Executive Council: Cllr Flewitt**

**A Part 1 Public Agenda item**

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## **1. Purpose of Report**

- 1.1 To agree the Official Feed and Food Controls Service Plan 2016/17 required by the Food Standards Agency (FSA).

## **2. Recommendation**

- 2.1 **That Cabinet agrees the official Feed and Food Controls Service Plan 2016/17 set out in Appendix 1 of this report and commend it to Full Council for approval.**

## **3. Background**

- 3.1 The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan to ensure the highest achievable levels of food control (food safety, standards and feeding stuffs) are maintained throughout the borough. Every local authority is required to develop an annual food enforcement service plan, which is the basis on which the local authorities are monitored and audited by the FSA.
- 3.2 To ensure local transparency and accountability, it is a requirement that the official Feed and Food Controls Service Plan is submitted to the relevant Member forum for approval.
- 3.3 The Legislative and Regulatory Reform Act 2006 requires Regulators to have regard to the Principles of Good Regulation. This means that our regulatory activities should be carried out in a way that is proportionate, accountable, consistent, transparent and targeted to situations that need action when we carry out a regulatory function and to have regard to guidance issued. The Statutory Code of Practice for Regulators which will include the provisions

contained in the Regulators Code April 2014 contains details of how this should be carried out.

#### **4 Official Feed and Food Service Plan 2016-7**

- 4.1 The Service Plan for 16/17 is attached as **Appendix 1**, forming an integral part of the organisation of the Regulatory Services within Public Protection.
- 4.2 In accordance with the requirements contained within the Framework Agreement, the food service is a mix of enforcement, intelligence based work, investigation and education.
- 4.3 The service plan is to ensure all high and medium risk category programmed inspections are completed within the current financial year and appropriate alternative approaches adopted for the remaining inspections. In Southend there are 1788 food premises 964 premises requiring an official food hygiene intervention this year. In addition, there are 9 Approved Food Premises within Southend which includes the cockle processors which are inspected annually. Food Standards inspections will not be targeted separately and will be undertaken at the same time as food hygiene inspections where they are due. The Inspection Programme is included at 2.4 in the Service Plan.
- 4.4 Regulatory Services assists businesses to comply with legislation and thereby protect the health of the public from food related illness. Resources will be targeted to ensure a balanced mix of services, which benefit the business sector, consumers and other stakeholders. In accordance with the amendments to the Food Safety Code of Practice in 2015 and the published Regulatory Services Team Enforcement Policy, the service will continue to focus enforcement action on the poorer performing businesses.
- 4.5 Priority for inspections and interventions was given to premises which had been risk assessed as presenting the highest risk in terms of their activity and the conditions at the premises. All high risk inspections were completed.

#### **5. Other Options**

The Food Standards Agency Framework Agreement sets out the statutory duty for Southend on Sea Borough Council in developing the Service Plan. There is no alternative to the statutory duty.

#### **6 Reasons for Recommendation**

In order for the Council to comply with the Food Standards Agency Framework Agreement, and in line with the Food Standards Agency audit findings, which were agreed by Cabinet on 18<sup>th</sup> June 2013.

#### **7 Corporate Implications**

##### **7.1 Contribution to Council's Vision & Corporate Priorities**

The Plan contributes to the Safer, Prosperous and Excellent corporate priorities.



Safe by ensuring those Southend residents, workers and visitors are protected from disease and harm. Prosperous - assisting local businesses to comply and protecting the reputation of the Southend on Sea as a tourist destination.

## 7.2 Financial Implications

The Service Plan for 2016/17 identifies the resource allocated to the inspection programme and the funding is set within the Service Areas overall budget.

## 7.3 Legal Implications

The FSA places a requirement on local authorities to develop and submit a Service Plan. Local Authorities are audited and assessed by the FSA on the basis of their food law enforcement service. The Council's constitution requires the adoption of the official Feed and Food Control Service Plan to be reserved to Full Council and are funded from within the existing budget of the service.

## 7.4 People Implications

The Service Plan is seen as key in protecting public health of the town and critical in reducing the incidence of food related illness and thus assists in reducing the number of complaints and enforcement action associated with food businesses.

## 7.5 Property Implications

None

## 7.6 Consultation

The Service Plan has not previously been consulted on. It is developed utilising government guidelines. The Service Plan be published on the website and feedback encouraged.

## 7.7 Equalities and Diversity Implications

Equality and diversity implications have already been considered in the Regulatory Service Enforcement Policy and as part of the general work in the Service. A further equalities assessment was carried out when the Enforcement Policy was updated in 2015 in line with the updated Regulators Code April 2014.

## 7.8 Risk Assessment

Progress against the plan will be reviewed on a quarterly basis. The Plan seeks to explore new ways of working to better target resources and enhance protection with resources currently available.

## 7.9 Value for Money

The Service Plan is to be delivered within existing budget.

## 7.10 **Community Safety Implications**

None

## 7.11 **Environmental Impact**

Food related inspections and investigations place controls on commercial food waste and impact on the natural environment.

## 8 **Background Papers**

Food Standards Agency Framework Agreement

Food Law Code of Practice (England) (Issued April 2015)

Feed Law Enforcement Code of Practice (Issued May 2014)

Regulatory Service Enforcement Policy 2015

Food Standards Agency Audit and Action Plan - Cabinet Report Dated 18/06/13

## 9. **Appendices**

**Appendix 1:** Official Feed and Food Control Service Plan 2016-17

**Southend on Sea Borough Council**  
**Department for Place**  
**Regulatory Services**

**Official Feed Food Controls Service Plan 2016-17**

Elizabeth Georgeou

Regulatory Services Manager

May 2016

## Introduction

The Service Plan was compiled by the Management Team within the Regulatory Services Group of Southend on Sea Borough Council.

The Service Plan is structured in accordance with the service planning guidance contained in the Framework Agreement on Local Authority Food Law Enforcement. Powers to enable the Agency to monitor the audit local authorities are contained in the Food Standards Act 1999. In accordance with this guidance the plan is submitted to the relevant member or senior officer forum for approval to ensure local transparency and accountability.

The purpose of the Service Plan is to ensure that national priorities and standards are addressed and delivered locally in accordance with the relevant codes of practice and guidance. It is intended to ensure transparency and accountability and detail the contribution that the Group makes to the Corporate Strategy for Southend on Sea Borough Council.

### 1. Service Aims and Objectives

#### *1.1 Aims and Objectives*

The delivery of the plan aims to:

- Ensure that the highest achievable levels of food control (food safety, standards and feeding stuffs) are maintained throughout the Borough.

The objectives are to:

- Ensure hygienic conditions in the sale, preparation, manufacture and storage of foodstuffs and feeding stuffs.
- Ensure the wholesomeness and appropriate labelling / composition of foodstuffs and feeding stuffs within the Borough
- Focus on a risk-based approach to inspections and enforcement activity in accordance with the Regulatory Services Enforcement Policy
- Administer the legislation in compliance with the approved codes of practice and related official guidance.
- Promote a greater knowledge and understanding of food safety and nutrition within the Borough
- Continue participation in the Food Hygiene Rating Scheme
- Work with Public Health England (PHE) to deliver improved health outcomes for residents, visitors and those working in Southend.
- Focus on the local enforcement of illegal oyster harvesting.

#### *1.2 The Corporate Aim of Southend on Sea Borough Council is to:*

Provide a Safe, Clean, Healthy, Prosperous Southend and become an Excellent Council which is reflected through each level of service planning from the Corporate Plan, The Department for Place Service Plan, the Public Protection Plan. Our activities are linked to each of the aims.

Regulatory Services contributes to the Safe, Clean, Healthy and Prosperous priorities and the Public Protection Service Plan through delivering our

objectives and the Excellent priority through enhanced IT systems and undertaking risk based interventions.

## 2. Background

### 2.1 Profile of Southend on Sea Borough Council

This unitary authority is a seaside town which is a tourist destination with local shopping areas and a thriving town centre and covers an area of 6,785 hectares. It is the closest seaside resort to London and is located within the Thames Gateway region and has over 6 million visitors each year. There are seasonal businesses within the town and the Council actively promotes events in the Borough to support the prosperity of the businesses.

The mid-year estimate of population for 2014 was 178,000. In 2012 the Business Survey identified, of those that responded, that 22% of businesses were in the wholesale and retail sector and that the 64% were family run businesses with 76% of businesses having between 1 and 5 employees. Food / accommodation businesses were forecasting a 25% downturn in turnover with 65% of food / accommodation businesses identifying a skills gap. It was also noted that 71% of food / accommodation businesses and 42% of wholesalers / retailers considered tourism to be important. 90% of all businesses responding were aware that Southend Council provided business support services, however 26% did not find the Council services useful. There is no indication on the survey what services / information businesses do find useful.

### 2.2 Organisational Structure

(Appendix 1) Details the Council structure and the responsibilities relating to food and feed.

Southend on Sea Borough Council sends food for microbiological examination to the PHE Laboratory at Colindale via a collection service.

Public Health England FW&E Microbiology Lab 61 Colindale Avenue London NW9 5EQ 0208 327 6548 /6550 Fax: 020 8327 6542 <a href="mailto:fwem@phe.gov.uk">fwem@phe.gov.uk</a>	Dr Smita Kepadi CCDC, Essex HPU, Anglia & Essex PHE Centre, Public Health England, 8 Collingwood Road, Witham, Essex CM8 2TT Tel: 0845 155 0069 <a href="mailto:essexhpu@phe.gov.uk">essexhpu@phe.gov.uk</a>	Stool Samples Southend University Hospital NHS Foundation Trust, Caroline Cousins PA to Dr Meyers, Dr Elhag and Dr Barrett & Administrator to Microbiology Dept Prittlewell Chase, WOS, Essex SS0 0RY Tel: 01702 385212 (Direct Dial) 01702 435555 (Switchboard) <a href="mailto:Caroline.Cousins@southend.nhs.uk">Caroline.Cousins@southend.nhs.uk</a>
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The nominated Public Analysts for food and feedingstuffs are located at:

Food and Feeding-stuffs Public Analyst Scientific Services Ltd 28 – 32 Brunel Road Westway Estate Acton London	Food Kent Scientific Services 8 Abbey Wood Road Kings Hill West Malling Kent
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W3 7XR  
Tel: 020 8222 6070

ME19 4YT  
Tel: 01732 220001

### 2.3 Scope of the Regulatory Services Team

The Regulatory Services Team is part of Public Protection which is within the Department for Place. With respect to food and feed the responsibilities of the Group are to:

- Undertake proactive food safety and standards inspections.
- Undertake proactive feed inspections
- Undertake proactive and reactive health and safety interventions in food premises where required
- Deal with imported food and feed matters
- Investigate complaints about food and feed.
- Investigate complaints about food and feed premises
- Investigate food poisoning and infectious disease referrals / complaints
- Deal with public health matters at food premises related to drainage, industrial noise and rubbish
- Respond to emerging public health issues
- Deal with enforcement issues surrounding illegal oyster harvesting
- Provide consultation recommendations on planning, licensing and event applications
- Assist with the delivery of the Public Health England agenda regarding healthy eating and the Responsibility Deal.

### 2.4 Demands on the Regulatory Services Team

The Service uses Uniform database which is supported by IT and linked the property gazetteer.

Food Premises profile as at 31/03/16

Primary Production (Beekeeper)	1
Manufacturers / producers* (includes cake makers - home caterers)	93
Distributors	11
Retailers	396
Restaurants / other caterers	1274
Importers	3
+Total	1778

Food Hygiene Inspections:

FSA Category	No. of Premises	Frequency Required	Due 2016-17	Overdue
A	3	Every 6 months	6	0
B	111	Every 12 months	111	0
C	421	Every 18 months	260	0

D	566	Every 24 months	293	63
E	428	Every 36 months	81	98
Awaiting Inspection*	70	Within 1 month	70	
Not in programme <sup>+</sup>	148			
<b>Total Inspections due as at 31/03/16</b>				<b>964</b>

*+Includes inspections not risk rated does not include that have registered but are not yet trading.*

*\*Fluctuation in year as premises are inspected and new premises register. Also includes Child-minders with more than 6 children who are inspected by Early Years and Home-caters where we have undertaken information gathering to identify low risk premises.*

Category A and B food hygiene, Category A food standards and non-compliant C premises should be subject to an inspection, partial inspection or audit at the required interval. Broadly compliant C risk food hygiene premises and broadly compliant B risk food standards can alternate between inspection, partial inspection audit and other Official controls as defined in the Food Law Code of Practice.

Category D risk premises can only alternate between an intervention which is an Official Control and an intervention that is not an Official Control only if the potential hazard element is less than 30.

Premises rated E for food hygiene and C for food standards can be subject to an alternative enforcement strategy.

Approved Food Premises:

Types	No. of each Type
Cockle Processing	4
Fishery Products	3
Meat Products	1
Cold Stores	1

Food Standards Inspections:

FSA Category	No. of Premises	Frequency Required	Due 2016-2017	Overdue
A	1	Every 12 months	1	0
B	228	Every 24 months	71	35
C	1288	Every 60 months	24	182



Awaiting Inspection	74	Within 1 month	74	
Not in programme	178			
<b>Total Inspections due as at 31/03/16</b>				<b>387</b>

Feed Premises Profile:

Category	No. In category
R7	19
R6	5

Feed Premises Inspections:

We have been co-ordinating with other authorities through the National Trading Standards Board (NTSB) and the Food Standards Agency (FSA) to ensure that regionally animal feed enforcement is effective and there are risk-based controls in place across the Region.

Southend currently has 24 businesses in the Borough registered under the Feed (Hygiene and Enforcement) Regulations 2005, for feed inspections. These are either manufacturers of animal feedstuffs or they are retail premises which distribute food on for feed purposes. The Desktop Exercise of 2015/16 identified that 5 of these premises must be incorporated into the inspection programme as required by the FSA's Feed Law Code of Practice (England) as detailed below.

Category	Due
R7	4
R6	1

Concerns continue to be raised regarding the harvesting of oysters from the foreshore and allegations that these oysters which are entering the food chain without the required processing or being relayed.

Regulatory Services will respond to incidents of food fraud with respect to counterfeit products and to emerging public health issues.

The Team will undertake sampling around the National Priorities identified in the FSA's Guidance on the food sampling programme and sampling priorities. Funding will be sought for imported foods. There are no identified sampling programmes for feed this year.

Service Requests:

Including:

Requests / Complaints	2015-16
*Food Safety and Standards	553
Infectious Disease	284

Nuisance / Noise	23
Planning in food premises	21

\*Includes all request for service, including advice.

Officers are located in the main Civic Centre, Victoria Avenue. The service responds to inspections outside of normal hours. There is a contact centre which is staffed 24 hours.

Southend on Sea Borough Council is a seasonal location with impacts on the transient nature of the businesses in the borough.

### *2.5 Regulation Policy*

There is a Regulatory Services Enforcement Policy which was approved by Council in 2015. This policy was developed and consulted upon meeting the requirements of the Legislative and Regulatory Reform Act 2006 and the Regulator's Code.

The team will continue to raise awareness with businesses of the requirements of the Food Information Regulations 2014.

## 3. Service Delivery

### *3.1 Interventions by Regulatory Services Officers for Food and Feeding stuffs*

Details of inspections due in each category are listed in 2.4. Regulatory Services Officers will prioritise for inspection premises which are:

A and B rated for food hygiene

A-rated for food standards

Approved food premises: The premises approved for processing shellfish will be inspected at the start of the season and other approved premises where due.

Feed establishments identified through the National Trading Standards Board (NTSB)

C rated food hygiene, targeting those which are non-compliant or overdue in the first instance.

D rated food hygiene, targeting those which are catering or overdue in the first instance.

Premise where notices have been served.

Premises rated 0 or 1 under the Food Hygiene Rating scheme, following consideration of the area of non-compliance.

Requests made under the FHRS for re-score visits, appeals and right to reply.

Regulatory Services Officers for food and feed are authorised in line with qualification and competency requirements detailed in the respective Codes of Practice. Those inspecting for food are allocated interventions by ward(s) in which they co-ordinate inspections, complaints, planning, event applications and the inspection of new premises. Co-ordination of feed is through the Lead Feed Officer.

Officers have access to expertise and peer support through attending local liaison group meetings, detailed in section 3.8.

Suitably qualified and competent Enforcement Officers will support the service where possible.

Food standards inspections will be undertaken at the same time as the food hygiene inspection where they are due, overdue or likely to be due before the next food hygiene inspection. This aims to reduce the number of overdue food standards inspections. There is currently only one business rated as high risk for food standards which will be inspected this year.

All new premises will be evaluated as to the risk they represent. New premises will be inspected based on risk and where they are undertaking catering activities.

Childminders are no longer required to register directly with Environmental Health. An up to date database on childminders is held by Early Years. Early Years visit Childminders and have undertaken to raise any concerns with Environmental Health. Inspections will be carried out where childminders are providing care for 6 or more children. All other childminders will be categorised as no inspectable risk with no intervention required, unless indicated by Early Years. Information will be provided to this group as an alternative intervention.

Questionnaires will be used to assess Home caterers to determine the activities being undertaken. Inspections will always be prioritised where high risk activities are being undertaken and where lower risk activities are being undertaken they will be inspected where resource is available.

Alternative methods of intervention to be undertaken to ensure that changes to those previously rated as low risk for food hygiene are assessed for change.

Enforcement Officers will assist in alternative interventions for other premises and sampling.

Regulatory Services Officers who inspect food premises also undertake:

- Health and safety interventions and inspections. Health and safety inspections will be undertaken in line with the Health and Safety

Executive priorities for proactive inspections. They will also be undertaken where hazards are found.

- Public health and nuisance complaints at food premises
- Responses to planning applications for food premises

Regulatory Services Officers who inspect food premises also activities relating to:

- Consumer Protection
- Product Safety
- Fair Trading
- Weights and Measures

The team will participate in the SAG process for events to ensure that compliant caterers operate at these events. These will normally be those rated 3, 4 and 5 under the FHRS.

Where inspections of mobile traders are carried out at events or markets outcome will be reported to their registered local authority in line with the Code of Practice.

Regulatory Services Officers for food safety, standards and health and safety, will determine whether pro-active inspections are required within their inspection areas.

Southend will continue to participate in the Food Hygiene Rating Scheme to promote transparency and enable individuals to make informed choices about where they eat. Details of the scheme will also be included on the Visit Southend website.

Southend on Sea Borough Council will continue to utilise and develop the Uniform database to improve reporting capability.

### *3.2 Regulatory Services Group Food and Feed Complaints*

The demand on the service for 2015–16 is detailed above in 2.4. It is anticipated that the number of complaints received in 2016-17 will be similar this year.

All food complaints will be allocated in accordance with Officers inspection area and for feed to the Lead Feed Officer. Investigations of service requests / complaints will be based on intelligence and will be proportionate to the risk.

### *3.3 Primary Authority Partnership and Home Authority Scheme*

Southend on Sea Borough Council does not have any formal arrangements in place for food hygiene, standards or feeding-stuffs. The Enforcement Policy requires all Officers to give consideration to any partnerships and formal intervention strategies prior to taking enforcement action. As part of an informal Home Authority arrangement this authority will continue to undertake sampling for examination of the cockle processing establishments in liaison with the City of London Corporation Port Health Authority.

All Officers have access to the Primary Authority Scheme website and will adhere to inspection plans or priorities identified through this scheme.

### *3.4 Advice to Business*

The level of demand from businesses last year is included in section 2.4 but does not take account of advice given during inspection. Advice to businesses will continue to be given particularly in respect to our obligations under both the Food Hygiene Rating Scheme and the Regulators' Code to assist businesses to grow and for those within the FHRS to achieve a higher rating.

Ad-hoc advice will be given on request and where necessary businesses will be advised of specialist support that they can obtain for themselves. Further improvements will be made to the Council's web pages to provide advice to businesses and links to other providers of businesses.

Details of what to expect during an inspection are included on the reverse of the inspection report which is left on site following an inspection together with the Officer's contact details. Advice is also given on any further correspondence and will include the Officer's contact details.

### *Feed and Food Sampling*

The food sampling policy is set out in the Food Team Manual. The Regulatory Services Team will continue to participate in the Essex Food Group programme as well as take samples to support local work. It is planned that sampling will be undertaken in accordance with the sampling plan (Appendix 2). Enforcement Officers support this work.

The Team, where resources allow, will participate in the East of England Trading Standards Association (EETSA) food sampling and standards programme as well as taking samples in support of local work.

Funding from the FSA will be applied for either through the EETSA food group or individually for targeted sampling for imported food control in accordance with the priorities identified by the FSA.

UKFSS will continue to be utilised for reporting sampling and will be used to provide sampling information for the LAEMS returns.

Samples for food examination will be submitted to PHE Laboratory at Colindale. Samples for food and feed analysis will be sent to the Public Analyst Scientific Services Ltd.

### *3.5 Control and Investigation of Outbreaks and Food Related Infectious Disease*

Investigations will be undertaken of outbreaks; other incidents of suspected food poisoning will be monitored and responded to if necessary. The demand for last year is detailed in 2.4 and it is expected to be similar for this year. There are working instructions that detail the responses to be made. Southend Borough Council has signed up to the Memorandum of Understanding Outbreak Control Plan.

Pandemic flu or similar will increase the demand on time and will result in a reduction in the pro-active programme.

### *3.6 Incidents*

The team will continue to respond to incidents of illegal harvesting of oysters from the foreshore. The team will remove from the food chain oysters which commercial harvesters have not demonstrated that the oysters will be subject to the correct controls.

There are working instructions for incidents in the Food Team Manual. Where required by the Agency or DEFRA resources will be provided which will result in a reduction in the pro-active programme. Resource may also be required to support Southend Borough Council's emergency control plan.

### *3.7 Liaison with Other Organisations*

Southend Borough Council will continue to participate locally in liaison arrangements with:

- the Essex Food Liaison Group (including sampling)
- EETSA Food Group
- EETSA Feed Group
- Essex Occupational Health and Safety Group

- Thames Liaison Group for Shellfish
- Food Hygiene Focus Group
- Environmental Health Managers Group
- Public Health England
- Planning Major Projects Board
- SMAART Team;

and with national bodies as appropriate, Food Standards Agency, Chartered Trading Standards Institute, Chartered Institute of Environmental Health, Department for Environmental, Food and Rural Affairs, Department for Business Innovation and Skills, Local Government Association.

### *3.8 Promotional Work and other non-official controls interventions for food and feed*

Participation will be as part of a larger exercise organised nationally or through the County, these will be evaluated in line with corporate initiatives.

Support of initiatives identified through the public health agenda including those identified in action plans for Health and Wellbeing. This will include:

- the promotion of the Healthy Eating Awards within Southend and delivery of Responsibility Deal with PHE and
- the nutritional project in residential care homes

where funding has been made available.

The team will also participate in:

- Health Promotion Events organised by SBC
- Targeted events

Any promotional work undertaken will be evaluated to measure its effectiveness

## **4. Resources**

### *4.1 Financial Allocation*

	<i>£ Budget 2016-17</i>
<i>Travel and Subsistence</i>	<i>3,300</i>
<i>Equipment</i>	<i>0</i>
<i>IT &amp; Legal (included in management, administration and technical services)</i>	<i>11,800</i>
<i><sup>1</sup>Sampling Budget</i>	<i>7,000</i>
<i><sup>2</sup>Staffing Costs</i>	<i>209,260</i>
<i>Additional funding from Centre</i>	<i>0</i>

<sup>1</sup>Microbiological samples are taken as part of our free allocation with the FWE.

<sup>2</sup>Includes costs for contracted inspections.

#### 4.2 Staffing Allocation

<b>Staff</b>	<b>FTE 2014-15</b>	<b>FTE 2015-16</b>
Management Food and Feed	0.5	0.5
Regulatory Services Officers Food	2.9	3.7
Enforcement Officers Food	0.53	0.52
<b>Total Officers</b>	<b>3.92.</b>	<b>4.72</b>
Administration	1.1	1.1
Regulatory Services Officers Feed	N/A	0.03

*In 2015-16 our funding for the oyster project was used to convert the vacant Enforcement Officer post to a Regulatory Services post to support the activity around enforcement of illegal oyster harvesting. The remainder being used to contractors backfill inspections.*

#### 4.3 Staff Development Plan

Training will be identified as part of the appraisal system to meet the needs of the service to be delivered. Registered Environmental Health Practitioners are responsible for managing their own CPD training which will mostly be provided externally and funded by the Council.

Assessment of competencies in line with the Code of Practice is being undertaken as part of the appraisal system.

Officers who support areas of food, feed, infectious disease and legal processes will receive appropriate training which will be provided both in-house and externally as appropriate. Assessment against the competency framework of these officers will be undertaken.

One Enforcement Officers is undertaking work to complete their log book. There is also one Regulatory Services Officer who has completed the learning element of the Environmental Health degree but is not currently working in food. All Officers will be supported to complete log books, learning portfolio and professional interviews. Support will be given to trainees to help them to achieve their registration with an expectation this is undertaken within a reasonable period.

#### 4.4 Projected Resource Required to deliver programme



Activity (does not include Business Support time)	FTE
Food Hygiene Inspections	<b>2.00</b>
Approved Premises	<b>0.03</b>
Food Standards (if undertaken at time of food hygiene inspection)	<b>0.02</b>
Revisits to check compliance / FHRS	<b>0.5</b>
Service Requests	<b>1.1</b>
Events applications	<b>1.13</b>
HA / Primary Authority	<b>0.16</b>
Advice to Business	<b>0.3</b>
Formal action	<b>0.2</b>
Co-ordination liaison	<b>0.17</b>
Promotional work	<b>0.04</b>
Sampling activities	<b>0.23</b>
Food poisoning (does not take into account outbreak)	<b>0.02</b>
Incidents (including illegal harvesting of oysters)	<b>0.50</b>
Training for competency (Code of Practice requirement) & internal	<b>0.14</b>
Auditing	<b>0.05</b>
Management of activities (service and improvements)	<b>0.9</b>
Total Food (excluding dedicated administration)	<b>7.49</b>
All Feed Activities	<b>0.03</b>

There is currently resource available to undertake contracted food inspections to assist with meeting the Code of Practice requirements on interventions to be completed in year. Feed inspections are being funded through the EETSA Feed Group.

## 5. Quality Assessment

### 5.1 Quality Assessment and Internal Monitoring

The Essex Food Group undertook internal audits against the Brand Standard in 2015. An action plan was developed which is being implemented. Audit procedures were updated to include checks for Brand Standard compliance.

The Food Standards Agency undertook a thematic audit in December 2012. An Action Plan was agreed with Council and has been implemented and progress against the Action Plan has been reported to the FSA. The audit review by the FSA was completed in April 2014 and the service has been signed off as compliant.

The Regulatory Services Group continues to support the concepts of Peer Review and Inter-Authority Auditing. A Regulatory Services Self-Assessment and Peer Challenge took place in 2009.

A Data Protection Audit took place in November 2012 and there were no issues raised.

There is an internal audit team within the Council who select areas for review on an annual basis. There is also Member scrutiny through the scrutiny process as appropriate. An audit of the Regulatory Services restructure was carried out during 2013.

## 6. Review

### 6.1 *Review against the Service Plan*

There is continued support for report writing and there are a range of performance reports available.

Food Safety:

<b>FSA Category</b>	<b>Numbers Due @ 01/04/2015</b>	<b>% Achieved</b>
A	12	100
B	131	100
C	306	100
D	221	71
E	165	51
Unrated (includes changes in year)	244	75
Totals of those due	1079	

The team completed 100% of all A and B rated inspections for food hygiene and 100% of C rated, compared to 98% of C rated inspections completed the previous year.

The % of D rated inspected completed this year was lower at 71% compared to 88% the previous year and the % of E rated inspections completed was lower 62% to 51%. However we reduced the number of overdue inspections for both these categories.

We achieved 75% of unrated premises inspections during the year and of those not inspected all but 5 premises were low risk activities which are reviewed to determine their activity or childminders subject to inspection by Children's Services.

Food Standards:

<b>FSA Category</b>	<b>Numbers Due 2015-16</b>	<b>% Achieved</b>
High	1	100
Medium	96	64

Low	228	20
Unrated (includes changes in year)	170	68
Totals of those due	495	

Food standards were not separately targeted in line with the previous plan, apart from the A-risk premises. Through inspecting those due, overdue and due before the next food hygiene inspection the number of overdue food standards inspections has reduced. The number of overdue inspections was reduced.

#### Feed Inspections

None were identified for interventions for 2015-16. An assessment of competency for feed has been undertaken and a training programme is being implemented to meet the competency requirements.

#### Enforcement in Food Premises:

	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>
<i>Prosecutions</i>	0	1	0
<i>Simple Cautions</i>	1	0	0
<i>Improvement Notices</i>	15	5	15
<i>Prohibitions</i>	0	4	0
<i>Seizure and Detentions (including informal for oysters)</i>	15	23	7
<i>Remedial Action and detention notices</i>	1	0	0

There has been an increase in notices served targeting the non-compliant premises. There continues to be voluntary surrenders of oysters illegally harvested from the seafront.

#### Requests

	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>
<i>Food Safety and Standards</i>	553	580	579
<i>Infectious Disease</i>	284	253	235
<i>Nuisance / Noise</i>	23	28	41
<i>Planning in Food (new role)</i>	21		

*\*includes planning requests not previously included.* Requests for service remain at a similar level

#### Sampling

	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>
<i>Microbiological Samples Taken</i>	214	224	254
<i>Analytical Samples Taken</i>	34	16	21

*No samples were required to be taken for feed analysis in 2015-16.*

Food sampling has continued at a similar level as previous years and UKFSS is being used for reporting sampling. There was an increase in analytical samples taken through successful bidding for FSA funding for targeted activities relevant to Southend.

Improvements have continued to be made to the Uniform system. There are procedures in place for the use of the system and enhanced reporting tools available.

Questionnaires continue to be used as a method of assessing the risk of the activities of unrated Home Caterers. This enables the team to target the higher risk activities for inspection within 28 days of opening. Home Caterers already on the inspection cycle will be inspected in line with the priorities detailed in 3.1. Those undertaking catering and high risk activities will be inspected. Home Caterers who continue to operate a cake making business will be inspected outside of these time scales.

Southend on Sea Borough Council has continued to participate in the Food Hygiene Rating Scheme. Support has been given to the national campaigns around raising the profile of this scheme.

The team successfully bid for funding from Public Health England to undertake an assessment of the nutritional quality of foods being delivered in Residential Care Homes. The project is scheduled to be completed over a 2 year period, with interventions being undertaken where possible at the same time as routine food hygiene and standards inspections. 39 assessments were completed during 2015-16 and reported.

The team continued to deliver the targets set by PHE for health eating. There were 4 Gold Awards, 3 Silver Awards for premises providing healthy alternatives and 25 pledges to work towards these awards.

## *6.2 Identification of any Variation from the Service Plan 2015-16*

Officers have continued to support enforcement activity in relation to illegal oyster harvesting.

We utilised some of the funding from Council to deal with illegal oyster harvesting to convert an Enforcement Officer post (which we were unable to recruit to) to a Regulatory Services Officer. This has enabled enforcement

work to be undertaken as part of usual duties with the remainder of the funding to be used to backfill inspections.

The team continues to support the Safety Advisory Group to provide guidance to event applicants.

An alternative intervention strategy has been developed for E rated premises and began in the first quarter of last year. This strategy will continue. Where premises have changed or there has been no response an inspection has been carried out.

### *6.3 Areas for Improvement*

- Continue to improve the use of the database
- Continue to develop reports for performance management purposes
- Adopt further areas of Uniform to maximise reporting and intelligence
- Standardising work where possible and process improvements
- Continue to vet and prioritise new premises inspections
- Training of Officers to support work areas and identified competency requirements
- Continue to raise awareness with business of the requirements of the Food Information Regulations
- Determine where 'other official controls' are possible and how IT would need to be mapped to report this.
- Further develop the process for alternative enforcement for low risk food hygiene interventions to include an alternative enforcement approach for food standards.
- Recruit to vacant post
- Identify areas where support from businesses is required, including using the Business Survey.
- Work with Essex Environmental Managers Group to develop links with Better Business for All objectives.
- Work with Business development on the Visit Southend website to provide information to residents and visitors to Southend on the food hygiene rating scheme and healthy options.
- Evaluate the requirements for food brokers and ensure that appropriate interventions are carried out.
- Assist the Authority to ensure that potable water is available at Events through a testing regime.
- Integration on Uniform for all feed establishments and process controls.
- Complete competency assessment and identification of training needs for feed
- Develop paperwork for feed inspections.

Appendix 1

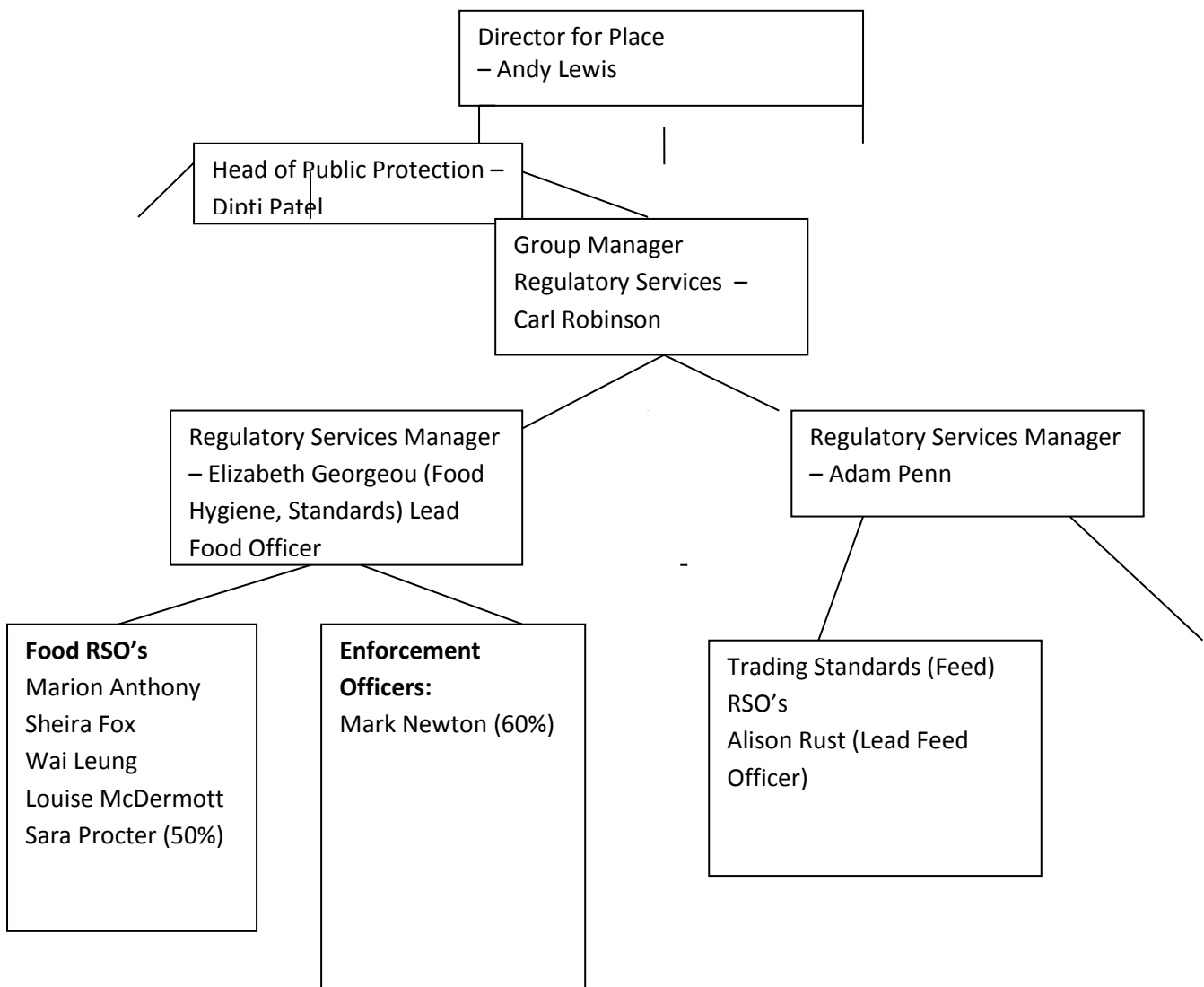
Leader and Cabinet Portfolio for Public Protection:

Leader                      Cllr Lamb

Public Protection        Cllr Flewitt

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Food Service – Officers undertaking food work only:



**SOUTHEND-ON-SEA BOROUGH COUNCIL**  
**SAMPLING PROGRAMME; 1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2017**

Samples will be collected from the reception or post room around 3pm.

Sampling will take place fortnightly, unless otherwise agreed with PHE lab.

Food Std Sampling Dates	Microbiological Sampling Dates				
		Sampling Projects In-house, LGA/HPA, FSA funded, Eastern Region	Rossi	Fuud	Cockles (June-
TBC	Weds	<b>Easter break</b>			
	13/04/2016	In-house scooped & machine ice cream	YES		
	27/04/2016	In-house scooped & machine ice cream			
	11/05/2016	In-house scooped & machine ice cream *RESAMPLES*	YES		
	25/05/2016	In-house rte seafood, dressed crab etc			
	08/06/2016	In-house rte seafood, dressed crab etc	YES		
	22/06/2016	In-house rte seafood, dressed crab etc		YES	
	06/07/2016	In-house picnic basket – soft cheese, sliced meat, pate, salads etc	YES		
	20/07/2016	In-house picnic basket – soft cheese, sliced meat, pate, salads etc			
	03/08/2016	In-house picnic basket – soft cheese, sliced meat, pate, salads etc	YES		
	17/08/2016	In-house picnic basket – soft cheese, sliced meat, pate, salads etc			
	31/08/2016	In-house picnic basket – soft cheese, sliced meat, pate, salads etc		YES	
	14/09/2016	HPE/Regional project – TBC	YES		
	28/09/2016	HPE/Regional project – TBC			
	12/10/2016	In-house lightly cooked food – beef carpaccio, hollandaise sauce, egg fried rice, raw vegetable smoothies	YES		

	26/10/2016	In-house lightly cooked food – beef carpaccio, hollandaise sauce, egg fried rice, raw vegetable smoothies			
	09/11/2016	*RESAMPLES*	YES		
	23/11/2016	Xmas meals – roast dinner, meat based gravy, hot holding buffet foods		YES	
	07/12/2016	Xmas meals – roast dinner, meat based gravy, hot holding buffet foods	YES		
	21/12/2016	<b>MERRY CHRISTMAS/HAPPY NEW YEAR *NO SAMPLING ACTIVITY*</b>			
	04/01/2017	<b>NEW YEAR - *NO SAMPLING ACTIVITY*</b>			
	18/01/2017	HPE/Regional project - TBC	YES		
	01/02/2017	HPE/Regional project - TBC			
	15/02/2017	HPE/Regional project - TBC	YES	YES	
	01/03/2017	In-house fresh/synthetic cream cakes new cake shops)			
	15/03/2017	In-house fresh/synthetic cream cakes *RESAMPLES* Water samples (Event)	YES		
	29/03/2017	<b>*NO SAMPLING ACTIVITY*</b>			



# Southend-on-Sea Borough Council

Agenda  
Item No.

13

## Report of Corporate Director for Place

to  
Cabinet

on

28<sup>th</sup> June 2016

Report prepared by:

Amanda Rogers (S106 & CIL Officer, Development Control)

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## Community Infrastructure Levy (CIL) Annual Financial Report 2015/16

### Place Scrutiny Committee – Executive Councillor: Councillor Flewitt Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

- 1.1 To provide Members with the CIL Annual Financial Report for the financial year 2015/16, and confirm that CIL receipts to date should be carried forward until the end of 2016/17 with the exception of 5% administrative costs and the 15% Neighbourhood Allocation to Leigh Town Council.
- 1.2 The following recommendation and appendix is being referred to Cabinet in accordance with the arrangements set out in the CIL Governance Framework (agreed by Members in June 2015).

#### 2. Recommendations

- 2.1 That Members note the content of this report and agree the following recommendation:
  - 2.1.1 **To note the content of the CIL Annual Financial Report 2015/16 and agree to carry forward CIL receipts to date (except Leigh Town Council Neighbourhood Allocation and 5% administrative expenses) to the next financial year (2017/18), when spending plans will be reviewed.**

#### 3. Background

- 3.1 Southend Borough Council became a CIL Charging Authority and commenced CIL charging in July 2015.
- 3.2 As CIL charging did not commence until 27<sup>th</sup> July 2015, this first CIL Annual Financial Report reflects a partial financial year from 27<sup>th</sup> July 2015 (i.e. from adoption of a Charging Schedule) to 31<sup>st</sup> March 2016. In accordance with the CIL Regulations the CIL Annual Financial Report is to be published on the Council's website by 31<sup>st</sup> December 2016.

- 3.3 See the Council's [CIL Governance Framework](#) for further details in relation to spending and reporting for the Levy
- 3.4 As explained in the CIL Governance Framework, it was expected that there would be an initial 'lag' period for CIL income due to the number of planning permissions already in place prior to CIL adoption and the fact that planning permissions can be implemented any time within 3 years. Therefore, Cabinet has previously agreed within the CIL Governance Framework that the first release of CIL funds should not take place until **April 2019** (i.e. CIL receipts carried forward each financial year until this point). However, it was also agreed that this arrangement would be reviewed annually.
- 3.5 The total CIL receipts in the last financial year amounted to **£13,903.89**. This includes £11,123.11 in the CIL Main Fund, which is to be spent on items identified in the Council's Regulation 123 Infrastructure List; £2,085.58 (15% of total receipts) Neighbourhood Allocation; and £695.20 (5% of total receipts) to be applied to administrative expenses.
- 3.6 The £2,085.58 Neighbourhood Allocation includes the following:
- Leigh Town Council allocation £885.06
  - Milton ward allocation £248.02
  - West Shoebury ward allocation £697.50
  - Westborough ward allocation £255
- 3.7 In accordance with CIL regulation 59A and 59D, £885.06 is being transferred to the "local council" (Leigh Town Council); and in accordance with CIL regulation 61, £695.20 is being applied to administrative expenses associated with CIL.
- 3.8 In accordance with CIL regulation 59C, "A local council must use CIL receipts passed to it in accordance with regulation 59A or 59B to support the development of the local council's area, or any part of that area, by funding –
- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area."
- Leigh Town Council will have 5 years to spend CIL receipts.
- 3.9 The spending criteria referred to above also apply to the Ward Neighbourhood Allocation across the Borough.

#### **4. Options**

- 4.1 Consistent with the previously agreed CIL Governance Framework it is recommended at this stage that the content of the CIL Annual Financial Report 2015/16 is noted, and that CIL receipts to date (except Leigh Town Council Neighbourhood Allocation and 5% administrative expenses) be carried forward to the next financial year (2017/18), when spending plans will be reviewed.

4.2 More significant CIL receipts are anticipated over the next two years and it may be more beneficial to wait until these receipts are received before deciding how to apply them. Hence, it is recommended to carry forward the CIL Main Fund and three Ward Neighbourhood Allocations at this stage. However, there is the alternative option of not carrying forward the CIL Main Fund of £11,123.11 and Ward Neighbourhood Allocations set out in paragraph 3.6 (including Milton, West Shoebury and Westborough).

4.3 If it is decided to pursue the alternative option and spend 2015/16 receipts in 2016/17, then the following amended recommendations will need to be agreed:

**4.3.1 Corporate Director for Place to prepare an Infrastructure Business Plan, identifying the project(s) from the Regulation 123 Infrastructure List that will benefit from CIL receipts within the CIL Main Fund, for consideration by Cabinet and spending in 2016/17.**

**4.3.2 Delegate authority to Ward Members and Corporate Director for Place (in discussion with the Executive Councillor for Housing, Planning and Public Protection) to agree how Neighbourhood Allocation (excluding allocation to Leigh Town Council area) is to be spent.**

4.4 If the alternative option set out in paragraph 4.3 is pursued then in accordance with the procedure set out in the CIL Governance Framework, ward councillors will, after Cabinet, be invited to agree a Funding Bid by the end of September 2016 for how their Neighbourhood Allocation is to be spent. Ward councillors will be invited to engage with their local community at ward level to establish local infrastructure priorities/neighbourhood projects requiring funding.

## **5. Reasons for Recommendations**

5.1 The CIL receipts to date are relatively nominal sums of money. More significant CIL receipts are anticipated over the next two years and it may be more beneficial to wait until these receipts are received before deciding how to apply them to infrastructure projects. Hence, it is recommended to carry forward the CIL Main Fund and three Ward Neighbourhood Allocations at this stage.

## **6. Corporate Implications**

### **6.1 Contribution to Council's Vision & Corporate Priorities**

CIL income will be spent on community infrastructure that supports development in the Borough (as defined in the Council's published Regulation 123 Infrastructure List). As such, this will support a number of the Council's Corporate Priorities, including creating safer, cleaner, healthier and more prosperous communities. CIL is therefore considered to be a key corporate priority.

### **6.2 Financial Implications**

As expected, the previously projected CIL income of approximately £429,000/year is unlikely to be realised until 2018 as it is only 9 months since adoption of a CIL Charging Schedule and there will be a number of extant

planning permissions granted prior to a CIL Charging Schedule being in place. Also, it is difficult to estimate with any accuracy the likely income from CIL as any estimate is highly sensitive to multiple assumptions and variables such as exemptions and deductions.

### 6.3 Legal Implications

All procedures in relation to the CIL implementation, collection and reporting must adhere to the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended). The relevant CIL regulations have been set out in the CIL Annual Financial Report.

### 6.4 People Implications

None.

### 6.5 Property Implications

CIL should have a negligible impact on Council assets.

### 6.6 Consultation

None required unless pursuing the alternative option set out in paragraph 4.3, in which case ward councillors will be required to consult their local communities in relation to neighbourhood projects potentially benefitting from CIL.

### 6.7 Equalities and Diversity Implications

CIL income and the continuation of S106 planning obligations, as appropriate, contributes towards infrastructure and other community needs made necessary by development thus taking into consideration issues of equality and diversity.

### 6.8 Risk Assessment

There is a slight risk that spending the £11,000 this year on small projects, rather than waiting and carrying the money forward to spend a bigger 'pot', may be less effective in enabling the Council to meet our infrastructure needs.

### 6.9 Value for Money

The CIL Charging Schedule is an important means of ensuring value for money for the wider community from development.

### 6.10 Community Safety Implications

None.

### 6.11 Environmental Impact

None.

## **7. Background Papers/Reference Documents**

The Community Infrastructure Levy Regulations 2010  
The Community Infrastructure Levy (Amendment) Regulations 2011  
The Community Infrastructure Levy (Amendment) Regulations 2012  
The Community Infrastructure Levy (Amendment) Regulations 2013  
The Community Infrastructure Levy (Amendment) Regulations 2014  
The Community Infrastructure Levy (Amendment) Regulations 2015  
Southend Borough Council CIL Charging Schedule 2015  
Southend Borough Council Regulation 123 Infrastructure List 2015  
Southend Borough Council CIL Governance Framework 2015

## **8. Appendices**

**Appendix 1:** Draft CIL Annual Financial Report 2015/16

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**APPENDIX 1**



**Community Infrastructure Levy (CIL)  
Annual Financial Report**

**Financial Year 2015/16**

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(as amended up to and including 2015)** **Page 9**



## Introduction

Regulation 62 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) places a duty on authorities charging a CIL to produce an Annual Report providing detail on certain financial information as set out in the regulations and make it available online before the 31 December each year.

Southend Borough Council became a CIL Charging Authority and commenced CIL charging in July 2015. Therefore, this annual report reflects a **partial financial year from 27<sup>th</sup> July 2015 (i.e. from adoption of a Charging Schedule) to 31<sup>st</sup> March 2016**. In accordance with the CIL Regulations this annual report is to be published by 31<sup>st</sup> December 2016.

A compilation of relevant CIL regulations (as amended) have been provided in Appendix 1 for ease of reference. A table summarising the Annual Report for 2015/16 is included below (Table 1).

Further information regarding the Community Infrastructure Levy can be obtained from [Southend Borough Council](#) or from the [Planning Portal](#) or the Government's online [Planning Practice Guidance](#). Any questions or comments can be directed to the Planning Team using the following email address:- [council@southend.gov.uk](mailto:council@southend.gov.uk)

## CIL Funding Summary

The total CIL receipts in the reported year, financial year 2015/16, amounted to **£13,903.89**. This includes £11,123.11 in the CIL Main Fund, which is to be spent on items identified in the Council's Regulation 123 Infrastructure List; £2,085.58 (15% of total receipts) Neighbourhood Allocation; and £695.20 (5% of total receipts) to be applied to administrative expenses.

In accordance with CIL regulation 59A and 59D, £885.06 is being transferred to the "local council", Leigh Town Council; and in accordance with CIL regulation 61, £695.20 is being applied to administrative expenses associated with CIL. There has been no further expenditure in the reported year.

## The CIL Regulations: Explanatory Note

New regulation 59A places a duty on charging authorities to pass some Levy funds to local councils where some or all of a chargeable development takes place in an area for which there is a parish or community council. Regulation 59A(8) sets out the proportion of the Community Infrastructure Levy raised in relation to a development that regulation 59A applies to. Regulation 59A applies to the proportion of Community Infrastructure Levy raised equal to the proportion of the gross internal area of the development in the area of the relevant local council.

In England, where there is a neighbourhood development plan in place, or permission was granted by a neighbourhood development order (including by a community right to build order), the charging authority must pass 25% of Community Infrastructure Levy funds to the parish councils in whose area the chargeable development takes place. Where there is no neighbourhood development plan this amount is 15%, subject to a cap of £100 per household in the parish council area per year. Parish or community councils have the discretion to decide that some or all of these funds should remain with the charging authority.

Regulation 59A(8) provides for where development crosses local council boundaries, so that the funds are split proportionally between the local councils. Regulation 59A(9) and (10) makes similar provision for when some of a development is granted permission by a neighbourhood development order, or is in an area for which there is a neighbourhood plan, and some is not.

Regulation 59B sets out how the duty in regulation 59A applies where the charging authority accepts a land payment.

On receipt of the funds, parish and community councils have wider spending powers than charging authorities, under new regulation 59C.

Regulation 59D sets out a default provision for when payments are to be made to local council in the absence of an agreement with the charging authority.

Under new regulation 59E the charging authority is able to recover funds from the local council in certain circumstances. That is if the local council have misapplied the Community Infrastructure Levy by not using it to support the development of their area or by using it for another purpose. When Levy receipts are recovered from a local council, the charging authority must use those funds to support development in the area of that local council.

New regulation 59F makes provision for where the duty in regulation 59A does not apply, namely where a chargeable development (or part of a development) takes place in an area for which there is not a parish or community council. In that case, the charging authority has wider spending powers in relation to those parts of its area for which there is not a parish or community council. Those powers are the same as those given to parish or community councils, and apply to those funds that would have been passed on had the development

taken place in an area for which there is a parish or community council.

See the Council's [CIL Governance Framework](#) for further details in relation to spending and reporting for the Levy.

## Table 1: CIL Summary Report

Partial Financial Year 2015/16 (covering period from 27 July 2015 to 31 March 2016)

<b>Total CIL Summary</b>	
Total CIL <b>receipts</b> <sup>1</sup> for the reported year	£13,903.89
Total CIL <b>carried over</b> from previous reported year(s)	0
Total CIL <b>expenditure</b> <sup>2</sup> for the reported year	0
Total amount of CIL applied to <b>administrative expenses</b> pursuant to regulation 61	£695.20
Above as a percentage of CIL collected in the reported year	5%
Total CIL receipts from the <b>last financial year retained</b> at the end of the reported year <sup>3</sup>	£13,208.69
Total CIL receipts from <b>other years retained</b> at the end of the reported year	0

<b>CIL Main Fund<sup>4</sup> (summary)</b>	
Main Fund <b>receipts</b> for the reported year	£11,123.11
Main Fund <b>carried over</b> from previous reported year(s)	0
Main Fund <b>expenditure</b> for the reported year	0
Main Fund <b>retained</b> at the end of the reported year	£11,123.11

<b>CIL Main Fund Expenditure(details)</b>	
<b>Items of infrastructure</b> to which CIL (including land payments) has been applied:	Amount of expenditure on each item
<ul style="list-style-type: none"> <li>n/a</li> </ul>	n/a
Details of infrastructure items (provision in whole or in part) relating to CIL applied to repay <b>money borrowed</b> , including any interest, pursuant to regulation 62(4):	Amount of CIL applied to repay money borrowed, including any interest
<ul style="list-style-type: none"> <li>n/a</li> </ul>	n/a
Details of infrastructure items relating to CIL <b>passed to another person</b> for that person to apply to funding the provision, improvement, replacement, operation or maintenance of infrastructure pursuant to regulation 59(4):	Amount of CIL applied to repay money borrowed, including any interest
<ul style="list-style-type: none"> <li>n/a</li> </ul>	n/a

<sup>1</sup> CIL receipts include the value of land payments and infrastructure payments made in respect of CIL charges by Southend Borough Council.

<sup>2</sup> This excludes the amount applied to administrative expenses.

<sup>3</sup> CIL retained includes the value of acquired land on which development consistent with a relevant purpose has not commenced OR the acquired land has been used or disposed of for a purpose other than the relevant purposes and the amount deemed to be CIL by virtue of regulation 73(9) has not been spent AND the value of infrastructure if the infrastructure has not been provided.

<sup>4</sup> To be spent on items identified in the Council's Regulation 123 Infrastructure List.

<b>Land and infrastructure in kind payments</b>	
Total <b>land payment receipts</b> for the reported year	0
In relation to any land payments accepted by Southend Borough Council, details of the land/development to which the land payments relate:	Amount of CIL for each land payment
<ul style="list-style-type: none"> <li>n/a</li> </ul>	n/a
Total <b>infrastructure in kind payment receipts</b> for the reported year	0
In relation to any infrastructure in kind payments accepted by Southend Borough Council, details of the items of infrastructure to which the infrastructure payments relate:	Amount of CIL for each item of infrastructure
<ul style="list-style-type: none"> <li>n/a</li> </ul>	0

<b>Neighbourhood Allocation (summary)</b>	
Total Neighbourhood Allocation <b>receipts</b> for the reported year	£2,085.58
Neighbourhood Allocation <b>carried over</b> from previous reported year(s)	0
Neighbourhood Allocation <b>expenditure</b> for the reported year	0
Neighbourhood Allocation <b>retained</b> at the end of the reported year	£2,085.58

<b>Neighbourhood Allocation – local council allocation<sup>5</sup></b>	
<b>Local parish council: Leigh Town Council (LTC)<sup>6</sup></b>	
Total <b>CIL receipts to be allocated to LTC</b> for the reported year	£885.06
<b>Ward breakdown:</b>	
<ul style="list-style-type: none"> <li>CIL receipts within Belfairs (within LTC boundary)</li> </ul>	0
<ul style="list-style-type: none"> <li>CIL receipts within Blenheim Park (within LTC boundary)</li> </ul>	0
<ul style="list-style-type: none"> <li>CIL receipts within Leigh</li> </ul>	£885.06
Total amount <b>carried over by LTC</b> from previous reported year(s)	0
Total <b>expenditure by LTC</b> for the reported year	0
Items to which LTC receipts have been applied in the reported year:	Amount of expenditure on each item
<ul style="list-style-type: none"> <li>n/a</li> </ul>	n/a
Amount <b>retained by LTC</b> at the end of the reported year	£885.06
<b>Details of any requests for repayment of CIL receipts from LTC that have not been applied to support the development of its area within 5 years of receipt:</b>	
Total value of CIL receipts requested to be returned from LTC	0
Total value of CIL receipts yet to be recovered from LTC for the reported year	0
Items to which CIL receipts have been applied and details of expenditure for each item	n/a

<sup>5</sup> CIL income allocated to LTC not yet passed to Leigh Town Council as at 04/05/2016.

<sup>6</sup> Leigh Town Council (LTC) will also have to produce a similar annual report relating to their Neighbourhood Allocation. However, as this is not required to be provided to the Council until 31<sup>st</sup> December 2016, this first Southend Borough Council CIL Annual Report excludes LTC CIL Annual Report (from April 2017 onwards this will be appended).

<b>Neighbourhood Allocation (details)</b>	
<b>Ward: Milton</b>	
<b>Receipts</b> for Milton	£248.02
<b>Carried over</b> from previous reported year(s)	0
<b>Expenditure</b> for the reported year	0
Items to which the Milton Neighbourhood Allocation receipts have been applied:	Amount of expenditure on each item
• n/a	n/a
<b>Retained</b> at the end of the reported year	£248.02

<b>Neighbourhood Allocation (details)</b>	
<b>Ward: West Shoebury</b>	
<b>Receipts</b> for West Shoebury	£697.50
<b>Carried over</b> from previous reported year(s)	0
<b>Expenditure</b> for the reported year	0
Items to which the West Shoebury Neighbourhood Allocation receipts have been applied:	Amount of expenditure on each item
• n/a	n/a
<b>Retained</b> at the end of the reported year	£697.50

<b>Neighbourhood Allocation (details)</b>	
<b>Ward: Westborough</b>	
<b>Receipts</b> for Westborough	£255
<b>Carried over</b> from previous reported year(s)	0
<b>Expenditure</b> for the reported year	0
Items to which the Westborough Neighbourhood Allocation receipts have been applied:	Amount of expenditure on each item
• n/a	n/a
<b>Retained</b> at the end of the reported year	£255

## Appendix 1: CIL Regulations 59 to 62 2010 (as amended up to and including 2015)

### Application to infrastructure

- 59.** (1) A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.
- (2) CIL applied by the Mayor to funding infrastructure must be applied to funding the provision, improvement, replacement, operation or maintenance of roads or other transport facilities, including, in particular, funding for the purposes of, or in connection with, scheduled works within the meaning of Schedule 1 to the Crossrail Act 2008<sup>7</sup>.
- (3) A charging authority may apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure outside its area where to do so would support the development of its area.
- (4) For the purposes of this regulation, any reference to applying CIL includes a reference to causing it to be applied, and includes passing CIL to another person for that person to apply to funding the provision, improvement, replacement, operation or maintenance of infrastructure.
- (5) This regulation is subject to regulations 59A, 59E, 59F, 60 and 61.

### Duty to pass CIL to local councils

- 59A.** (1) This regulation applies to that part of a chargeable development within the area of a local council.
- (2) Subject to paragraph (12) and regulation 59E(5) a charging authority, other than the Mayor, must pass to every local council within its area a proportion of CIL receipts calculated in accordance with this regulation and regulation 59B.
- (3) In England, where all or part of a chargeable development is within an area that has a neighbourhood development plan in place the charging authority must pass 25 per cent of the relevant CIL receipts to the parish council for that area.
- (4) In England, where all or part of a chargeable development—
- (a) is not in an area that has a neighbourhood development plan in place; and
  - (b) was granted permission by a neighbourhood development order made under section 61E or 61Q<sup>8</sup> (community right to build orders) of TCPA 1990, the charging authority must pass 25 per cent of the relevant CIL receipts to the parish council for that area.
- (5) In England, where all or part of a chargeable development—
- (a) is not in an area that has a neighbourhood development plan in place; and
  - (b) was not granted planning permission by a neighbourhood development order made under section 61E or 61Q (including a community right to build orders) of TCPA1990, then, subject to paragraph (7), the charging authority must pass 15 percent of the relevant CIL receipts to the parish council for that area.

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<sup>7</sup> 2008 c.18

<sup>8</sup> Sections 61E and 61Q were inserted by paragraph 2 of Schedule 9 to the Localism Act 2011 (c. 20).

(6) In Wales, where all or part of a chargeable development is within the area of a community council then, subject to paragraph (7), the charging authority must pass 15 per cent of the relevant CIL receipts to that community council.

(7) The total amount of CIL receipts passed to a local council in accordance with paragraph (5) or (6) shall not exceed an amount equal to £100 per dwelling in the area of the local council multiplied by  $I_A$  in each financial year.

(8) In paragraphs (3) to (6) the relevant CIL receipts are the proportion of CIL received in relation to a development equal to the proportion of the gross internal area of the development that is relevant development in the relevant area of the local council.

(9) In paragraph (8), the relevant area is—

(a) in relation to paragraph (3), that part of the parish council's area that has a neighbourhood development plan in place;

(b) in relation to paragraphs (4)(a) and (5)(a), that part of the parish council's area that does not have a neighbourhood development plan in place; and

(c) in relation to paragraph (6), the whole of the community council's area.

(10) In paragraph (8), the relevant development is—

(a) in relation to paragraphs (3) or (6), the whole of the development;

(b) in relation to paragraph (4)(b) that part of the development for which permission was granted by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990; and

(c) in relation to paragraph (5)(b) that part of the development for which permission was not granted by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990.

(11) In this regulation an area has a neighbourhood development plan in place in relation to a development, or part of a development, if—

(a) a neighbourhood development plan was made by a local planning authority in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 prior to the time at which planning permission first permits that development; and

(b) that neighbourhood development plan is extant in relation to the relevant area on the day when planning permission first permits that development.

(12) Where a local council notifies the charging authority in writing that it does not want to receive some or all of the CIL receipts that this regulation applies to before that CIL is paid to it, the charging authority must retain those CIL receipts.

### **Application of regulation 59A to land and infrastructure payments**

**59B.** (1) Regulation 59A applies to land payments accepted by a charging authority in accordance with regulation 73(1) (payment in kind) and infrastructure payments accepted by a charging authority in accordance with regulation 73A(1) (infrastructure payments) as follows.

(2) For the purposes of regulation 59A(8), the CIL received in relation to a development includes the value of CIL that any land or infrastructure payments were accepted in satisfaction of.

(3) Any payments to a local council relating to a land or infrastructure payment must be paid to the local council in money.



### **Application of CIL by local councils**

- 59C.** A local council must use CIL receipts passed to it in accordance with regulation 59A or 59B to support the development of the local council's area, or any part of that area, by funding—
- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
  - (b) anything else that is concerned with addressing the demands that development places on an area.

### **Payment periods**

- 59D.** (1) This regulation applies where a charging authority is required to make a payment to a local council under regulation 59A or 59B.
- (2) If the charging authority and the local council agree on a timetable for payment, the charging authority must pay the local council in accordance with that timetable.
- (3) In all other cases, the charging authority must pay the local council in accordance with the following paragraphs.
- (4) The charging authority must make payment in respect of the CIL it receives from 1st April to 30th September in any financial year to the local council by 28th October of that financial year.
- (5) The charging authority must make payment in respect of the CIL it receives from 1st October to 31st March in any financial year to the local council by 28th April of the following financial year.

### **Recovery of CIL passed in accordance with regulation 59A or 59B**

- 59E.** (1) This regulation applies to CIL receipts received by a local council in accordance with regulation 59A or 59B that the local council—
- (a) has not applied to support the development of its area within 5 years of receipt; or
  - (b) has applied otherwise than in accordance with regulation 59C.
- (2) The charging authority may serve a notice on the local council requiring it to repay some or all of the CIL receipts that this regulation applies to.
- (3) A notice under paragraph (2) will be valid if it contains the following information—
- (a) the amount of CIL receipts to be repaid;
  - (b) the reasons for requiring those receipts to be repaid; and
  - (c) the date by which repayment is to be made which must be no earlier than 28 days from the day the notice is served.
- (4) On receipt of a valid notice the local council must send to the charging authority any CIL receipts it has not spent up to the value set out under sub-paragraph (3)(a) within the time set out under sub-paragraph (3)(c).
- (5) If the local council is unable to repay the full amount set out under sub-paragraph (3)(a) out of unspent CIL receipts, the charging authority must recover the rest of that amount out of future CIL receipts that it would otherwise have to pass to the local council in accordance with regulation 59A or 59B.
- (6) If the charging authority recovers CIL receipts in accordance with paragraph (5) it

must serve a notice on the local council when those receipts would otherwise be passed to the local council stating—

- (a) the amount of CIL receipts recovered; and
- (b) the amount of CIL receipts still to be recovered by the charging authority from the local council.

(7) A charging authority may withdraw a notice served under paragraph (2) at any time and if it does so any unspent CIL receipts recovered under paragraph (4) or (5) in accordance with the withdrawn notice must be returned to the local council.

(8) A charging authority and a local council may at any time vary the terms of a notice served under paragraph (2) by agreement.

(9) Part 9 (enforcement) does not apply in relation to this regulation.

(10) CIL receipts recovered under this regulation must be used by the charging authority to support the development of the area of the local council they are recovered from by funding—

- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area.

#### **Use of CIL in an area to which regulations 59A and 59B do not apply**

**59F.** (1) This regulation applies where all or part of a chargeable development is in an area in relation to which regulations 59A and 59B do not apply.

(2) This regulation applies to those CIL receipts that would have been passed to a local council under regulations 59A and 59B had that part of the chargeable development been within the area of a local council.

(3) The charging authority may use the CIL to which this regulation applies, or cause it to be used, to support the development of the relevant area by funding—

- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area.

(4) In paragraph (3), “relevant area” means that part of the charging authority’s area that is not with the area of a local council.”

#### **Reimbursement of expenditure incurred and repayment of loans**

**60.** (1) A charging authority may apply CIL to reimburse expenditure already incurred on infrastructure.

(2) Where a charging authority, other than the Mayor, has borrowed money for the purposes of funding infrastructure, it may apply CIL to repay that money, and any interest, if the conditions set out in paragraphs (4) and (5) are both met.

(3) Where the Greater London Authority or a functional body has borrowed money for the purposes of funding infrastructure consisting of roads or other transport facilities, the Mayor may apply CIL to repay that money, and any interest, if the conditions set out in paragraphs (4) and (5) are both met.

(4) Condition 1 is that the charging authority has collected CIL, or CIL has been collected on its behalf, for at least one full financial year before the date on which

CIL is to be applied to repay the money.

(5) Condition 2 is that the total amount to be applied in any one financial year does not exceed the relevant percentage of CIL collected by or on behalf of the charging authority in the preceding financial year.

(6) For the purposes of paragraph (5), the relevant percentage is such percentage as the Secretary of State may direct or, in the absence of a direction, zero per cent.

(7) A direction under paragraph (6)—

(a) must be made in respect of authorities generally;

(b) must be in writing;

(c) may be substituted or revoked at any time, any substitution or revocation being made by a further direction in writing.

(8) In this regulation “functional body” means—

(a) Transport for London; or

(b) the London Development Agency.

### **Administrative expenses**

**61.** (1) A charging authority may apply CIL to administrative expenses incurred by it in connection with CIL.

(2) A collecting authority which collects CIL on behalf of a charging authority may apply that CIL to administrative expenses incurred by it in connection with that collection.

(3) In relation to a charging authority which collects CIL charged by it—

(a) in years one to three, the total amount of CIL that may be applied to administrative expenses incurred during those three years, and any expenses incurred before the charging schedule was published, shall not exceed five per cent of CIL collected over the period of years one to three;

(b) in year four, and each subsequent year, the total amount of CIL that may be applied to administrative expenses incurred during that year shall not exceed five per cent of CIL collected in that year.

(4) In relation to a collecting authority which collects CIL on behalf of a charging authority—

(a) in years one to three the total amount of CIL that may be applied to administrative expenses incurred in connection with that collection during those three years, and any expenses incurred before the charging schedule was published, shall not exceed four per cent of CIL collected on behalf of the charging authority over the period of years one to three;

(b) in year four, and each subsequent year, the total amount of CIL that may be applied to administrative expenses incurred in connection with that collection during that year shall not exceed four per cent of CIL collected on behalf of the charging authority in that year.

(5) In relation to a charging authority which does not collect CIL charged by it—

(a) in years one to three the total amount of CIL that may be applied to administrative expenses incurred during those three years, and any expenses incurred before the charging schedule was published, shall not exceed the relevant percentage of CIL collected over the period of years one to three;

(b) in year four, and each subsequent year, the total amount of CIL that may

be applied to administrative expenses incurred during that year shall not exceed the relevant percentage of CIL collected in that year.

(6) In paragraph (5) the relevant percentage is five per cent less any CIL which is applied by the collecting authority pursuant to paragraph (4).

(7) For the purposes of this regulation reference to CIL collected in a year includes the value of acquired land acquired by virtue of a land payment made in that year.

(7A) For the purposes of this regulation reference to CIL collected in a year includes the value of infrastructure provided, or to be provided, by virtue of an infrastructure payment accepted in that year.

(8) In this regulation—

(a) year one begins on the date on which the charging authority's first charging schedule takes effect<sup>9</sup> and ends at the end of the first subsequent full financial year;

(b) years two to four are the consecutive financial years that follow; and

(c) in relation to a collecting authority, the reference to a charging authority in this paragraph is a reference to the charging authority on behalf of whom CIL is collected.

## Reporting

**62.** (1) A charging authority must prepare a report for any financial year ("the reported year") in which:

(a) it collects CIL, or CIL is collected on its behalf; or

(b) an amount of CIL collected by it or by another person on its behalf (whether in the reported year or any other) has not been spent.

(2) Nothing in paragraph (1) requires an authority to prepare a report about CIL which it collects on behalf of another charging authority.

(3) For the purposes of paragraph (1), CIL collected by a charging authority includes land payments made in respect of CIL charged by that authority, and CIL collected by way of a land payment has not been spent if at the end of the reported year—

(a) development within the meaning in TCPA 1990 consistent with a relevant purpose has not commenced on the acquired land; or

(b) the acquired land (in whole or in part) has been used or disposed of for a purpose other than a relevant purpose; and the amount deemed to be CIL by virtue of regulation 73(9) has not been spent.

(3A) For the purposes of paragraph (1), CIL collected by a charging authority includes infrastructure payments made in respect of CIL charged by that authority, and CIL collected by way of an infrastructure payment has not been spent if at the end of the reported year the infrastructure to be provided has not been provided.

(4) The report must include—

(a) the total CIL receipts for the reported year;

(b) the total CIL expenditure for the reported year;

(c) summary details of CIL expenditure during the reported year other than in relation to CIL to which regulation 59E or 59F applied including—

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<sup>9</sup> See section 214 of the Planning Act 2008 and regulation 28.

- (i) the items of infrastructure to which CIL (including land payments) has been applied,
  - (ii) the amount of CIL expenditure on each item,
  - (iii) the amount of CIL applied to repay money borrowed, including any interest, with details of the infrastructure items which that money was used to provide (wholly or in part),
  - (iv) the amount of CIL applied to administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;
  - (ca) the amount of CIL passed to—
    - (i) any local council under regulation 59A or 59B; and
    - (ii) any person under regulation 59(4);
  - (cb) summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—
    - (i) the total CIL receipts that regulations 59E and 59F applied to;
    - (ii) the items to which the CIL receipts to which regulations 59E and 59F applied have been applied; and
    - (iii) the amount of expenditure on each item;
  - (cc) summary details of any notices served in accordance with regulation 59E, including—
    - (i) the total value of CIL receipts requested from each local council; and
    - (ii) any funds not yet recovered from each local council at the end of the reported year.
  - (d) the total amount of—
    - (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;
    - (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;
    - (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; and
    - (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year ”; and.
  - (e) in relation to any infrastructure payments accepted by the charging authority—
    - (i) the items of infrastructure to which the infrastructure payments relate,
    - (ii) the amount of CIL to which each item of infrastructure relates.
- (5) The charging authority must publish the report on its website no later than 31st December following the end of the reported year.
- (6) For the purposes of this regulation—
- (a) the value of acquired land is the value stated in the agreement made with the charging authority in respect of that land in accordance with regulation 73(6)(d);

(b) the value of a part of acquired land must be determined by applying the formula in regulation 73(10) as if references to N were references to the area of the part of the acquired land whose value is being determined.

### **Reporting by local councils**

- 62A.** (1) A local council must prepare a report for any financial year (“the reported year”) in which it receives CIL receipts.
- (2) The report must include—
- (a) the total CIL receipts for the reported year;
  - (b) the total CIL expenditure for the reported year;
  - (c) summary of CIL expenditure during the reported year including—
    - (i) the items to which CIL has been applied; and
    - (ii) the amount of CIL expenditure on each item; and
  - (d) details of any notices received in accordance with regulation 59E, including—
    - (i) the total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year;
    - (ii) the total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year.
  - (e) the total amount of—
    - (i) CIL receipts for the reported year retained at the end of the reported year; and
    - (ii) CIL receipts from previous years retained at the end of the reported year.
- (3) The local council must—
- (a) publish the report—
    - (i) on its website;
    - (ii) on the website of the charging authority for the area if the local council does not have a website; or
    - (iii) within its area as it considers appropriate if neither the local council nor the charging authority have a website, or the charging authority refuses to put the report on its website in accordance with paragraph (ii); and
  - (b) send a copy of the report to the charging authority from which it received CIL receipts, no later than 31st December following the reported year, unless the report is, or is to be, published on the charging authority’s website.”

**Southend-on-Sea Borough Council**

**Report of Corporate Director for Place**

**to  
Cabinet**

**(in its capacity as sole Trustee for the  
Beecroft Art Gallery Trust)**

**on**

**28<sup>th</sup> June 2016**

**Agenda  
Item No.**

**14**

Report prepared by: Sharon Wheeler, Strategy and  
Development Manager: Culture

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**Former Beecroft Art Gallery Building – Artist Studios Feasibility Study**

**Relevant Scrutiny Committee(s)  
Executive Councillor: Councillor Ann Holland  
Part 1 (Public Agenda Item)**

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**1. Purpose of Report**

- 1.1 To provide the Beecroft Art Gallery Trustees with an update on the outcome of the feasibility study for using the Station Road, Westcliff building for artist studios and seek approval for further work to be undertaken.

**2. Recommendations**

- 2.1 **That Beecroft Art Gallery Trustees acknowledge the potential for a viable business case to support the creation and management of artist studios within the former gallery building.**
- 2.2 **That Beecroft Art Gallery Trustees agree to the preparation of a formal bid to Arts Council England's Capital Grant funds and other external funding sources to undertake the works.**
- 2.3 **That Trustees acknowledge the cost of producing a good quality bid for submission would be approximately £20k. The Trust does not have the financial resources to fund this and would require this one-off sum to be met as a contribution from the Council's contingency. This amount would need to be reimbursed in full by the Beecroft Art Gallery Trust and would initially be a direct cost to the Council.**

**3. Background**

- 3.1 The former Beecroft Gallery building, Station Road, Westcliff-on-Sea has been suffering from major structural issues for some time; consequently the building was closed in September 2013 and the Beecroft Art Gallery relocated to the former Library building in Victoria Avenue, August 2014.

- 3.2 Council officers investigated options for the future of the building on behalf of the trust and presented their recommendations in December 2015.
- 3.3 At Full Council 10<sup>th</sup> December 2015, in their capacity as sole trustee for the Beecroft Art Gallery Trust, Members agreed the following recommendations:-
- “That the Council acting as Trustees give permission for officers of the Council to investigate the viability of using the former Gallery Building as artist studios. (This option would further the objects of the Trust and merits further investigation to determine if it would be financially viable and therefore in the best interests of the Trust).
  - That, if the feasibility study finds that the conversion of the building into artist studios will not be viable the Trustees should proceed with one of the identified options for disposal (As set out in section 5.1.1 of the submitted report).”
- 3.4 It was acknowledged that the cost of undertaking the feasibility study would cost the Trust in the region of £25,000 and that the Trust would need the financial support of the Council, with the money being repaid at a future date once the Trust had sufficient funds to do so.
- 3.5 At the same time as the Trust has been considering the potential use of the former gallery building for Artist Studios, the Council, via Focal Point Gallery were considering creating affordable artist studios in Southend and wanted to determine the feasibility of doing so.
- 3.6 As a result of the synergies in both projects, a joint brief was developed for the project with a funding contribution of £10,000 from Arts Council England and £15,000 from the Beecroft Art Trust. **(See Appendix 1)**
- 3.7 Following a competitive process, Architects Manalo & White in partnership with Acme Studios were appointed in April 2016 to undertake the feasibility study to determine detailed analysis to meet the requirements of both parties, namely:
- Feasibility for Artist studios in the borough as a general business model
  - Feasibility of renovating and using the former Beecroft gallery as an appropriate location for the business model identified.

#### **4. Feasibility Study Findings**

- 4.1 The feasibility study sought to test out whether assertions made nationally regarding the demand for affordable Artist / Studio space, particularly in light of pressure for such space in London, are applicable to Southend-on-Sea. Subsequently, Demand Modelling has been a key component of the research undertaken as part of this study.
- 4.2 A Demand Survey was conducted in April / May 2016. This was accessed by a total of 157 respondents. The key findings from this survey are:
- 112 respondents said that they would consider a studio in Southend-on-Sea.



- 61 artists are interested in the former Beecroft Gallery building specifically.
- At a planned 23 units within the former Beecroft building, at a 1:3 ratio of units to specific demand, this confirms that there is sufficient demand for artists' studios.
- Most of the artists (about 100 of 112 total replies) responding to the survey currently live in London, therefore demand from this group would be dependent on artists moving from the city to Essex. Equally, respondents were aware that transport connections to and from London are very good but expressed concerns about travel costs. These could therefore present a barrier to realising this demand.
- 20 of the responding artists already have studios in Essex and would move studios if they were the right size and price for them. In addition, a portion of the people that submitted the survey would consider moving and living in Southend-on-Sea permanently.
- Artists already based in Essex are happy to drive to up to 50 minutes to get to their studios.
- Responding artists also confirmed that they perceived there to be a thriving art scene in the Southend-on-Sea. This added to the area's 'undiscovered beauty' – as described by one of the artists and makes Southend-on-Sea an appealing area for creative practitioners.

4.3 **Studio Sizes** - the plan for the former Beecroft Gallery building proposes 23 units with the following spaces/rents (per month) in the ranges below:

0 – 100sq ft	100 - 200sq ft	200 – 300sq ft	300 – 400sq ft	400 – 500sq ft	500+sq ft
3	4	7	5	2	2
£0-70	£70 - £141	£141-£212	£212 - £283	£283 - £354	£354+

4.4 The study shows that the most desirable studio size is 200-300 sq. ft. Followed by 300-400 sq. ft. and 400-500 sq. ft. The plan could fulfil these needs by offering 7 studios within the first range, 5 in the second and 2 in the last. The proposal offers 7 smaller units, which based on the demand study will be ideal for artists looking for smaller spaces. The building would offer a range of studios that will fit the needs of a wide range of artists both in terms of practice and affordability.

4.5 **Rent levels** – The all-inclusive rent level (£8.50 per sq. ft.) modelled within the feasibility study is in line with artists' needs in terms of affordability. The majority of responding artists would like to pay £100-£200 per month, followed by under £100 per month and finally £200-£300 per month.

4.6 The proposed design will meet all these needs by offering 7 studios in the region of £100-£200 per month, 7 studios in the region of £0- £150 per month and 5 studios in the region of £200-£300 per month. This leaves 4 studios for over £300 per month, however, from the demand feedback it has been determined that there are artists in Essex looking for 450+sq ft. studios that would be happy to pay rents of £300+ per month if the conditions (i.e. design and specifications) are right for them.

4.7 Feedback via the survey endorsed the fact that artists want to have their own spaces. The ability to create self-contained studios within the former Beecroft

building is an optimum feature of the proposed development and should help to ensure that demand for space within the building is high.

4.8 The survey also provided valuable information on the rankings artists applied to studio features from most important to least important as follows:

- Affordable rent
- Access for large objects
- High ceilings
- Wi-Fi
- Natural light.

## **5. Reasons for Recommendation**

5.1 The former Beecroft Art Gallery building has been unoccupied since November 2013 with the Beecroft Art Gallery Trust considering the options for the future use of the building for some time. These options have included disposal, which was a prominent feature of a public consultation exercise undertaken during 2015. Through this consultation the concept of converting the building into artist studio space arose.

5.2 The feasibility study suggests that there is a business model that could be applied to the former Beecroft Gallery building and that there is sufficient potential demand both locally and from artists living in and around the London area.

5.3 Building a thriving creative economy is critical; the creation of artist studios at the former Beecroft Art Gallery has the potential to make a significant contribution to the local economy of the borough; at a basic level 23 new artists' studios will bring 23 new sole traders to the area.

5.4 The demand study has also identified a need for studios for graduates. The creation of these studios could make a significant contribution to retaining creative talent and skills in Southend-on-Sea. The retention of artists who might otherwise move to another area has two potential impacts – (a) the further development of Southend-on-Sea's art scene and attractiveness as a destination; (b) the further development of the local creative economy via the part-time and/or freelance skills that artists tend to supply the local economy in order to support themselves.

5.5 Working with similar individuals/organisations and sharing knowledge is really valuable for artists in maintaining and developing their practises. Working within a supportive community will remove some of the risks arising from business isolation and enhance wider awareness of this new local resource and expertise.

5.6 The artist studios will create a platform from which artists can pursue sustainable long-term careers, adding to overall employment and role modelling secure self-employment for the wider community.

5.7 The creation of the studios would contribute to culture-led 'place making' by contributing to the development of the area. The studios will contribute to

creating an image of a community that is vibrant, creative, innovative and exciting to live, work, visit and invest in. A thriving local creative economy has a direct positive impact on generating employment and business growth in all economic sectors.

- 5.8 Given the findings from the feasibility study, it would seem logical that the next steps for the Beecroft Gallery Art Trust to consider would be the development and a submission for capital funding to take the project further.

## 6. Implications for the Beecroft Gallery Art Trust

### 6.1 Financial Implications

- 6.1.1 **Appendix 3** provides indicative costs for conversion of the former Beecroft Gallery building to artist studios. In summary the Project / Development Costs are estimated at c£800,000 (including consultant's fees, 5% Development Contingency and VAT). Please note, this is a mean value. The Cost Consultant has estimated a lower level cost of £680K and an upper level cost of £910K subject to unknowns and variables such as design, site abnormalities, etc.

- 6.1.2 The Beecroft Gallery Art Trust does not have the resources to fund the costs of the renovation and would need to seek external funding for the project. The potential sources for capital funding are:

Source	Amount	Deadline	More info
Capital: Large Grants (Arts Council England)	£500,000 minimum	Opening 14 July 2016 for projects to run in 2017 – not clear when this closes	<a href="http://www.artscouncil.org.uk/capital-large-grants">http://www.artscouncil.org.uk/capital-large-grants</a>
Capital: Small Grants (Arts Council England)	Between £100,000 and £499,999	Opening on 12 January 2017	<a href="http://www.artscouncil.org.uk/capital-small-grants">http://www.artscouncil.org.uk/capital-small-grants</a>
Heritage Grants (HLF)	Over £100,000 and up to £2m	Deadlines: 5 September 2016 for a decision in December 2016	<a href="https://www.hlf.org.uk/looking-funding/our-rant-programmes/heritage-grants">https://www.hlf.org.uk/looking-funding/our-rant-programmes/heritage-grants</a>

- 6.1.3 Match funding requirements would need to be taken into consideration – Arts Council England (ACE) guidance implies that 15% match funding is required for Small Capital Grants and 30% for Large Capital Grants.

- 6.1.4 Arts Council England list other potential sources of funding that they would accept as match funding as:

- European Structural & Investment Funds
- Funding from public organisations such as Local Authorities or Universities
- Grants from other lottery distributors
- Donations of land, equipment or materials subject to suitable valuations
- Grants from trusts and foundations
- Public appeals and fundraising events
- A contribution from the organisation
- In-kind support

6.1.5 The HLF would also request a funding contribution towards the project. This can be made up of cash, volunteer time, non-cash contributions, or a combination of all of these. Some of the partnership funding must also be from the own organisation's resources. For grant requests below £1million, there is a minimum 5% of the costs of the development phase and 5% of the costs of your delivery phase. For requests in excess of £1million this rise to 10%.

6.1.6 The Beecroft Art Gallery Trust will incur costs in order to develop and submit good quality funding applications. The cost of producing a bid for submission would be approximately £20k and would initially be a direct cost to the Council.

6.1.7 Currently there is no budget separately identified for this bid and if Trustees were to proceed with the proposal then a one-off sum of £20k would need to be met as a contribution from the Council's contingency, which would need to be reimbursed in full by the Beecroft Art Gallery Trust.

6.1.8 If the proposal proceeds and before any work on the bid commences, a signed agreement will need to be in place between the Council and the Trust to cover the above funding arrangement. If the funding bids are not successful, the Trust will look to dispose of the building and will be able to reimburse the Council for this work.

## 6.2 *Legal Implications*

6.2.1 Whilst considering the recommendations of this report, it is worth noting that the trustees (The Council) are legally bound by the requirements of the Charity Act 2011.

- As sole Trustee, the Council is duty bound to ensure that the maximum value is received from the use or disposal of any asset held by the Trust.
- Any proceeds of sale will be a permanent endowment which means that the income received from the proceeds of sale (e.g. through investment) will be available to further the objects of the Charity.
- If any of the capital is to be expended rather than just the income, it would additionally be necessary to establish to the total satisfaction of the Charity Commission that this would be expedient in the interests of the Charity.

6.2.2 The conversion into artist studios would see the building used in a way which retained the original vision of Walter Beecroft “for the advancement of Art, Music and Literature”; however, it is likely to be necessary to make an application to the Charities Commission to alter the stated objects of the Charity as stated within the charity scheme (**Appendix 4**).

## 6.2 People Implications

6.2.3 The feasibility study suggests a range of governance options for the operation and management of the artist studio space. One solution would be for the Trust to work in partnership with Focal Point Gallery and for them to provide the day to day management of the project. The development of the funding application would investigate the governance arrangements in more detail and report back to the Trustees for a final decision. It should be noted that any future governance arrangements are likely to have a financial impact for the Trust.

## 6.3 Property Implications

6.3.1 This report directly addresses the property implications for the former Gallery Building and provides a proposition as to how the building could be renovated and reconfigured as Artist Studios, bringing the property back into use.

6.3.2 The Gallery Building is situated within a conservation area and consideration would need to be given to this in the plans for renovation. It is also likely that the Trust would need to apply for change of use for the building to be used as Artist Studio space. The change-of-use planning application would need to be made prior to the submission for grant funding.

## 6.4 Consultation

6.4.1 The findings from the feasibility study have been drawn from the consultation carried out during April / May 2016, which had 112 respondents. The outcome from the consultation has been used to inform the recommendations.

## 6.5 Risk Assessment

6.5.1 The main risks associated with this report are:

<b>Risk</b>	<b>Likelihood / Impact (Low / Med /High)</b>	<b>Mitigation</b>
Insufficient funding to complete the project	M / H	External expertise will be sought to develop and submit bids to a range of appropriate funding sources
Proposed demand for artist studios is not realised	L / H	Maintain contact with those respondents from the consultation who expressed a direct interest in the Beecroft Studios
Beecroft Art Gallery Trust does not have the required skills to manage the artist studios	H / H	Work in partnership with Focal Point Gallery for the operational management of the studios.

## 7 Background Papers

7.1 10<sup>th</sup> November 2015 Cabinet Report – Outcome of consultation on the future of the former Beecroft Art Gallery building, Station Road, Westcliff-on-Sea

## 8 Appendices

8.1 Appendix 1 – Feasibility Study Brief

8.2 Appendix 2 – Outline Draft Feasibility Study - Acme Studios

8.3 Appendix 3 – Indicative costs for renovation

### **Focal Point Gallery**

### **Further analysis of the potential for artist studios**

### **In Southend-on-Sea**

Focal Point Gallery (FPG) is considering creating affordable artist studios in Southend and is looking to determine, in greater detail, the feasibility of doing so.

This coincides with work that the Beecroft Art Gallery Trust is undertaking to consider the future of its former gallery building in Westcliff-on-Sea. During a public consultation in 2015, the possibility of converting the site into artist studios was raised. The Trust is subsequently supporting a portion of this feasibility brief to consider whether that would be a viable option.

#### **The key aims for the studio project:**

- Generate additional income for Focal Point Gallery
- Provide affordable artist workspaces to retain local talent and attract talent from London
- Strengthen Southend-on-Sea's cultural offer

An Executive Briefing has been approved by the relevant scrutiny committee within Southend Borough Council and the project has been discussed with the organisation's other key funder, The Arts Council England. Both parties are keen for further analysis on the following options and their potential to meet the aims above:

#### **Phase 1:**

*A business feasibility study on Focal Point Gallery artist studios [generic]*

#### **Phase 2:**

*The feasibility of renovating the former Beecroft art gallery into artist studios [specific]*

#### **Scope**

The gallery is now seeking a more detailed analysis of the options to determine;

#### **Phase 1: Business feasibility**

- Needs and use analysis
- Consider possible organisational and financial models- (i.e. establishing a trust/ charity/ setting up a company)
- Determine possible business models to generate income for the organisation via studios. Consider the compatibility of these against FPG's business model (2015).

-Demonstrate the probable economic impact on the gallery, the artistic community and Southend.

## **Phase 2: Renovating the former Beecroft gallery**

The former Beecroft Art Gallery Building, based in Westcliff-on-Sea, was originally an Edwardian hotel. It was opened as a gallery in 1953, after being bought by a local solicitor, Walter Beecroft, and became the key component of the Beecroft bequest, which also cared for a permanent collection of around 2,000 art works, including pieces by Constable and Rossetti.

The building is managed by The Beecroft Art Trust with the aim of promoting ‘the study of art, music and literature.’ It has been empty since 2013 and the trust is now considering its future.

*The following is sought:*

- Survey of site
- Determine a schedule of facilities required
- Project brief (including plans and elevations) and schedule/possible timeline of works
- Contextual research (i.e. Site history which may affect the project into planning legislation and planning restrictions)
- Costing analysis (including ongoing costs, such as rates, maintenance, lease)
- Application of the aforementioned business model analysis to the building.

## **Background**

**-Focal Point Gallery** is South Essex's gallery for contemporary visual art. It is part-funded by Southend Borough Council and Arts Council England, which recognises it as a National Portfolio Organisation. A celebrated asset, the not-for-profit organisation, plays a crucial role in the cultural offer of South Essex and engages with diverse audiences- locally, nationally and internationally

Having moved to a new location in the heart of the town and within an educational hub, FPG is keen to strengthen the area’s cultural offer and boost its own financial resilience, by opening a complex of artist studios nearby.

A preliminary stage of research has been undertaken, including a number of site visits. In terms of anticipated demand: there are currently around 13 artists’ studio blocks within Essex, with maximum capacity for a total 195-200 artists (this is an estimate, as some studios may be shared or currently unavailable). In South Essex, there are currently only 3 studios blocks – TAP, Studio 19 and Hadleigh Old Fire Station. All 3 are full and have long waiting lists.



Demand from London has also been considered. A recent Greater London Authority study “Creating Artists’ Workspace” to confront the 'current crisis of workspace provision' which is estimated to leave 3,500 London-based artists losing their places of work in the next five years, primarily due to rising property prices and (ironically) the success artist communities have had in regenerated areas such as Hackney.

This initial research also revealed that the option of renting a commercial space for the project, while still financially viable, did not offer the long-term security felt necessary to justify the input of resources.

As a gallery building, the former **Beecroft Art Gallery Building**, established a firm position within the tourist economy of Southend featuring, for example, in the Southend Museums Historic Seaside Walk. It’s location on the seafront became a cultural hub in its own right, with the Cliffs Pavilion theatre opening directly opposite in 1964; a pairing of two cultural attractions which naturally attracted small businesses.

Today, the gallery has been moved to the former library in the town centre and the building has been left vacant. A public consultation to consider the future of the building was held in 2015: for more information on this and the pre-existing reports on the building’s condition, contact via the details below.

### **Expression of interest**

A sum of up to £25,000 [plus VAT] has been awarded to cover the project fee. This includes the research, data collection, meetings, travel and other materials required. Proposals should outline the days and rates planned.

Research is expected to be completed by April 2016.

If you are interested in completing this piece of work, please provide the following information in your proposal:

- Details of your organisation’s experience in delivering this type of research
- A proposed methodology for research and a breakdown of the budget required.
- Sources of information you are likely to use

Details of two references should be supplied.

Proposals should be emailed to [riahpryor@southend.gov.uk](mailto:riahpryor@southend.gov.uk), by 10 March 2016.

*All respondents will be contacted a week after the deadline, with details of the decision.*

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**Disclaimer: All advice below is given on the basis of the information and assumptions provided by Manolo and White to Acme. In order to reach a final recommendation, these assumptions would need to be tested against the final project plan and the resulting recommendation should, where relevant, be subject to legal review and advice from a tax expert.**

## 1. DEMAND IDENTIFICATION

### 1A. Results of Demand survey

#### Location

- A total of 157 respondents replied to the survey.
- 112 of these said that they would consider a studio in Southend-on-Sea.
- 61 artists are interested in the former Beecroft Gallery building specifically.
- At a planned 23 units, at a 1:3 ratio of units to specific demand, this confirms that there is sufficient demand for artists' studios.

It is important to note that most of the artists (about 100 of 112 total replies) that responded to the survey live in London so the demand is dependent on artists moving from the city to Essex. Equally, respondents were aware that transport connections to and from London are very good but expressed concerns about travel costs. These could therefore present a barrier to realising this demand.

- 20 of the responding artists already have studios in Essex and would move studios if they were the right size and price for them.
- A portion of the people that submitted the survey would consider moving and living in Southend-on-Sea permanently.
- Artists already based in Essex are happy to drive to up to 50 minutes to get to their studios.
- Responding artists also confirmed that they perceived there to already be a thriving art scene in the Southend-on-Sea. This added to the area's 'undiscovered beauty' – as described by one of the artists and makes Southend-on-Sea an appealing area for creative practitioners.

## **Studio Sizes**

The plan for the former Beecroft Gallery building proposes spaces/rents (per month) in the ranges below:

0-100 sq ft	100-200 sq ft	200-300 sq ft	300-400 sq ft	400-500 sq ft	500+
3	4	7	5	2	2
£0-£70	£70-£141	£141-£212	£212-£283	£283-£354	£354+

The study shows that the most desirable studio size is 200-300 sq ft. Followed by 300-400 sq ft and 400-500 sq ft. The plan seems to fulfill these needs by offering 7 studios within the first range, 5 in the second and 2 in the last. The proposal offers 7 smaller units, which based on the demand study will be ideal for artists looking for smaller spaces. The building seems to offer a range of studios that will fit the needs of a wide range of artists both in terms of practice and affordability. This is a very positive aspect of the proposal.

## **Rent levels**

The rent level (£8.50 per sq ft) seems to fit artists' needs in terms of affordability. The majority of responding artists would like to pay £100-£200 per month, followed by under £100 per month and finally £200-£300 per month. The proposed design will meet all these needs by offering 7 studios for £100-£200 per month, 7 studios for £0-£150 per month and 5 studios for £200-£300 per month. This leaves 4 studios for over £300 per month, however, from the demand feedback we can determine that there are artists in Essex looking for 450+sq ft studios that would be happy to pay rents of £300+ if the conditions (i.e. design and specifications) are right for them. Please note that artists will expect these rents to be all-inclusive.

All the studios in the proposal are self-contained. From feedback we can endorse that artists want to have their own spaces so this is an optimum feature. Additionally, and based on the data gathered through the survey, artists' ranking of most important studio features are (from most important to least important): affordable rent, access for large objects, high ceilings, wifi and natural light.

## **Practice**

The majority of the artists that submitted the survey described their practice as Fine Art (81 artists). 18 artists specifically described their practice as sculpture and others described their practice as glass work, printing, textiles, jewelry, photography and filmmaking. 3 graphic designers and an architect also completed the survey.

This data demonstrates the wide range of practices that could occupy the building but please note that each of these practices might require specific features, i.e. access, electricity, water supply, desk space etc.

For full data survey report see **Appendix 1**.

## **1B. Demand Research**

For the demand research we identified 19 relevant organisations in the catchment area (see table as **Appendix 2**). We contacted 16 of these and talked to 9 of them in detail.

Following these conversations with studio providers, independent artists and Higher Education Institutions we concluded that:

- The type of studio rented varies greatly from provider to provider but there is a clear demand for self-contained studios. At present there are a lot of shared spaces and artists seem to want to move to having their own space.
- Artists in the catchment area are happy to drive up to 40-50 minutes to their studio if necessary. Location choice is driven by quality/price of the studio.
- Transport is really important as people might commute to Southend-on-Sea from London. Cost of transport needs to be considered.
- Artists would be happy to move to Southend-on-Sea if the design, quality and price of studios were right for them.
- Artists want to be in a studio building that offers a sense of community.
- Artists want to be in a studio building that offers certain facilities they can benefit from, e.g. printing, kilns, etc.
- Studio providers and artists suggested that there is a clear demand for studios and they receive one to two enquiries about renting a studio a month.
- ACAVA is a key provider in the catchment area as they are the **only** identified organisation with a waiting list.
- Southend-on-Sea is a desirable area for studios and has a thriving art scene and good community engagement.
- We have identified a need for studios for students from South Essex College. Mother Studios provides spaces to 18 students at present.

For detailed notes on conversations see **Appendix 3**.

## **2. FINANCIAL MODEL**

### **Rent Levels**

Our recommended rent level is £8.50 (all inclusive) based on the demand research and a comparative study of rents in the area - see below:

- Office space at commercial rate in Southend-on-Sea: £30 sq ft including all services. Source: InstantOffices
- Light industrial space at commercial rate in Southend-on-Sea: £14. Source: Sorrell
- Light industrial space at commercial rate with change of use in Southend-on-Sea: £17. Source: Sorrell
- Managed artists' studios: £6-£9
- Artist-managed artists' studios: £5 + service charge

### **Tenancies**

We would recommend using business tenancies which are opted out of the Landlord and Tenant Act 1954. These allow artists to occupy for 7 years without granting security of tenure.

### **Management**

Depending upon the legal or constitutional framework chosen for the studios, their management would need to be carried out in-house or by a 3<sup>rd</sup> party organisation such as a studio provider. The management tasks would include:

- maintaining a waiting list;
- allocating studios as they become free liaising with possible artist-tenants and, potentially, supporting a selection process
- rent collection;
- accounting;
- supporting any governance structure;
- maintaining the building by organising emergency, short and long term maintenance works.

The work could be carried out most efficiently by an organisation already doing this elsewhere especially if they were local and already maintained a list of artists looking for space. If this work were to be carried out by a dedicated member of staff we would estimate this would take approx. 2.5 days per week.

### **Business Rates**

The estimate for the rateable value is based on an unadjusted rate of £120psm which is similar to other buildings in the area. This is then adjusted down by 20% per floor (above or below ground level) due to there being no lift access.

If the units were rated separately then most of the artists would be able to claim small business rate relief. If the building were to be rated as one hereditament it may be possible to claim mandatory rate relief if the organisation is a charity and can demonstrate the building is providing public benefit.

### **Financial Scenario 1 - peppercorn rent**

This model shows the building being rented from the owner on a peppercorn and the space then being rented to artists at £8.50 psf. After paying the direct studio running costs and the cost of a part-time member of staff to manage the building there would be a surplus of £12k in the first year rising to £20k by year 5.

**Figure 1**  
**Former Beecroft Gallery - Artist Studios**  
**Scenario One - Peppercorn Rent**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	
<b>INCOME</b>																					
Rent income	43,762	48,910	52,394	52,394	56,126	56,126	60,123	60,123	64,405	64,405	68,993	68,993	73,907	73,907	79,171	79,171	84,810	84,810	90,850	90,850	
<b>Total Income</b>	<b>43,762</b>	<b>48,910</b>	<b>52,394</b>	<b>52,394</b>	<b>56,126</b>	<b>56,126</b>	<b>60,123</b>	<b>60,123</b>	<b>64,405</b>	<b>64,405</b>	<b>68,993</b>	<b>68,993</b>	<b>73,907</b>	<b>73,907</b>	<b>79,171</b>	<b>79,171</b>	<b>84,810</b>	<b>84,810</b>	<b>90,850</b>	<b>90,850</b>	
<b>EXPENDITURE</b>																					
Rent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Direct Studio Costs	17,758	18,394	19,068	19,769	20,499	21,260	22,051	22,875	23,734	24,628	25,559	26,530	27,541	28,594	29,692	30,837	32,030	33,273	34,570	35,922	
Management	14,225	14,510	14,800	15,096	15,398	15,706	16,020	16,340	16,667	17,000	17,340	17,687	18,041	18,402	18,770	19,145	19,528	19,918	20,317	20,723	
<b>Total expenditure</b>	<b>31,983</b>	<b>32,903</b>	<b>33,867</b>	<b>34,865</b>	<b>35,897</b>	<b>36,965</b>	<b>38,071</b>	<b>39,215</b>	<b>40,401</b>	<b>41,628</b>	<b>42,899</b>	<b>44,217</b>	<b>45,581</b>	<b>46,996</b>	<b>48,462</b>	<b>49,982</b>	<b>51,558</b>	<b>53,192</b>	<b>54,887</b>	<b>56,645</b>	
<b>Net surplus/(deficit)</b>	<b>11,778</b>	<b>16,007</b>	<b>18,527</b>	<b>17,529</b>	<b>20,229</b>	<b>19,161</b>	<b>22,052</b>	<b>20,908</b>	<b>24,005</b>	<b>22,777</b>	<b>26,093</b>	<b>24,776</b>	<b>28,325</b>	<b>26,911</b>	<b>30,709</b>	<b>29,189</b>	<b>33,252</b>	<b>31,618</b>	<b>35,963</b>	<b>34,205</b>	

**Assumptions**

**INCOME**

VAT	No VAT charged or reclaimed
Rent	£8.50 psf increased every 2 years by 3.5%
Electricity	Rent is fully inclusive (includes business rates, electricity, services, cleaning etc) no sub-metering therefore usage cannot be recharged.
Lettable Area	6,057 sq ft
Voids	Assume 15% voids in year one 5% thereafter

**Sq Footage**

Basement	796
Ground Floor	2,023
First Floor	1,904
Second Floor	1,334
<b>Total</b>	<b>6,057</b>

**EXPENDITURE**

VAT	No VAT charged or reclaimed
Rent Paid	Assume rent is a peppercorn
Increases	Increases based on historical increases of relevant indexes
<b>Direct Studio costs</b>	includes: business rates, electricity, cleaning, maintenance, Wifi, insurance excludes: sinking fund, major repair works assumes there is no lift Business Rates: Assume studio are individually rated and FPG to pay on behalf of artists
<b>Management</b>	assumes discounts through Small Bus relief claimed where possible staff time for allocations, accounting, rent collection, building management

**Rateable Value**

Based on unadjusted rate £120psm as per B1 in same postcode.  
20% reduction per floor due to lack of lift.

Basement	7,102
Ground Floor	22,561
First Floor	16,987
Second Floor	8,926
<b>Total</b>	<b>55,577</b>



## Financial Scenario 2 - Owner to charge commercial rent of £4psf

The scenario below shows the effect of the rent paid to the owner increasing to a 'commercial rent' of £4psf:

### Scenario Two - Commercial Rent

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
<b>INCOME</b>						
Rent income	43,682	48,821	52,299	52,299	56,024	56,024
<b>Total Income</b>	<b>43,682</b>	<b>48,821</b>	<b>52,299</b>	<b>52,299</b>	<b>56,024</b>	<b>56,024</b>
<b>EXPENDITURE</b>						
Rent	24,184	24,184	24,184	24,184	24,184	28,036
Direct Studio Costs	17,749	18,385	19,058	19,760	20,490	21,250
Management	14,225	14,510	14,800	15,096	15,398	15,706
<b>Total expenditure</b>	<b>56,158</b>	<b>57,078</b>	<b>58,042</b>	<b>59,039</b>	<b>60,071</b>	<b>64,991</b>
<b>Net surplus/(deficit)</b>	<b>-12,476</b>	<b>-8,257</b>	<b>-5,743</b>	<b>-6,741</b>	<b>-4,047</b>	<b>-8,967</b>

The deficit in the first year is £12.5K this deficit reduces over the first five years until the 5-yearly rent review at which point it increases again. The maximum rent that could be paid and still achieve a surplus over the first 5 years would be around £2.50 psf.

### Financial Scenario 3 - Outright purchase of building for £650K

The annual cost of servicing a £650K loan (interest and repayment), assuming a 15-year loan fixed at 4.5%, is £60.5K. With studio income around £50K pa the borrowing of £650K would not be sustainable. The level of borrowing that could be funded through the surplus (taken from figure 1) is around £100K

#### Scenario Three - Purchase of Building £650,000 cost 100% Loan

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
<b>INCOME</b>						
Rent income	43,762	48,910	52,394	52,394	56,126	56,126
<b>Total Income</b>	<b>43,762</b>	<b>48,910</b>	<b>52,394</b>	<b>52,394</b>	<b>56,126</b>	<b>56,126</b>
<b>EXPENDITURE</b>						
Interest	29,250	27,843	26,372	24,835	23,229	21,551
Direct Studio Costs	17,758	18,394	19,068	19,769	20,499	21,260
Management	14,225	14,510	14,800	15,096	15,398	15,706
<b>Total expenditure</b>	<b>61,233</b>	<b>60,746</b>	<b>60,239</b>	<b>59,700</b>	<b>59,126</b>	<b>58,516</b>
Capital Repayment	31,274	32,681	34,152	35,689	37,295	38,973
<b>Net surplus/(deficit)</b>	<b>-48,746</b>	<b>-44,517</b>	<b>-41,997</b>	<b>-42,995</b>	<b>-40,295</b>	<b>-41,363</b>

### 3. LEGAL FRAMEWORK

For the purposes of deciding the form of constitutional framework to be adopted by the artist studios, we have assumed the goals are:

- To increase the provision of studios and workspaces for artists practising in Southend-on-Sea
- To set rents at the level of demand, rather than on a subsidised basis
- To generate income sufficient to cover the costs of operating and maintaining the studios
- To pass any surplus income to fund the activities of Focal Point Gallery
- There are no plans to generate or fund further educational or public engagement activities or similar.

Set against these goals, three main factors need to be taken into account in determining the optimal legal and operating model for the studios:

1. **Suitability:** whether the criteria for each type of constitutional framework are suitable for the planned artist studios.
2. **Complexity:** the level of administration required and therefore cost in terms of human resourcing to operate the constitutional framework.
3. **Cost implications:** the impact on the operating costs of the studios

The issues, benefits, risks and recommendation of each option are set out in the table below.

### Comparison of Potential Legal Frameworks for Artist Studios

	Suitable?	Impact for Operating Costs	Structural Requirements	Conclusion
<b>Company Limited by Shares (CLS)</b>	<u>Yes</u> . Unclear whether issuing share capital will provide any advantage	Staff resource will be required to support governance and ensure company administration	<ul style="list-style-type: none"> <li>✓ Board of Directors</li> <li>✓ Shareholders</li> <li>✓ Share capital</li> <li>✓ Memorandum and Articles of Association</li> <li>✓ Regulated by Companies House</li> <li>✓ Limited Liability</li> <li>✓ Unlikely to receive charitable status</li> </ul>	Not recommended
<b>Company Limited by Guarantee (CLG)</b>	<u>Yes</u> . Standard form for artist studios elsewhere	Staff resource will be required to support governance and ensure company administration	<ul style="list-style-type: none"> <li>✓ Board of Directors</li> <li>✓ Memorandum and Articles of Association</li> <li>✓ Members</li> <li>✓ No share capital</li> <li>✓ Regulated by Companies House</li> <li>✓ Limited liability</li> <li>✓ Can seek charitable status</li> </ul>	Recommended
<b>Charitable CLG</b>	<u>No</u> . The simple provision of artists studios to private individuals would not be considered to create public benefit.	<p>Tax and business rate reliefs could reduce operating costs</p> <p>Staff resource will be required to support governance and ensure company administration</p>	<ul style="list-style-type: none"> <li>✓ Board of trustees</li> <li>✓ Memorandum and Articles of Association</li> <li>✓ Members</li> <li>✓ No share capital</li> <li>✓ Regulated by Companies House and Charities Commission</li> <li>✓ Limited liability</li> </ul>	Under current project assumptions, not a feasible option
<b>Charitable Incorporated Organisation (CIO)</b>	<u>No</u> . See above	<p>Staff resource will be required to support governance and ensure company administration</p> <p>Single regulator</p>	<ul style="list-style-type: none"> <li>✓ Board of Trustees</li> <li>✓ Memorandum and Articles of Association</li> <li>✓ Members</li> <li>✓ No share capital</li> <li>✓ Regulated by Charities</li> </ul>	Under current project assumptions, not a feasible option

		– Charities Commission – may reduce administration	<ul style="list-style-type: none"> <li>✓ Commission Limited liability</li> </ul>	
<b>Community Interest Company (either CLS CIC or CLG CIC)</b>	<u>Yes.</u> Making available new artists studios to private individuals on a non profit basis could be considered of community interest	Staff resource will be required to support governance and ensure company administration	<ul style="list-style-type: none"> <li>✓ Board of Directors</li> <li>✓ Memorandum and Articles of Association</li> <li>✓ Members or share capital</li> <li>✓ Regulated by Companies House and CIC Regulator</li> <li>✓ Limited liability</li> <li>✓ Cannot seek charitable status</li> <li>✓ Distributed profit must not be greater than 35% of total profit.</li> </ul>	Feasible, though no clear advantage over CLG
<b>Unincorporated Association</b>	<u>Possible.</u> Depends on whether operational decision making should be made by tenants.	Slight reduction in the resource required to administer the association	<ul style="list-style-type: none"> <li>✓ Constitution</li> <li>✓ Membership</li> <li>✓ Management Committee</li> <li>✓ Membership are personally liable</li> </ul>	Feasible if operating model can be run by the artist-tenants.
<b>Unincorporated Charitable Trust</b>	<u>Possible.</u> The donation of the Beecroft Building to a group of artists could create the basis for a charitable objective to be set.	Slight reduction in the resource required to administer relative to incorporation	<ul style="list-style-type: none"> <li>✓ Trust deed</li> <li>✓ Trustees</li> <li>✓ Trustees are personally liable</li> </ul>	Feasible if a donation (capital or rent) can be made and the operating model can be run by the artist-tenants
<b>Further department of FPG</b>	<u>Yes.</u>	<p>Significant efficiencies in terms of reducing governance support.</p> <p>Financial and administrative efficiencies if can be resourced from within existing FPG and/or Council operations</p>	<ul style="list-style-type: none"> <li>✓ No new structures required</li> </ul>	Feasible

## Conclusion

Three options potentially could provide a suitable autonomous constitutional framework for future Beecroft Artists Studios:

- Company Limited by Guarantee
- Community Interest Company
- Unincorporated Charitable Trust

The choice of which of these forms is most suitable depends on:

- Whether charitable status becomes an option (CLG, UCT) or not (CIC).
- Whether full autonomy is preferred (CLG)

The choice has only limited impact on operating costs – any autonomous entity will require support for its governance structures and limited liability creates requirements in terms of preparing accounts and reports.

A final recommendation can only be developed once purpose and arrangements for management and operation have been decided.

## 4. FUNDING

The identified relevant sources for capital funding are:

Source	Amount	Deadline	More info
Capital: Large Grants (ACE)	£500,000 minimum	Opening on 14 July 2016 and closing in October 2016 for projects to run in 2017	<a href="http://www.artscouncil.org.uk/capital-large-grants">http://www.artscouncil.org.uk/capital-large-grants</a>
Capital: Small Grants (ACE)	Between £100,000 and £499,999	Opening on 12 January 2017	<a href="http://www.artscouncil.org.uk/capital-small-grants">http://www.artscouncil.org.uk/capital-small-grants</a>
Heritage Grans (Heritage Lottery Fund)	Over £100,000 and up to £2 million	Deadlines for South West England: 13 June 2016 for a decision in September 2016 5 September 2016 for a decision in December 2016	<a href="https://www.hlf.org.uk/looking-funding/our-grant-programmes/heritage-grants">https://www.hlf.org.uk/looking-funding/our-grant-programmes/heritage-grants</a>

## 5. GENERIC FINANCIAL MODEL

Using the figures from Figure 1 it is possible to estimate the operating costs, on a square meter basis, for a generic building:

Direct Costs £31 psm

Management costs £25 psm

These rates could be applied to buildings of a similar size but if the building considerably smaller or larger they would become less reliable.

This excludes any sinking fund which would be calculated based on the projected lifespan of the windows, roof, lift etc.

## **6. ECONOMIC IMPACT**

Building a thriving creative economy is critical and the studios at the former Beecroft Art Gallery could contribute to the local economy in a number of ways:

- 23 new artists' studios will bring 23 new sole traders to the area.
- The establishment of a 'creative support system' through the relationship that would be established between Focal Point Gallery and the artists. This should help inform and support each other's activity and allow for the development of talent, skills training, and advancement of the arts is important for the growth of the creative industries more generally.
- This project presents the potential to create wider partnerships with the local authorities, local business and educational authorities to identify areas of growth and development in Southend-on-Sea. In doing so, FPG and the artist studios could play a leading role contributing to accelerate growth in the creative and cultural sector more generally.
- Working with similar individuals/organisations and sharing knowledge is really valuable for artists in maintain and developing their practises. Working within a supportive community will remove some of the risks arising from business isolation and enhance wider awareness of this new local resource and expertise.
- The artist studios will create a platform from which artists can pursue sustainable long-term careers, adding to overall employment and role modelling secure self-employment for the wider community.
- As a new model of art development in a region outside London FPG could learn from the experience of working with the studios and take this knowledge to forge dynamic new partnerships and share innovative practice locally, national and internationally. Networks facilitate sharing of ideas, collaboration and most importantly spark innovation which is key for the development of the creative industries.
- The studios could also contribute to culture-led 'place making' by contributing to the development of the area. The studios will contribute to creating an image of a community that is vibrant, creative, innovative and exciting to live, work, visit and invest in.

- The demand study identified a need for studios for graduates and the studios could make a significant contribution to retaining creative talent and skills in Southend-on-Sea. The retention of artists who might otherwise move to another area has two potential impacts – (a) the further development of Southend-on-Sea’s art scene and attractiveness as a destination; (b) the further development of the local creative economy via the part-time and/or freelance skills that artists tend to supply the local economy in order to support themselves.
- A thriving local creative economy has a direct positive impact on generating employment and business growth in all economic sectors.

## **Appendix 1**

### **Data summary:**

**Total responses to the survey: 157**

**Answers to the question: Would you consider a studio in Southend-on-Sea?**

Yes: 72% (112 artists)

### **Desirable sizes:**

200-300: 30% (43 artists)

300-400: 25% (37 artists)

400-500: 21% (31 artists)

**Answers to the question: Do you have a studio now?**

Yes: 75% (109 artists)

No: 18% (27 artists)

**Answers to the question: Where is your current studio located?**

Southend-on-Sea 3% (4 artists)

South Essex 5% (6 artists)

Essex 7% (10 artists)

London 58% (83 artists)

**Answers to the question: Where do you live?**

Southend-on-Sea 10% (14 artists)

South Essex 4% (4 artists)

Essex 8.5% (12 artists)

London 70% (101 artists)

**Answers to the question: What is your practice?**

Fine Art	Sculpture	Graphic	Design
65% (91)	15% (20)	3% (3)	20% (27)

**Answers to the questions: How much would you consider paying per month for a studio in Southend-on-Sea?**

Under 100%	100-200	200-300	300-400	400+
30% (19)	40% (26)	17% (11)	10% (7)	3% (2)



**Answers to question: Would you be interested in a space at the former Beecroft Gallery?**

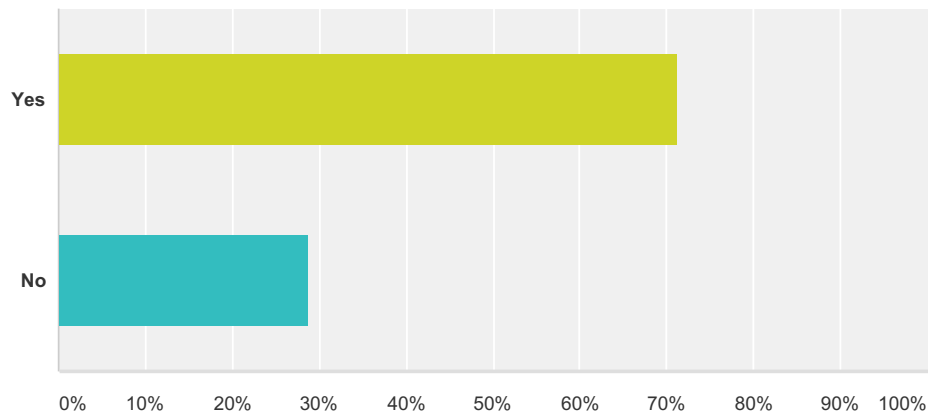
Yes 71% (61 artists)

**Ranking of most important – from most important to least important- studio features for artists:**

- Affordable rent
- Access for large objects
- High ceilings
- Wifi
- Natural light

### Q1 Would you consider a studio in Southend-on-Sea?

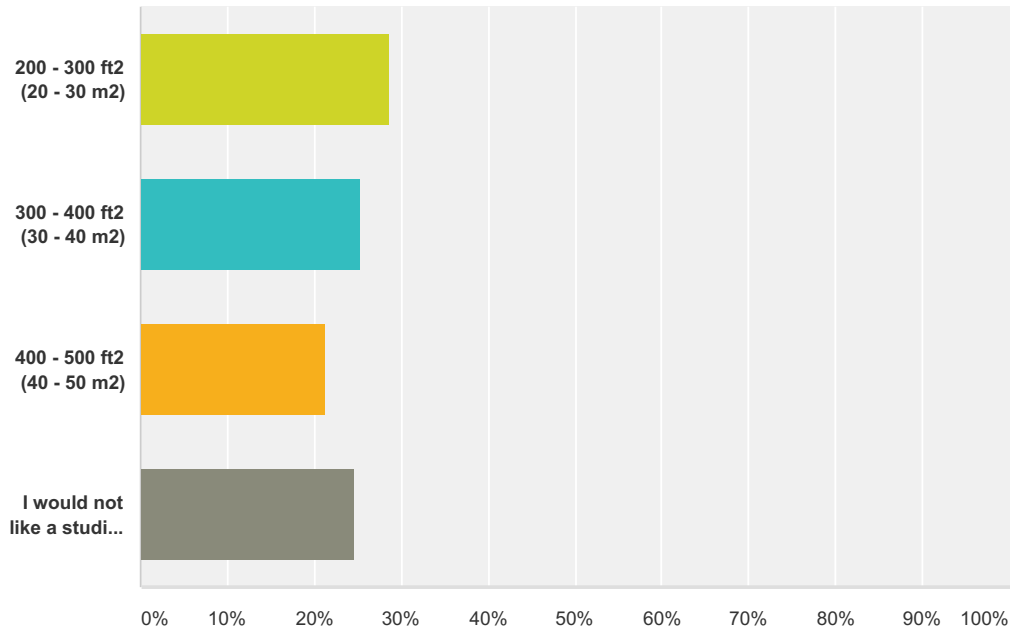
Answered: 160 Skipped: 0



Answer Choices	Responses
Yes	71.25% 114
No	28.75% 46
<b>Total</b>	<b>160</b>

### Q2 If yes, what size studio would you like?

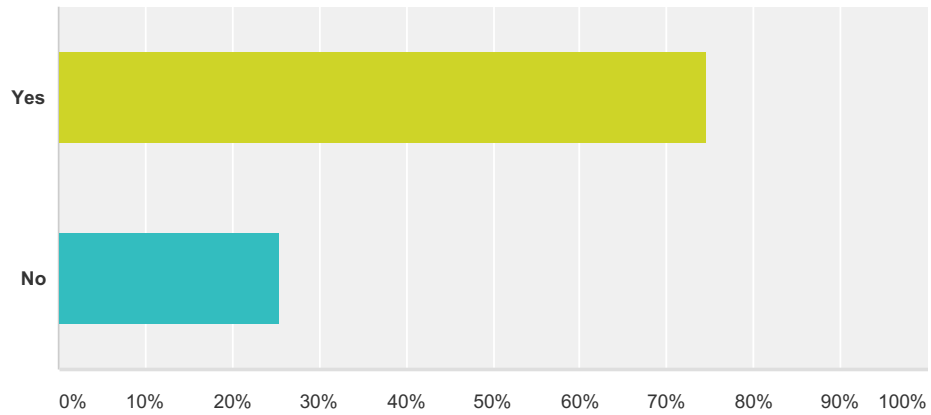
Answered: 150 Skipped: 10



Answer Choices	Responses
200 - 300 ft2 (20 - 30 m2)	28.67% 43
300 - 400 ft2 (30 - 40 m2)	25.33% 38
400 - 500 ft2 (40 - 50 m2)	21.33% 32
I would not like a studio in Southend-on-Sea	24.67% 37
<b>Total</b>	<b>150</b>

### Q3 Do you have a studio now?

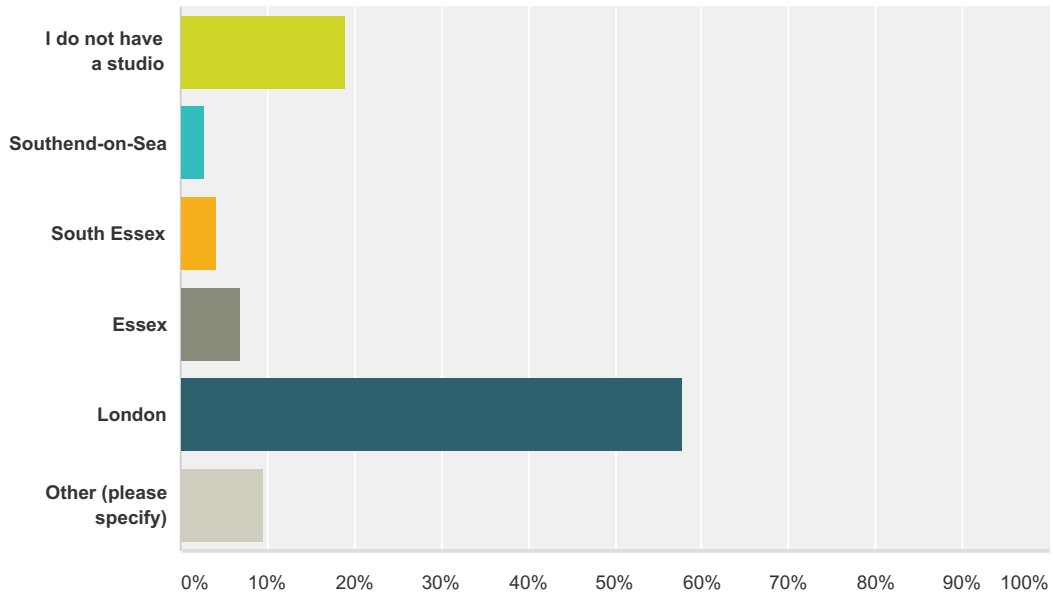
Answered: 149 Skipped: 11



Answer Choices	Responses	
Yes	74.50%	111
No	25.50%	38
<b>Total</b>		<b>149</b>

### Q4 Where is your current studio located?

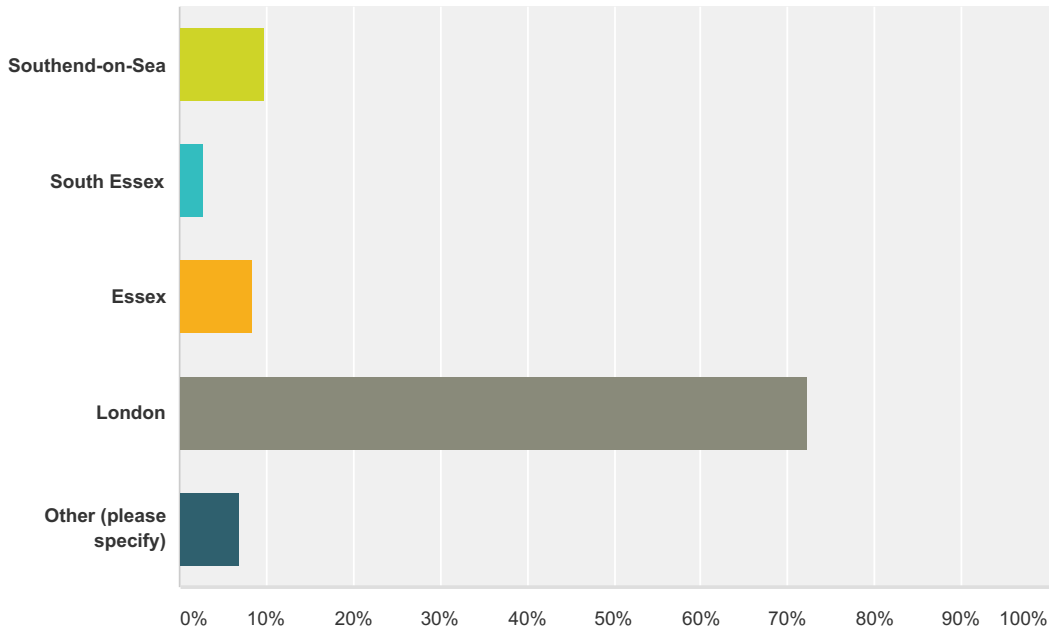
Answered: 147 Skipped: 13



Answer Choices	Responses
I do not have a studio	19.05% 28
Southend-on-Sea	2.72% 4
South Essex	4.08% 6
Essex	6.80% 10
London	57.82% 85
Other (please specify)	9.52% 14
<b>Total</b>	<b>147</b>

### Q5 Where do you live?

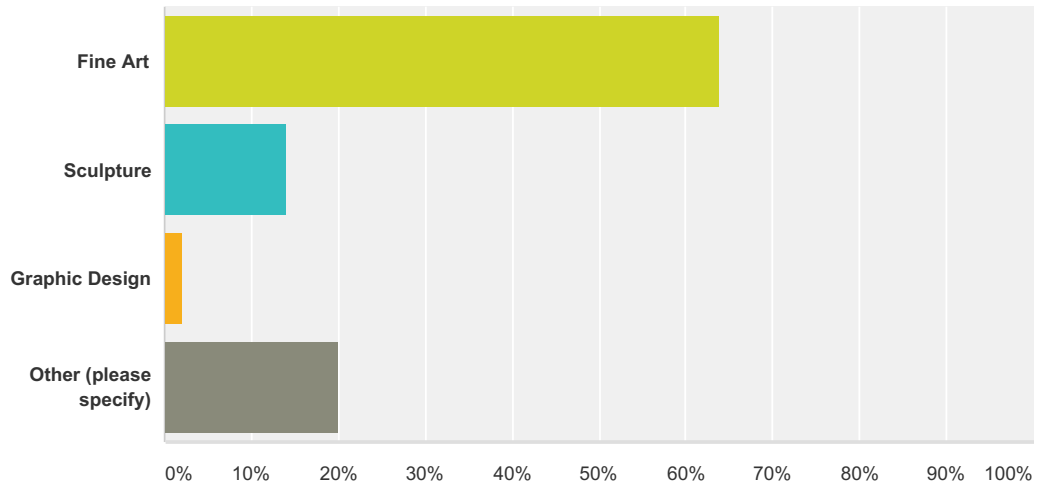
Answered: 144 Skipped: 16



Answer Choices	Responses	Count
Southend-on-Sea	9.72%	14
South Essex	2.78%	4
Essex	8.33%	12
London	72.22%	104
Other (please specify)	6.94%	10
<b>Total</b>		<b>144</b>

### Q6 What is your practice?

Answered: 144 Skipped: 16



Answer Choices	Responses
Fine Art	63.89% 92
Sculpture	13.89% 20
Graphic Design	2.08% 3
Other (please specify)	20.14% 29
<b>Total</b>	<b>144</b>

**Q7 If you DO want a studio in Southend-on-Sea, in one or two short sentences, please say why; e.g. proximity to where you live, being in the nearest large town, etc.**

Answered: 56 Skipped: 104



**Q8 If you DO NOT want a studio in Southend-on-Sea, in one or two short sentences, please say why; e.g. you have a studio already, too far from where you live, etc**

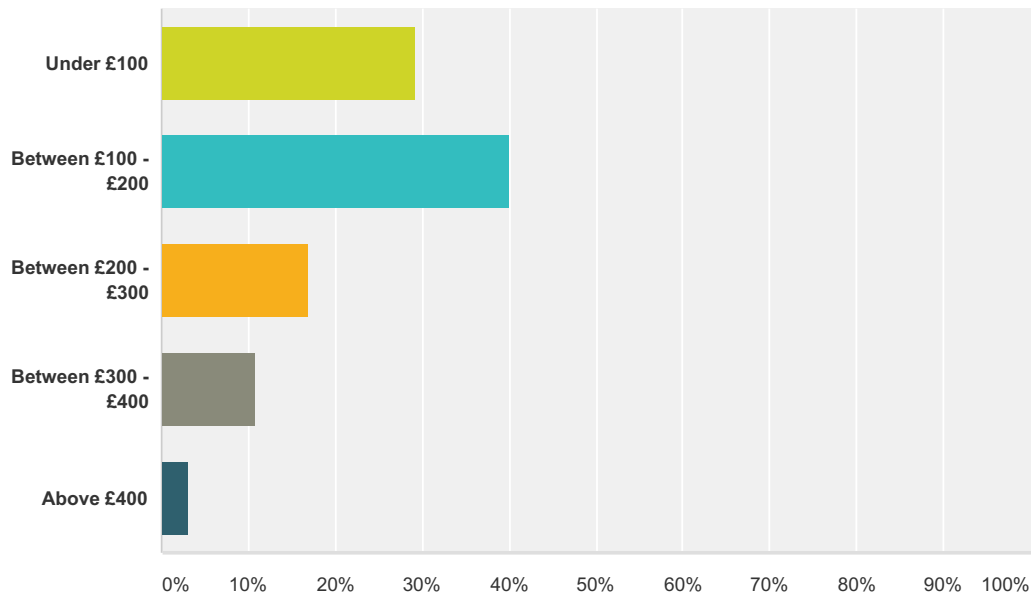
Answered: 32 Skipped: 128

**Q9 If you have a studio, what is your £ per ft2 rent?**

Answered: 54 Skipped: 106

### Q10 How much would you consider paying per month for a studio in Southend-on-Sea?

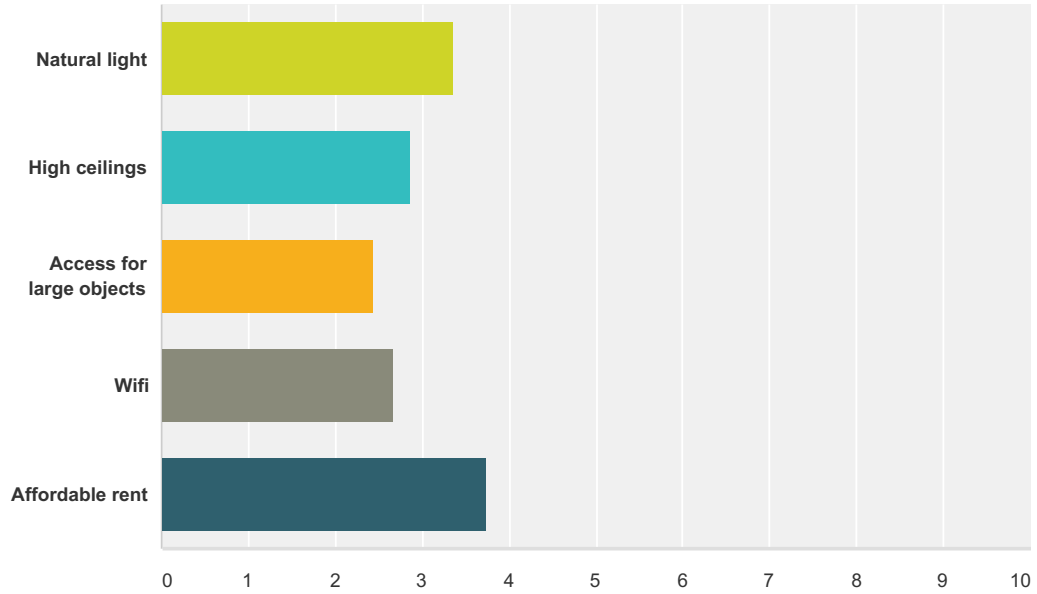
Answered: 65 Skipped: 95



Answer Choices	Responses	Count
Under £100	29.23%	19
Between £100 - £200	40.00%	26
Between £200 - £300	16.92%	11
Between £300 - £400	10.77%	7
Above £400	3.08%	2
<b>Total</b>		<b>65</b>

**Q11 Please rank the importance of the following in your ideal studio, from most important (1) to least important (5).**

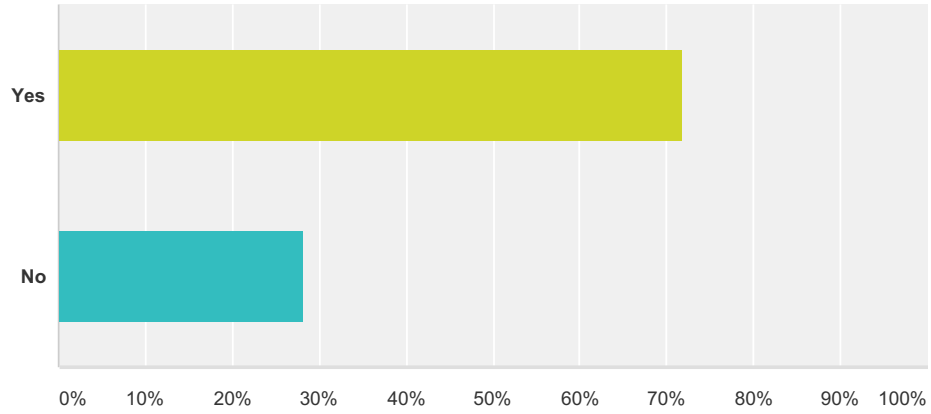
Answered: 87 Skipped: 73



	1	2	3	4	5	Total	Score
Natural light	20.00% 14	30.00% 21	24.29% 17	17.14% 12	8.57% 6	70	3.36
High ceilings	10.96% 8	17.81% 13	32.88% 24	21.92% 16	16.44% 12	73	2.85
Access for large objects	5.26% 4	18.42% 14	22.37% 17	23.68% 18	30.26% 23	76	2.45
Wifi	12.50% 9	16.67% 12	20.83% 15	26.39% 19	23.61% 17	72	2.68
Affordable rent	54.88% 45	12.20% 10	6.10% 5	6.10% 5	20.73% 17	82	3.74

### Q12 We are considering the former Beecroft Museum building in Westcliff-on-Sea for its suitability as studios. Would you be interested in a space?

Answered: 85 Skipped: 75



Answer Choices	Responses	
Yes	71.76%	61
No	28.24%	24
<b>Total</b>		<b>85</b>

**Q13 If you would like to hear more about the potential new Focal Point Gallery studios in Southend-on-Sea, please leave your contact details below. These details will not be shared with any third parties.**

Answered: 60 Skipped: 100

Answer Choices	Responses	
Name	100.00%	60
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	60
Phone Number	73.33%	44

**Q7 If you DO want a studio in Southend-on-Sea, in one or two short sentences, please say why; e.g. proximity to where you live, being in the nearest large town, etc.**

Answered: 52 Skipped: 92

#	Responses	Date
1	possible cheap rent	5/17/2016 1:58 PM
2	London is pushing artists out	5/16/2016 3:38 PM
3	its a fun town by the sea not to far from london	5/16/2016 10:23 AM
4	I would like to live and work near the sea. Town accessible in area.	5/16/2016 10:00 AM
5	I can't afford to live in London anymore	5/15/2016 2:58 PM
6	Recently moved to Westcliff-on-Sea from London and looking to not commute.	5/15/2016 10:16 AM
7	proximity to where you live, local place making, supporting local art community development	5/15/2016 9:59 AM
8	I am in London now and currently looking at local studio spaces again, after a break,due o family commitments. I uses to walk across a park, 5 mins, to my studio! I don't drive so would like something very close to where I live, or with half HR maximum commute.	5/15/2016 7:11 AM
9	There is a great artistic vibe in Leigh	5/14/2016 7:10 PM
10	thriving art scene, many facilities, near to where I live	5/14/2016 5:22 PM
11	Nearest to large town	5/14/2016 2:42 PM
12	I would consider moving to Southend-on-Sea for a bigger studio and apartment and for cheaper rent!	5/14/2016 1:25 PM
13	Ss2 4ng 15 to 30 minute walk	5/14/2016 1:20 PM
14	I have a small shared studio space and would like somewhere larger.	5/14/2016 1:16 PM
15	London living and working is not always conducive to the making and practical aspects of my work. I feel the need to listen to what needs to come next and this requires mental and physical space often not afforded amongst the congestion.	5/14/2016 8:28 AM
16	It is a direct link from Liverpool Street - although I would have to look into the cost of the trains.. So, I would want the studio to not be too expensive..	5/14/2016 8:14 AM
17	Proximity, cost, purpose-built space	5/14/2016 5:38 AM
18	sea light	5/13/2016 9:48 PM
19	Space, light, storage, focus, calm, exciting new area.	5/13/2016 7:15 PM
20	I would consider a studio in Southend if I can get a bigger space near the sea for less money than I currently pay.	5/13/2016 6:47 PM
21	I am hoping that a studio outside of London could be cheaper...	5/13/2016 5:47 PM
22	to save money	5/13/2016 5:35 PM
23	I don't live in the UK at the moment but on principle I would consider a studio in Southend on Sea. I actually now fly to and from that airport to get to Berlin and often tkae some time in Southend each time I fly. I sense that there is potential there.	5/13/2016 5:26 PM
24	I would like a studio and would consider to also live in Southend on Sea. At the moment I live in East London	5/13/2016 5:18 PM
25	Cost of rent, access to London in less than 1 hour, proximity to sea and airport.	5/13/2016 2:00 PM
26	It is getting too expensive to live and work as an artist in London and I am beginning to look outside of London for a place that is still not too far to travel to London for meetings/exhibitions/work and a place where the costs are lower such as house and studio rent.	5/13/2016 1:58 PM
27	Having just started a family I would be interested in moving out of london	5/13/2016 1:52 PM

28	network with other artist , designated time and space to create	5/13/2016 1:30 PM
29	If I lived closer to South end I would But	5/13/2016 12:52 PM
30	I would remain close to London & Paris which I visit frequently for work. Fewer distractions, a healthy coastal lifestyle and cheaper rates would help me to produce more art.	5/13/2016 12:43 PM
31	I need a larger studio which can accommodate new and essential equipment and being by the sea would definitely influence my practice.	5/13/2016 12:39 PM
32	I would hope it would be cheaper than my studio in London	5/13/2016 12:24 PM
33	I am looking to relocate to the south east	5/13/2016 12:09 PM
34	To be able to work????	5/13/2016 12:01 PM
35	Precarious nature of studio provision in London (current situation not secure in terms of long term tenancy) May feed into decisions around if / where to move outside London. If still in London, Southend's proximity to the city.	5/13/2016 11:50 AM
36	Easy access, burgeoning arts scene, by the sea	5/13/2016 11:48 AM
37	For a more space in an affordable studio away from constant rent increases and lack of availability in London	5/13/2016 11:46 AM
38	Maybe it would be more affordable. And I really want to work by the sea.	5/11/2016 11:06 PM
39	Proximity to where I live. Also I'd prefer somewhere with less traffic noise and fumes than where I am now.	5/10/2016 10:22 AM
40	If I was to re-locate to the UK, and live the east side of London, or outside London on the east coast I would be considering this neighbourhood.	5/10/2016 8:12 AM
41	Near sea	5/9/2016 9:38 PM
42	would be good to work near where i live.	5/9/2016 8:36 PM
43	Proximity to where I live	5/9/2016 7:31 PM
44	Providing that I like it more than my current one I would consider a change of scene as a new beginning.	5/9/2016 6:27 PM
45	Proximity of where I live means more easily accessible rather than having to travel/drive a distance.	5/9/2016 6:21 PM
46	I would move closer to the studio. I would have to see it but I would like to move out of the capital	5/9/2016 6:10 PM
47	My mother lives in Westcliff so possibility that I could spend time here with her and still work. Or another idea would be to take a short let for a time	5/9/2016 5:24 PM
48	Close to where I live, will be closer to other local artists and gallery's	5/9/2016 5:00 PM
49	access to community of exciting artists & arts infrastructure	5/9/2016 4:45 PM
50	Easy access to and from London	5/9/2016 4:42 PM
51	Renting costs in London are becoming prohibitive. I'd consider cheaper spaces with good connection.	5/9/2016 4:33 PM
52	edit video	5/8/2016 6:30 PM



**Q8 If you DO NOT want a studio in Southend-on-Sea, in one or two short sentences, please say why; e.g. you have a studio already, too far from where you live, etc**

Answered: 29 Skipped: 115

#	Responses	Date
1	However it's very far so it needs to be attractive enough for me to commute there	5/17/2016 1:58 PM
2	Great location but unfortunately too far away from where I live.	5/16/2016 6:07 PM
3	too far from London, where all the things happen and work	5/15/2016 2:35 PM
4	Too far as I don't live near Southend-on-Sea.	5/15/2016 10:05 AM
5	-	5/15/2016 9:59 AM
6	See above. Too far from where I live. However, I think your idea sounds great, this survey is a very good idea, good luck with it! Twice yearly open studios, like Acme does was really good when I did that. Also flexibility of renting, subletting and sharing space, to save money, keep the creative atmosphere going. Bursurys for artists etc.	5/15/2016 7:11 AM
7	I have a studio	5/14/2016 2:26 PM
8	Its a little far from where I live, I am not aware of this area. I would not rule it out would prefer Hastings, or Rye.	5/14/2016 6:55 AM
9	i would have to move there, but am considering moving out of london	5/13/2016 11:07 PM
10	I would like ACME and other organizations to focus on studios in SOUTH London. There are not enough. EAST London is OVER.	5/13/2016 5:57 PM
11	Too far from London. Not sure if I d like local culture or if there is any art community at all there ... The place could be culturally backward...	5/13/2016 5:47 PM
12	I love the idea of a studio in Southend-on-sea in principle but imagine the travel costs on top of the studio rent would make it impossible... If I'm wrong and it was doable for less than £140pcm for circa 100-120ft2 I would be very interested!!	5/13/2016 2:46 PM
13	southend would be nearer. there are already some , but parking is a problem - living in Rochford there is nothing in my area	5/13/2016 1:30 PM
14	as I do not live close to southend it would not be practical and I have a great Studio that I am very happy with.	5/13/2016 12:52 PM
15	If the studio space is not a live-work space it may not be suitable for my needs.	5/13/2016 12:43 PM
16	I have a studio already in london	5/13/2016 12:16 PM
17	Seems far away from manufacturing and supplies to do Sculpture	5/13/2016 12:08 PM
18	I'd love a studio closer to where I am but access to Southend-on-Sea is too difficult for me, and even more so for potential clients who want to see the work	5/13/2016 12:01 PM
19	I have a studio. I live in Brixton. A studio in Southend is too far to commute on a daily basis.	5/13/2016 12:00 PM
20	Too far	5/13/2016 11:55 AM
21	too far	5/13/2016 11:49 AM
22	too far	5/13/2016 11:46 AM
23	I World have to move from London. My workshop is is small but the work I produce is getting lager. If the studio was tempting enough I would move.	5/13/2016 11:42 AM
24	too far	5/13/2016 11:41 AM
25	I have a studio in north Kensington - and it's too far crime my home	5/9/2016 7:31 PM

26	i like london and do not know southend well, although i had been to the focal point gallery 15 or so years ago and liked it	5/9/2016 5:17 PM
27	Too far to travel	5/9/2016 5:00 PM
28	too far away	5/9/2016 4:57 PM
29	However..... too far from where I live; already have studio	5/9/2016 4:45 PM

## Q9 If you have a studio, what is your £ per ft2 rent?

Answered: 49 Skipped: 95

#	Responses	Date
1	£70 for about 120sqf	5/17/2016 1:58 PM
2	360 for 300 ft/2	5/16/2016 3:38 PM
3	£140	5/16/2016 10:23 AM
4	£175/month for 132 ft2 (I think)	5/15/2016 2:35 PM
5	£200 for 500 square foot.	5/15/2016 10:16 AM
6	£200 pcm for 500 sq ft	5/15/2016 9:59 AM
7	75	5/14/2016 7:10 PM
8	no idea!	5/14/2016 2:26 PM
9	£272 per month for 200 square feet	5/14/2016 1:25 PM
10	£70 per month for a small space not sure of area size	5/14/2016 1:16 PM
11	I pay 300 ponds per month	5/14/2016 8:28 AM
12	At the moment I am in an expensive one. It's probably about £16- 20.	5/14/2016 8:14 AM
13	I am not sure	5/14/2016 6:55 AM
14	202sqft for £297	5/13/2016 11:07 PM
15	£500 per month, sorry, I don't know the £ per ft rent cost	5/13/2016 7:15 PM
16	Don't know	5/13/2016 6:47 PM
17	approx 20-24 GBP per sq ft....too much \$\$\$	5/13/2016 5:57 PM
18	1.54	5/13/2016 5:47 PM
19	In east london locations (hackney/homerton) circa £1.30 - £1.40 per ft2	5/13/2016 2:46 PM
20	10	5/13/2016 1:58 PM
21	£15 (?)	5/13/2016 1:52 PM
22	not sure	5/13/2016 12:52 PM
23	I do not currently have a studio space.	5/13/2016 12:43 PM
24	No idea	5/13/2016 12:39 PM
25	.95p	5/13/2016 12:38 PM
26	don't know	5/13/2016 12:24 PM
27	not sure it is with acacva though	5/13/2016 12:16 PM
28	£1.40	5/13/2016 12:09 PM
29	too much in London!!!	5/13/2016 12:08 PM
30	I'm not sure. It's a rather large space for £432	5/13/2016 12:01 PM
31	£14 psq pa	5/13/2016 11:55 AM
32	£1 per sq ft approx. Currently, excellent location in Clapham but studios partitioned (plaster board) within large, ex-industrial building so sound-bleed etc a big problem particularly when writing, editing etc. Also currently not able to leave equipment due to security issues and very cold building, particularly during winter months (condensation with camera lenses etc)	5/13/2016 11:50 AM
33	£2 - 180sq ft costing £360	5/13/2016 11:49 AM

34	£1.05	5/13/2016 11:46 AM
35	i pay over 600 pounds per month for just over 30 square meters.	5/13/2016 11:42 AM
36	As cheap as possible.	5/11/2016 11:06 PM
37	£6.74	5/10/2016 10:22 AM
38	£7/8 per ft2.	5/10/2016 8:12 AM
39	15	5/9/2016 9:38 PM
40	£6.51 per square foot plus heating	5/9/2016 8:36 PM
41	£12 per ft2	5/9/2016 6:27 PM
42	Aprox £7.00	5/9/2016 6:21 PM
43	£20 per 2 feet per year	5/9/2016 6:10 PM
44	£14.20	5/9/2016 5:24 PM
45	12 ish	5/9/2016 5:17 PM
46	Of the top of my head I'm not sure it's currently £46 per month for a small studio at HOFS	5/9/2016 5:00 PM
47	?	5/9/2016 5:00 PM
48	£0.45 incl. electricity & WiFi	5/9/2016 4:45 PM
49	£12 per sq ft	5/9/2016 4:42 PM

**Appendix 2: Organisations in the catchment area and list of potential tenant groups:**

Cuckoo Farm Studios	Colchester	32 studios/ 34 artists	£5+ service charge	Selection Artist Associate/Affiliate Access to resources
Gatehouse Arts (creative Hub)	Harlow	21 studios	£6-£7 sq ft	Studios
Hadleigh Old fire station (ACAVA)	Hadleigh	15 artists	£6-£7	Offices/hot desking
East Gate Studios (ACAVA)	Harlow		£6-7	Studios
Parndon Mill	Harlow		Under £5	Studios, workshops, design offices, gallery, project space
TAP – Temporary Arts Projects	Southend	14 artists		Memberships, workshops
The Hive artists' studios	Chelmsford	8 artists	£55-£95 per artist	Shared space/studio
CO3 Studios	Colchester	15 artists		Studios and exhibition space
Hylands Estate Artists' Studios	Chelmsford		£9	Studio, gallery Self-contained studios
Station House artists	Burham on Crouch		£9	Self-contained studios
Studio 19	Leigh-on-sea			
Studio 28	Wivenghoe/Colchester			
The Waiting Room	Colchester			
Synchro Studios	Leigh-on-sea	12 members	£80-£110 per artist £8.75 sq ft	3 art studios, yoga, drama, etc
Metal	Southend			Don't run studios but gave feedback on artists' needs
Mother Studios	Colchester	34 studios/33 artists+18 students	£8.75-£9 sq ft	Self-contained studios and des-based space

Miss Annabel Lee Gallery and studios	Leigh-on-Sea		£120 per artist	Including facilities
South Essex college	Southend-on-Sea		n/a	
Essex Uni	Colchester		n/a	Desk space within the Business Incubation Centre (BIC); performance related studios in East 15 Acting School

## **Appendix 3: Feedback from organisations**

### **Studio organisations:**

#### **Jo Hughes - Mother Studios – Colchester:**

- Mother studios offer 34 studios at £8.75 and £9.
- £9 – are desk base spaces – including extra facilities such as heating – rented to designer, architects, etc.
- The rent includes the future use of the project space.
- The studios opened in November 2015 and they are almost full. They are just about to open a new phase of the building. There was a waiting list before last phase opened.
- People are used to traveling for 30-40 minutes and they are happy to drive to the studios. People come from the surrounding areas.
- People want: studio first, community second.
- Tenants: 33 artists and 18 students.
- Artists normally want self-contained studios but artists coming from college tend to share. They find it less traumatic and want to replicate the university model. The studio provider organizes crits, meetings, etc.
- Having facilities on site helps create a sense of community.
- Spaces range between: 180-350 sq ft. Rents range between £100-£200. They have a 700 sq ft project/gallery space that will be used as a café/community space in the future.
- There is definitely a demand for artist studios.
- Security, safety, light and community are the key aspects of studio provision.
- Artists should be charged for what they are offered.
- It is important to create a sense of community (links to community) and to have mixed practices.

#### **Metal- Stephanie:**

- Metal receive enquiries every month about artists' studios.
- They can imagine artists that commute to London to work to want to have their studios close to home.
- They receive enquiries about facilities also – print making.
- They think that up to £200 would be a reasonable rent for artists depending on the space.
- Southend is a desirable area and people want to move there.
- Metal are very involved with the community and they know that there is great potential to promote culture in the area. The community engages through school activities, events, festivals etc.
- The area is of natural undiscovered beauty.

#### **The Hive artists' studios – Karen Jones:**

- They have an open space for 8 artists. Artists use desk-spaces and pay between £55 -£95 depending on the space they occupy.

- The room is approximately 660 sq ft/60m<sup>2</sup>.
- They would love to have an exhibition space and workshops but at the moment the facilities don't allow them to do so.
- They don't think there is high demand. They have very low turnover and don't have a waiting list.

### **Cuckoo Farm Studios - Peter Jones:**

- 32 self-contained studios. Size varies.
- Rent level: £5 + service charge. Managed by in house volunteer artists.
- Artists are looking to have their own independent studios.
- In the farm they have a gallery space and a printing workshop.
- Artists see great value on community.
- They receive 1-2 enquiries about studios per month.
- Peter thought that studios need to be designed and managed with artists' needs in mind and they need to be affordable.

### **CO3 Studios:**

- 15 registered artists for the use of one studio (42m<sup>2</sup>).
- They are interested in skills share and they do receive enquiries about artists looking for studios.
- Artists pay for courses but not for just using the space.

### **Independent artists:**

#### **Station House artists – Paul Bailey:**

- Occupying 2 studios. 120 sq ft each. £90 per month including bills. Rate: £9 per sq ft (property own and managed by the council).
- He misses having a sense of community and would move to another building if that was in offer.
- He is happy to commute.
- There is a thriving art community in Leigh and surrounding areas and he would be happy to drive for up to 20 miles.
- Artists don't like to share.
- It would be ideal to have facilities in the building and a communal project/temporary space.
- It would be ideal to have a space where a sense a community is created and artists can bounce ideas of each other.

#### **Mona Marnell – artist within Hylands Estate Artists' Studios:**

- Mona's studio is in The Stables block at the Hylands Estate.
- In The Stables blocks there are 8 studios. 2 on the ground floor and 6 upstairs.
- Mona pays £330 for 432 sq ft. Rate: £9.
- Artists at the State are forced to spend 16h per week in the studio – by contract.



- She is in a Grade 2 listed building which is a problem as she can't affect the fabric of the building.
- She mentioned that landlords don't understand artists' needs. This is a key aspect when managing studios.
- There are a café and a shop in the state.
- Mona highlighted that hers is the minimum space you would need to run a workshop – she has a glass studio. She is looking to move to a larger studio.
- She drives 20 minutes to get to the studio but she would be happy to drive for longer if she found the right studio for her. People in the building drive much more than 30 minutes to go to the studio.

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# Southend-on-Sea Borough Council

Report of Corporate Director for Place

To  
Cabinet  
on  
28<sup>th</sup> June 2016

Agenda  
Item No.

15

Report prepared by: Emma Cooney, Group  
Manager Economy and Tourism

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## Devolution

**Relevant Scrutiny Committee(s): Place Scrutiny**  
**Executive Councillor: Councillor John Lamb**  
**Part 1**

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### 1. Purpose of Report

To update Executive Briefing on the recent activity in relation to devolution negotiations and to seek guidance regarding next steps.

### 2. Recommendations

**That Members –**

**2.1 note the position and activity in relation to devolution negotiations**

**2.2 note the emergence of the Thames Estuary 2050 Growth Commission**

### 3. Devolution and Combined Authorities

3.1 The on-going discussions summarised in this paper refer to both devolution and a Combined Authority.

3.2 Devolution is a negotiation process with Government, similar to that experienced through the City Deal process. It requires an area to agree an ambition, the economic growth which could be delivered there and the freedoms, flexibilities and funding needed to be devolved in order to deliver it. This is over and above anything that Councils can already deliver.

3.3 Combined Authority is a legislative process which sees a new authority formed alongside existing local authorities. It has the specific purpose of allowing government to devolve decisions and funding to an area in line with its ambitions which usually include skills, transport, housing and economic development.

- 3.4 A Combined Authority does not replace or merge existing Councils, nor is it a reorganisation of local government. It is a mechanism via which Councils can work together, empowered by devolved decision making and funding, with democratic and robust governance.

#### 4 Current Position

- 4.1 Since the start of 2015 when a report was agreed to explore devolution, the Council has twin tracked its devolution work; actively and transparently exploring both a South Essex and a Greater Essex devolution deal with a view to ensuring the best outcomes for Southend and Thames Gateway South Essex (TGSE) as its economic geography.
- 4.2 The Council is clear that the role and profile of the Thames Gateway, as a priority regeneration area for Government with its own Minister, is a key aspect of Southend's economic identity and should therefore also be integral in any devolution discussions. This has been reflected in discussions officers have had with civil servants.
- 4.3 Having recognised the scale of opportunity and impact of devolution for Thames Gateway South Essex, Southend and Thurrock Councils jointly commissioned some additional work to develop a clear economic case for devolved powers and government investment.
- 4.4 This has proved it to be a functional economic area, a view reinforced by the private sector and to be valid as part of a Greater Essex proposition, or as a stand-alone case.
- 4.5 The Council has been keen to ensure proposals have resonance with businesses. The TGSE business community has been engaged with this work via engagements events held on 11<sup>th</sup> March 2015, at which **Lord Heseltine** was the keynote address, and 23<sup>rd</sup> October 2015.
- 4.6 A range of work has been undertaken by officers on both a Greater Essex and a South Essex proposition. This includes statistical evidence bases and scoping documents to identify the appropriate asks and offers to deliver the ambitions of the corresponding areas.
- 4.7 The Council's devolution discussions have been firmly rooted in ensuring the best position for Southend and TGSE as its economic geography. Southend and Thurrock Councils have led on developing an independently researched evidence base and feedback from the private sector in regards to the South Essex position. The other South Essex authorities have consistently been invited to participate in this work and their position has fluctuated over time but the work has continued to explore the TGSE economy. The findings have confirmed South Essex as a coherent economic geography and reinforced the importance of TGSE. This has subsequently been translated into a draft proposition document.
- 4.8 The findings and priorities of TGSE have been shared with the Greater Essex working groups together with a number of red lines outlining the Council's position:

- That the economic geographies of Greater Essex (e.g. TGSE) must be the foundation of the proposal. However, this approach has not been included in the draft documents and the TGSE proposition did not feature strongly in the draft deal document.
- That ambition and pace must be a key headline of the deal.
- That the principle of subsidiarity must be embedded in the deal, i.e. the powers and funding sought will be devolved to the level closest to the geography and most appropriate to the theme e.g. Skills to the Growth Partnership but a Greater Essex Integrated Transport.

There has been some inclusion of these elements however the draft deal document does not firmly ground the work in the economic geographies or on the basis of subsidiarity. Neither is there a shared appetite for growth nor a shared narrative as to how it would be distributed across Greater Essex.

- 4.9 Within the Greater Essex work the Leaders and Chief Executives have met regularly as a collective and in regards to thematic workstreams with dedicated leads:
- Employability and Skills – Rob Tinlin
  - Homes and Communities – Glen Chipp (Epping)
  - Growth, Connectivity and Infrastructure – David Marchant (Castle Point)
  - Governance – Ian Davidson (Tendring)
  - Fiscal – Margaret Lee (Essex)
- 4.10 Each of these themes has been progressed to a point where the first three workstreams had initial conversations with junior civil servants in January 2016. The content was generally well received but it became clear that the process has become one of standard asks and offers rather than the original grassroots principles initially espoused. Civil servants suggest that the ‘prize’ is far greater than the initial deal; that once deals are in place and delivery underway further negotiations for more significant/bespoke items will commence.
- 4.11 Since the Whitehall engagement sessions the devolution environment has changed further with elected Mayors now a pre-requisite for devolution deals.
- 4.12 In February 2016 Greater Essex was approached about joining the Suffolk, Norfolk, Cambridgeshire and Peterborough combined authority with a directly elected Mayor for the whole geography. This elicited mixed views from the Leaders of Essex authorities, but with a decision to not join the East Anglia combined authority. The Leaders of Southend and Thurrock Councils provided a position statement to the other Leaders which can be found in **Appendix 1**.
- 4.13 The Leaders agreed that the work to date had been valuable and that there was merit in further understanding what a directly elected Mayor would mean should a Greater Essex devolution deal be pursued. It should be noted that at this point there were differing levels of appetite for such a role varying from those who were very supportive of what was required to secure a devolution to those who found the proposal fundamentally unacceptable.
- 4.14 In the meantime two pieces of work have been launched by Essex County Council for the Greater Essex area. The first is a Greater Essex Commission, chaired by Andrew

Sentence CBE and the second is the Growth and Infrastructure Framework (GIF) being led by AECOM.

- 4.15 On 26<sup>th</sup> May 2016 the Leaders and Chief Executives met to ascertain whether, with further understanding of the mayoral role, there was sufficient interest to form a 'coalition of the willing' to pursue a devolution deal. A vote was taken and the majority voted against a devolution deal with a directly elected mayor. On this basis devolution work has been put on hold.
- 4.16 There was agreement that the joint working has been beneficial and if a devolution deal without a Mayor were to be possible there would be an appetite to pursue that.

## **5. Thames Estuary 2050 Growth Commission**

- 5.1 In the March 2016 Budget the Chancellor announced the Thames Estuary 2050 Economic Growth Commission to be chaired by Lord Heseltine. The Budget document states (para 1.341)

*The Commission will develop an ambitious vision and delivery plan for North Kent, South Essex and East London up to 2050. This will focus on supporting the development of high productivity clusters in specific locations. It will examine how the area can develop, attract and retain skilled workers. It will also look at how to make the most of opportunities from planned infrastructure such as the Lower Thames Crossing. It will report back at Autumn Statement 2017 with a clear and affordable delivery plan for achieving this vision.*

- 5.2 The area is being called the Thames Estuary, rather than the Thames Gateway as has historically been known to reflect the changed geography as this incorporates the Canterbury and Thanet areas of north Kent.
- 5.3 The list of Commissioners has been published (**Appendix 2**) however the work programme and forward plan for the Commission has yet to be launched and is expected late June. Consequently how the Commission will engage with individual areas and the stakeholders within them is not yet clear. Officers continue to maintain a close dialogue with civil servants supporting the work so as to ensure Southend's desire to proactively participate in and contribute to the work of the Commission.
- 5.4 There is no promise of funding, investment or changed governance arrangements as a result of the Commission, but instead, it is an opportunity to look at the growth potential of the area, identify how this could be unlocked and make a series of recommendations to Government.
- 5.5 The Commission now poses an opportunity for Southend, TGSE and the Thames Estuary area to raise its profile and potentially to influence the investment; engagement and governance tools available to the area in the future so should be a priority as the forward plan emerges.

## **6. Corporate Implications**

- 6.1 Contribution to Council's Vision & Corporate Priorities

- 6.1.1 The development of the growth agenda supports the Council's prosperous and excellent priorities
- 6.2 Financial Implications
  - 6.2.1 There are no immediate financial implications however areas without devolution deals will have to make more robust cases to secure government funding in the future and may find funding pots reduced with a top slice allocated to areas with devolved powers. This may impact on funding, particularly for capital infrastructure projects, which may have previously been a more reliable source of investment.
- 6.3 Legal Implications
  - 6.3.1 There are no legal implications at this time, but there would be in delegating powers to a Combined Authority and the Council would need to be clear on the extent of its appetite to do this e.g. delegate strategic transport powers, but not highways maintenance. These would be fully addressed during the process of preparing the case for a combined authority.
- 6.4 People Implications
  - 6.4.1 The on-going commitment of officer time
- 6.5 Property Implications
  - 6.5.1 There are no property implications in relation to the recommendations
- 6.6 Consultation
  - 6.6.1 Business engagement events have been held in March and October 2015 with further consultation in regards to the Commission planned for the Southend Business Briefing in June.
- 6.7 Equalities and Diversity Implications
  - 6.7.1 There are no equalities and diversity implications.
- 6.8 Risk Assessment
  - 6.8.1 Any submission must accord with Southend's growth priorities, fiscal plans and governance arrangements so as not to jeopardise the ambitions shared by the public and private sectors for the borough in the short and long term.
- 6.9 Value for Money
  - 6.9.1 There are no value for money impacts as a result of this report with regards to Council expenditure.
- 6.10 Community Safety Implications
  - 6.10.1 There are no community safety implications as a result of this report.

## 6.11 Environmental Impact

6.11.1 There are no environmental impacts as a result of this report.

## 7. Appendices

**Appendix 1** – Email to Greater Essex Leaders 25<sup>th</sup> February 2016

**Appendix 2** - Commissioners for the Thames Estuary 2050 Growth Commission



## Appendix 1: Email to Greater Essex Leaders 25<sup>th</sup> February 2016

Dear All,

We are writing ahead of the Greater Essex Leaders' meeting on 26<sup>th</sup> February.

It was with disappointment that we read the email this week regarding Greater Essex devolution and in particular the perception of the position taken by Southend and Thurrock which doesn't represent accurately our views. A considerable amount of work has been undertaken and time invested over a long period in developing and shaping a devolution deal by many and we have worked hard to be supportive and collaborative partners. As you know, both of our authorities have played a full role in the work since the outset in 2014 in order to shape a deal that was ambitious and able to meet the needs and aspirations of businesses and communities in Southend and Thurrock. It was with this in mind that we were content to sign the letter to Government in September 2015 which signalled our support. We have equally always been very fair and clear that the Growth agenda is one that we want to be able to discuss jointly and to explore how we maximise the opportunities within this part of the Region.

While remaining supportive you will be aware that we have consistently raised points about the focus and attention given to growth areas; ensuring alignment with the federated structure of SELEP; and on governance. You are also aware of the position reached by Thurrock Council earlier this month to re-state its continued involvement in the Greater Essex work while at the same time exploring a more detailed proposition with Southend, in the hope and expectation that the two could be brought together. Southend Council shares this position.

We are both strongly of the view that the Greater Essex work carried out has been invaluable and should not be wasted, it begins to set an agenda for a step change in growth, signals an approach to further developing symbiotic ways of working and we believe a way forward should and can be found for it to underpin and shape future growth plans.

We would like to make clear our joint position on the issues to be discussed by leaders on 26<sup>th</sup> February.

Firstly, like other colleagues we are frustrated at the Government's apparent new and changed position that devolution proposals now require a commitment to a Mayor or local government reorganisation. Neither Southend nor Thurrock Council will support a proposal that includes a Mayor. The matter of local government reorganisation is principally for County and District colleagues in the first instance. Secondly, we recognise the potential opportunities for parts of Essex to engage in discussions with Suffolk, Norfolk, Cambridgeshire and Peterborough and would be willing to express support for those areas in doing so where appropriate and should it be helpful. However, it is not a discussion that Southend or Thurrock Council would wish to pursue as an active partner. This is also our position regarding Hertfordshire. However, given our preference for a Thames Gateway based solution we would be happy to work with the County Council and South Essex partners in making an approach to North Kent authorities if helpful to colleagues.

We are both interested in finding ways to continue to build on the relationships and work developed over the last 18 months with partners across South and Greater Essex on issues of mutual interest. We are also committed to continuing to work with partners through the existing channels, including SELEP, the South Essex Growth Partnership (as a SELEP federated area) and the Thames Gateway Strategic Group, to achieve our shared growth ambitions. Our view, and one that we would iterate most strongly to our partners, is that we see many benefits of being in some aspects of cross borough boundary working in the Greater Essex area whilst in terms of other issues, particularly growth, we would welcome your support to endorse us pursuing an agenda that is predominantly along and through the South Essex corridor. We believe that the partnerships that have emerged as a result of Devolution discussion should not be lost but that we should aim to build an approach which works for all involved, one size clearly does not fit all and we would endorse and be proactive in further work on shared agendas of mutual benefit.

Yours sincerely,

Cllr John Kent  
Cllr Ron Woodley

## Appendix 2: Commissioners for the Thames Estuary 2050 Growth Commission

- Lord Heseltine
- Secretary of State Greg Clark
- Mark Francois MP
- Lord Jim O'Neill (Commercial Secretary to Treasury)
- Lord Adonis (Chair NIC)
- Sir Edward Lister
- Sir John Arnott (President of the Institute of Civil Engineers)
- Lord Foster (Chair and Founder of Foster and partners)
- Prof Alice Gast (President Imperial College)
- Gregory Hodkinson (Chair ARUP Group)
- Sir George Iacobescu (Chair and CEO of Canary Wharf Group)
- Prof Dr Uwe Krueger (CEO Atkins)
- Sir Stuart Lipton (Lipton Rogers Developments)
- Sadie Morgan (Director of drmm Architects)
- Tony Pidgley (Chair of Berkley Group)
- Nicola Shaw (CEO HS1)
- Geoffrey Spence (Global Head of Infrastructure, Energy and Resources Lloyds Bank)

## CABINET

Tuesday, 28<sup>th</sup> June 2016

### COUNCIL PROCEDURE RULE 46

The following action taken in accordance with Council Procedure Rule 46 is reported. In consultation with the appropriate Executive Councillor(s):-

#### 1. The Corporate Director for Corporate Services authorised:

##### 1.1 Elm Road Development Brief

As a result of various changes in circumstance in the area of the Elm Road Development Brief and in consideration of feedback from the latest public consultation, the brief not to be adopted or progressed and will carry any weight as an planning document.

##### 1.2 Lease of 21 Pier Arches, Pier Approach, Southend-on-Sea

The letting of the above-mentioned property on the terms agreed between the parties as detailed in the confidential sheet.

#### 2. The Corporate Director for People authorised:

##### 2.1 West Leigh Junior School

Approval of the arrangements with the Portico Academy Trust in respect of the West Leigh Junior School converting to Academy status on 1<sup>st</sup> April 2016.

##### 2.2 Porters Grange Primary School and Nursery

Approval of the arrangements with the Portico Academy Trust in respect of the Porters Grange Primary School and Nursery converting to Academy status on 1st April 2016.

##### 2.3 Extension to South Essex Homes Management Contract

Pursuant to Minute 403 of Cabinet held on 10<sup>th</sup> November 2015, approval of the Heads of Terms forming the basis of the discussions with South Essex Home and any appropriate amendment to the management Agreement.

#### 3. The Corporate Director for Place authorised:

##### 3.1 Application to the Sustainable Transport Transition Year 16/17 Revenue Fund

The submission of a bid for funding from the above-mentioned DfT fund to support the capital programme aimed at sustainable transport choices to and from the JAAP area, Town Centre and Southend Airport together with continuing the award winning work of the Ideas in motion behavioural change campaign.

3.2 Response to the Draft Thurrock Local Plan Consultation (February 2016)

Approval to formally respond to the above-mentioned consultation as a neighbouring authority within the statutory time period concluding on 7<sup>th</sup> April 2016 and to be continually involved throughout the plan-making process as part of the Duty to Co-operate.

3.3 Response to the Draft Basildon Local Plan Consultation (January 2016)

Approval to formally respond to the above-mentioned consultation as a neighbouring authority within the statutory time period and to be continually involved throughout the plan-making process as part of the Duty to Co-operate.

3.4 Response to the Lower Thames Crossing Consultation

The content and submission of the Council's response to the above-mentioned consultation

# Southend-on-Sea Borough Council

Report of Corporate Director for Place  
to  
Traffic and Parking Working Party and  
Cabinet Committee  
on  
16<sup>th</sup> June 2016

Agenda  
Item No.

17

Report prepared by: Cheryl Hindle-Terry  
Team Leader Parking, Traffic Management and Road Safety

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## Objections to Traffic Regulation Orders – Various Locations

Executive Councillor: Cllr Cox

*A Part 1 Public Agenda Item*

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### 1. Purpose of Report

- 1.1 For the Traffic and Parking Working Party and the Cabinet Committee to consider details of the objections to advertised Traffic Regulation Orders in respect of various proposals across the borough.

### 2. Recommendation

- 2.1 That the Traffic and Parking Working Party consider the objections to the proposed Orders and recommend to the Cabinet Committee to:

- (a) Implement the proposals without amendment; or,  
(b) Implement the proposals with amendment; or,  
(c) Take no further action

- 2.2 That the Cabinet Committee consider the views of the Traffic and Parking Working Party, following consideration of the representations received and agree the appropriate course of action.

### 3. Background

- 3.1 The Cabinet Committee periodically agrees to advertise proposals to implement waiting restrictions in various areas as a result of requests from Councillors and members of the public based upon an assessment against the Council's current policies.

- 3.2 The proposals shown on the attached Appendix 1 were advertised through the local press and notices were displayed at appropriate locations informing residents and businesses of the proposals and inviting them to make representations in respect of the proposals. This process has resulted in the objections detailed in Appendix 1 of this report. Officers have considered these objections and where possible tried to resolve them. Observations are provided to assist Members in their considerations and in making an informed decision.

- 3.3 All schemes approved by the Traffic & Parking Working Party/Cabinet Committee are added to the on-going work programme for implementation unless members have indicated a higher order of priority.

#### **4. Other Options**

- 4.1 The Officers comments reflect their assessment in terms of the compliance with the agreed policy criterion. Members may wish to consider level of support, representations from residents and ward councillors to assess if there is a justification to depart from the policy on exceptional basis.

#### **5. Reasons for Recommendations**

- 5.1 The proposals aim to improve the operation of the existing parking controls to contribute to highway safety and to reduce congestion.

#### **6. Corporate Implications**

##### **5.1 Contribution to Council's Vision & Corporate Priorities.**

- 5.1.1 Ensuring parking and traffic is managed while maintaining adequate access for emergency vehicles and general traffic flow. This is consistent with the Council's Vision and Corporate Priorities of Safe, Prosperous and Healthy.

##### **5.2 Financial Implications**

- 5.2.1 Costs for confirmation of the Order and amendments, in Appendix 1, if approved, can be met from existing budgets.

##### **5.3 Legal Implications**

- 5.3.1 When recommended for action, waiting restrictions have been assessed using the criteria agreed by this Committee designed to reflect the powers delegated to the Council acting as the Traffic Authority. Where action is not recommended, the requests or proposals do not meet this agreed criteria and as such, the circumstances set out in the Road Traffic Regulation Act 1984.

- 5.3.2 The recommendations set out against each of the advertised proposals states whether the proposal meets this criteria and the relevant recommendation. When approved by the Cabinet Committee for advertisement, the formal statutory consultative process has been completed in accordance with the requirements of the legislation however for consistency, the original recommendation is stated.

##### **5.4 People Implications**

- 5.4.1 Works required to implement the agreed schemes will be undertaken by existing staff resources.

##### **5.5 Property Implications**

- 5.5.1 None

## **5.6 Consultation**

5.6.1 This report provides details of the outcome of the statutory consultation process.

## **5.7 Equalities and Diversity Implications**

5.7.1 Any implications will be taken into account in designing the schemes.

## **5.8 Risk Assessment**

5.8.1 When a request is recommended for progression, the proposal meets the requirements set out in the agreed criteria and will have been assessed on both safety and traffic related benefits.

## **5.9 Value for Money**

5.9.1 Works associated with the schemes listed in Appendix 1 will be undertaken by the Council's term contractors, selected through a competitive tendering process to ensure value for money.

## **5.10 Community Safety Implications**

5.10.1 The proposals in Appendix 1 if implemented will lead to improved community safety.

## **5.11 Environmental Impact**

5.11.1 There is no significant environmental impact as a result of introducing the Traffic Regulation Orders.

## **6. Background Papers**

6.1 None

## **7. Appendices**

7.1 Appendix 1 - Details of representations received and Officer Observations. To be provided at the meeting.

## **Appendix 1 Details of representations received and Officer Observations relating to the Report on Traffic Regulation Orders**

### **The Council's agreed policy criterion 4<sup>th</sup> January 2016**

#### **a) Junction Protection**

- 1) 10m of yellow lines at junctions to improve safety, accessibility of the emergency vehicles and compliance with the Highways Code.
- 2) The function has already been delegated to officers by the T& P
- 3) Proposal – To extend this delegation to all junction protections based on officer professional judgement in terms of the length which may vary from location to location.\*it may be practical to reduce the length at some junctions while increasing at particularly wide bell mouths.
- 4) Ward members to be informed in advance of implementation

#### **b) Waiting Restrictions**

These will only be considered if one of the following criteria is met;

- 1) Where a road safety problem has been identified by collision studies ( 3Pia in 3 years) and it is clear that an actual reduction in collisions may follow the introduction of such an Order.
- 2) Where evidence of the obstruction of the highway or visibility at junctions occurs on a frequent and severe basis, causing particular difficulties for emergency service vehicles and/or public transport.
- 3) Where commerce and industry are seriously affected by presence of parked vehicles.
- 4) Where the installation of TROs is essential to provide maximum benefit from capital investment.
- 5) On strategic routes and major distributors appropriate waiting and loading restrictions can be used to ensure that adequate road space is available for moving traffic. Waiting restrictions will not be provided for individual private accesses in isolation.
- 6) Cost of schemes and likely savings through accident reduction need to be part of priority



Road	Proposed By	Proposal	Comments	Officer Comment
Marcus Avenue	Member	Introduction of 'No Waiting' 11am to 12 Noon Monday to Friday	<p>4 letters received 3 in support 1 objection.</p> <p>The concern set out in the letter of objection was that the area has a large no. of elderly residents who require workman to visit their properties if the restrictions proceed will encourage workman to have to leave to park elsewhere and return when able to park and also visitors would not be able to park outside the properties when visiting relatives. From their observations they do not feel that there is a problem with parking because their observations showed a lack of vehicles every weekday.</p>	<p>While there is a level of support from those who responded to the consultation, there is undoubtedly an adverse impact on residents with regard to visitors and workmen. A waiting restriction prohibits all waiting during the hours of operation and general exemptions are not available. Short term exemptions, such as the ability for a builder to park while undertaking works are available for a charge of £30.00 per 7 day period however visitors are not accommodated for. If this is a requirement, a permit parking scheme is more appropriate.</p> <p>As the area is not subject to accidents, and that traffic flow in residential streets is not a consideration, the request does not meet the policy criteria for the introduction of waiting restrictions.</p> <p>Given Members decision to progress these particular requests to advertisement, Members are now asked to consider the nature of the representations received in respect of this proposal and whether there is any justification for an exception to the agreed policy applying to waiting restrictions.</p>

Road	Proposed By	Proposal	Comments	Officer Comment
<b>Parkanaur Avenue</b>	<b>Member</b>	<b>Introduction of junction protection 'No Waiting' at Anytime for 10m from Johnstone Road southwards</b>	<p>1 letter of objection received With support from 8 other residents of the road</p> <p>The main concerns raised are that the extension of the double yellow lines by 10m will not help the situation will encourage vehicles to park in a smaller stretch of road.</p> <p>Feel that single yellow lines should be introduced on both sides of Parkanaur Avenue (south of Johnstone Road) with 1 hour parking.</p> <p>If other restrictions in the Thorpe Bay area are brought in they will add to the problem in Parkanaur unless there are similar measures implemented there.</p>	<p>While there is a level of support, the request did not meet the criteria as the junction is currently protected with 15 metres of waiting restrictions.</p> <p>As the area is not subject to accidents, and that traffic flow in residential streets is not a consideration, the request does not meet the policy criteria for the introduction of waiting restrictions.</p> <p>Given Members decision to progress these particular requests to advertisement, Members are now are asked to consider the nature of the representations received in respect of this proposal and whether there is any justification for an exception to the agreed policy applying to waiting restrictions.</p>

Road	Proposed By	Proposal	Comments	Officer Comment
St James Avenue	Member	Introduction of 'No Waiting' 11am to 12 Noon Monday to Friday	<p>1 letter of objection received and 27 letters of support received</p> <p>The letter of objection main concerns is that the proposal does not do enough to solve the problem. Suggest it would be safer to restrict parking to 9am to 1pm on one side and 1pm to 5pm on the other side this makes more sense allowing vehicles pass one another safely and still allow parking.</p> <p>Also suggests where properties have driveways at the rear, parking at least on one side should be allowed perhaps limited to 1 hour no return within 4 hours 9am to 6pm</p>	<p>While there is substantial support for the proposal, the proposal does not meet the agreed criteria for waiting restrictions.</p> <p>As the area is not subject to accidents, and that traffic flow in residential streets is not a consideration, the request does not meet the policy criteria for the introduction of waiting restrictions.</p> <p>Given Members decision to progress these particular requests to advertisement, Members are now are asked to consider the nature of the representations received in respect of this proposal and whether there is any justification for an exception to the agreed policy applying to waiting restrictions.</p>
Burgess Terrace	Member	Introduction of 'No Waiting' March to October from 9am to 6pm on the west side between Burgess Terrace and Thorpe Esplanade	<p>1 letter of objection received</p> <p>Believes that the restrictions in place are more than adequate for the area. Cannot see why local residents have to make adjustments to their parking facilities to accommodate the Roslin business which is causing a huge inconvenience to the whole community in the area surrounding the hotel.</p>	<p>There is no apparent support for the proposal.</p> <p><b>Recommend no further action.</b></p>

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# Southend-on-Sea Borough Council

Agenda  
Item No.

18

Report of Corporate Director for Place

to

**Traffic & Parking Working Party & Cabinet  
Committee**

on

**16<sup>th</sup> June 2016**

Report prepared by:

Cheryl Hindle-Terry - Team Leader, Parking, Traffic  
Management and Road Safety Team

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## West Leigh Area – Report on Ward Councillor Consultation for Parking Controls

**Executive Councillor: Councillor Cox  
A Part 1 Public Agenda Item**

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

- 1.1 To advise Members of the results of a consultation on parking controls and seek views as to the way forward.

### **2. Recommendation**

**2.1. That the Traffic and Parking Working Party and the Cabinet Committee:-**

- a) Recognise the efforts of the Ward Councillors in compiling and distributing the questionnaires and collating responses;**
- b) Note officers comments in paragraph 3.9, and Appendix 1 regarding the outcome of the consultation and decide on the way forward.**

### **3. Background**

- 3.1 This committee considered a Member request in September 2014 regarding the implementation of parking controls in an area of the West Leigh ward. The committee decided that ward Members should undertake a consultation with residents of the wider area in accordance with the agreed policy relating to parking schemes.
- 3.2 The ward Members undertook an informal consultation with residents involving a considerable number of properties. The consultation letter made suggestion that to deal with commuter parking the parking control scheme may operate for one or two hours during the day and could restrict parking, say between 2pm to 3pm and that there will be a reasonable charge for the permits for those we need them. The residents were asked to indicate if they support the proposal of a permit controlled parking scheme and indicate their preference as to its

operational hours. The results of this phase of consultation are detailed in this report.

3.3 Officers assisted Ward Members in devising consultation questionnaire and the selection of the area. Members delivered questionnaires to all addresses within the selected area which included the following roads:

1. Berkley Gardens
2. Burnham Road
3. Canvey Road
4. Chapmans Walk
5. Cottesmore Gardens
6. Crescent Road
7. Dale Road
8. Dynevor Gardens
9. Hadleigh Road
10. Hamboro Gardens
11. Harley Street
12. Herschell Road
13. Leigh Gardens
14. Marine Close
15. Marine Parade
16. Medway Crescent
17. Park Road
18. Quorn Gardens
19. Ray Walk
20. Salisbury Road
21. Tattersall Gardens
22. Thames Drive
23. Theobalds Road
24. Western Road

3.4 Members are asked to note that these roads are in close proximity to Leigh on Sea Railway Station and while a number of streets are subject to a part day waiting restriction, some streets remain available for all day parking by non-residents.

3.5 There are 1649 properties within the selected area and 292 responses have been logged which equates to a 17% response rate and the majority of these responses are in favour of parking controls (62%). However, as Members are aware the current policy, requires at least 40% responses from the properties in the area and at least 70% of those responding must support the proposal in its overall context. As such the actual response rate in this case of 17% is well short of the minimum agreed policy threshold of 40%. However there are streets within the area where there is varying degree of support. Members are asked to note that the current policy states that any residents parking scheme are considered on an areawide basis unless there are exceptions due to proximity of schools etc.

3.6 Further work has been undertaken to establish where residents are supportive of parking controls and where higher levels of responses have been received.

**Appendix 1** contains a breakdown of the streets, the number of properties, the number of responses and the percentage of support.

- 3.8 Members will note from the breakdown, one street meets the previously agreed threshold for a response rate of 40%; however, there are a small number of streets where the support for parking controls is higher than the required 70%. While these responses are supportive of controls, the response level is still below the agreed policy criteria.
- 3.9 As the overall consultation response falls below the agreed policy thresholds, justification for an areawide parking control scheme is unmet. However, there is a varying degree of response/support from streets within the area and ward councillors have specific concerns regarding the impact of the commuter parking which led to the consultation exercise. Members are asked to note that 10 out of 24 streets consulted already have limited hour parking restrictions in their streets. It is the view of the ward councillors that those with restrictions already in their streets are happy and didn't feel the need to respond. Whilst others who have no such restrictions and suffer from the impact of the commuter parking have responded. Streets with current level of restrictions are shown in bold on the attached **Appendix 1**. In view of this unique situation, members may wish to take into account ward councillors' representations in this regard before making any decisions in this regard. Committee's views are sought in this regard.

#### **4. Other Options**

- 4.1 Proceed with the formal proposal for a parking scheme. As the results do not meet the required level of response, this is not an appropriate option.

#### **5. Reasons for Recommendation(s)**

- 5.1 Following a survey of all residential streets, the response fails to meet the Council's criteria for progressing with a Parking Management Scheme.

#### **6. Corporate Implications**

##### *6.1 Contribution to Council's Vision & Corporate Priorities*

- 6.1.1 Meets the objectives of the Local Transport and Implementation Plan and the Council's aims of a Safe and Prosperous Southend.

##### *6.2 Financial Implications*

- 6.2.1 Should any works be agreed, costs would be met through existing capital budgets.

##### *6.3 Legal Implications*

- 6.3.1 Statutory consultation would be undertaken for the implementation of any waiting restrictions.

#### 6.4 *People Implications*

6.4.1 Any agreed works will be met within existing resources.

#### 6.5 *Property Implications*

6.5.1 None.

#### 6.6 *Consultation*

6.6.1 Statutory consultation will be undertaken.

#### 6.7 *Equalities and Diversity Implications*

6.7.1 None identified at this stage.

#### 6.8 *Risk Assessment*

6.8.1 Any works will be subject to assessment for safety.

#### 6.9 *Value for Money*

6.9.1 Any works are undertaken by term contractors appointed through the competitive tendering process.

#### 6.10 *Community Safety Implications*

6.10.1 Actions resulting from proposals are designed to safely accommodate parking.

#### 6.11 *Environmental Impact*

6.11.1 Effective parking controls help to improve the quality of the local environment.

### **7. Background Papers**

7.1 Consultation results

7.2 Parking Management Policy Guidelines

### **8. Appendices**

8.1 Appendix 1



## Appendix 1 – West Leigh Area - Results of Parking Consultation

Road Name	No of Properties	No of responses returned	No. in Favour	No. Against	% Returned	% returned in favour	% returned against
<b>Dale Road</b>	<b>23</b>	<b>12</b>	<b>12</b>	<b>0</b>	<b>52%</b>	<b>100%</b>	<b>0%</b>
Dynevour Gardens	17	6	5	1	35%	83%	17%
Cottesmore Gardens	56	17	10	7	30%	59%	41%
Harley Street	40	12	7	5	30%	58%	42%
Canvey Road	78	22	15	7	28%	68%	32%
Herschell Road	81	23	15	8	28%	65%	35%
Marine Parade	110	26	19	7	24%	73%	27%
Leigh Gardens	35	8	3	5	23%	38%	63%
Burnham Road	79	16	12	4	20%	75%	25%
Crescent Road	77	15	10	5	19%	67%	33%
Theobalds Road	37	7	3	4	19%	43%	57%
	1649	291	179	112	18%	62%	38%
<b>Western Road</b>	<b>200</b>	<b>33</b>	<b>18</b>	<b>15</b>	<b>17%</b>	<b>55%</b>	<b>45%</b>
Berkley Gardens	57	9	7	2	16%	78%	22%
Medway Crescent	43	7	3	4	16%	43%	57%
Marine Close	40	6	3	3	15%	50%	50%
Quorn Gardens	73	11	2	9	15%	18%	82%
Chapmans Walk	57	8	4	4	14%	50%	50%
<b>Ray Walk</b>	<b>15</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>13%</b>	<b>100%</b>	<b>0%</b>
Park Road	42	5	1	4	12%	20%	80%
Hamboro Gardens	27	3	2	1	11%	67%	33%
Tattersall Gardens	115	13	7	6	11%	54%	46%
<b>Salisbury Road</b>	<b>127</b>	<b>11</b>	<b>6</b>	<b>5</b>	<b>9%</b>	<b>55%</b>	<b>45%</b>
Thames Drive	86	8	6	2	9%	75%	25%
Hadleigh Road	134	11	7	4	8%	64%	36%

Percentage Returns                      17%  
 Overall Percentage  
 In Favour                                      62%

Note: 10 streets out of 24 currently have one hour parking restrictions. These have been highlighted above.

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# Southend-on-Sea Borough Council

Agenda  
Item No.

19

Report of Corporate Director for Place  
to  
**Traffic & Parking Working Party and  
Cabinet Committee**  
on  
**16<sup>th</sup> June 2016**

Report prepared by: Zulfiqar Ali  
Group Manager, Traffic Management & Highways Network

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**The Greenways – Residents’ Permit Parking Scheme Update**  
**Portfolio Holder – Councillor Tony Cox**  
***A Part 1 Public Agenda Item***

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**1. Purpose of Report**

- 1.1 For the Traffic and Parking Working Party and the Cabinet Committee to consider detailed background to the initial Member’s request for a Residents Parking Scheme in the Greenways and agree the way forward.

**2. Recommendation**

**2.1. That the Traffic and Parking Working Party and the Cabinet Committee:-**

- a) Note Officers comments in para 4.1 and recognising the safety of children and parents in the vicinity of the school, agree to advertise the proposal to introduce a Residents’ Parking Scheme(RPS) in The Greenways, covering 8am to 5pm, Mondays to Fridays;
- b) If approved, further agree that in the event of there being no objections to the proposals, officers implement the scheme;
- c) Note that all unresolved objections will be referred to the Traffic & Parking Working Party/cabinet Committee for consideration.

**3. Background**

- 3.1 A Member’s request was considered at the Traffic & Parking Working Party/Cabinet Committee at its meeting on 10<sup>th</sup> March 2016. Members of the committee deferred this item pending further clarifications. The issues raised were particularly in relation to the consultation by ward members on the basis that there will be no cost to the permits which may have led to a much higher degree of support for the proposals (67%). This was seen as a major deviation from the current policy as all permits currently are at a reasonable cost. It was felt that further clarification/information is needed before approving any recommendations in this regard.
- 3.2 Officers have liaised with ward members and this report attempts to provide additional information as requested to assist the committee in their decision in this regard.

#### 4. Assessment against the policy and the latest situation

- 4.1 The Traffic & Parking at its meeting on 4<sup>th</sup> January 2016 reviewed existing policies and procedures to ensure future policies are efficient, effective and enable improvements to make better use of the financial and staffing resources in investigating, prioritisation and progressing future parking/traffic schemes. Section 2(1) of the agreed policies in this regard states: *“parking controls and residents permit schemes can be introduced in a single road or immediate area where school parking presents serious danger to children and parents. Such schemes are only to be implemented on an exceptional basis with the agreement of all ward councillors who will ascertain degree of support for such scheme that meets the policy thresholds for the Parking Management Schemes. The impact of any displaced parking in neighbouring roads will be a consideration by the ward Members. Safety restrictions of this nature may also be developed if there are at least three personal injury accidents within the proximity of school caused by parked vehicles”*.
- 4.2 As reported at 10<sup>th</sup> March 2016 meeting, ward councillors support this scheme and have undertaken initial consultation in The Greenways which involved consulting 37 Properties in total, of these 25 responded (67% response). Of these responses, 24 are shown support for the proposals to introduce permit parking controls (96%). However a number of comments indicated that the proposals were supported as long as there is no charge for permits.
- 4.3 With regard to accidents at this location, our records show that there have been no accidents along the Greenway during the last three years period. However, there have been various complaints and internal discussions with the school and the Council staff/members as there is a perception that indiscriminate parking at this location is presenting a safety hazard to children and parents visiting the school.
- 4.4 The Committee is aware that the current parking policy on residents’ parking requires an areawide approach (except streets around schools). This was introduced as single street parking controls lead to displacement of the parking problems on streets nearby, resulting in complaints from the residents in those streets, necessitating extension of the parking controls on a piecemeal basis which deviates from the wider parking management objectives and is costly. Furthermore, to-date all parking management schemes have been introduced on the basis of a reasonable cost of the permits as determined by the Traffic & Parking Working Party. Provision of free permits will also set precedent and may have financial consequences in future.
- 4.5 Since the decision of the Traffic & Parking Committee on 10<sup>th</sup> March 2016, ward councillors have undertaken further consultation with residents. The issue of cost of the permit has been discussed with the residents and officers have been informed by ward councillors that on the basis that residents will need to pay for any parking permit, the level of support for a Residents Parking Scheme (RPS) remains the same. However, the residents have suggested that the permit parking should cover 8am to 5pm from Mondays to Fridays.
- 4.6 Members are asked to note that the new policy on residents’ parking whilst requires areawide proposals; it does allow some room for exceptions around

schools. This is as a result of acknowledgement of the parking and safety issues around the schools. Single street residents' permits are not ideal as these move parking problems to the surrounding streets in the area. However, the non-residential parking at this location is largely attributed to school staff and it is expected that the proposed restrictions will force most of the parking to move to the Southchurch East car park where there is well lit, safe and controlled parking provision for school staff.

- 4.7 Members are asked to agree to implement the proposal based on the latest information provided by the ward councillors.
- 4.8 All schemes approved by the Traffic & Parking Working Party/Cabinet Committee are added to the on-going work programme for implementation unless members have indicated a higher order of priority.

## **5. Other Options**

- 5.1 If this proposal is not approved status quo will remain. However, officers will continue to work with the school to encourage their staff to better utilise the car park at Southchurch East at to reduce parking stress on the Greenway.

## **5. Reasons for Recommendations**

- 5.1 Where recommended the objective is to mitigate for likelihood of traffic flows being impeded, to improve safety or better manage parking.

## **6. Corporate Implications**

### *6.1 Contribution to Council's Vision & Corporate Priorities*

- 6.1.1 Ensure the highway network is effectively managed contributing to a Safe and Prosperous Southend.

### *6.2 Financial Implications*

- 6.2.1 Where recommended, the source of funding will be from allocated budgets, where funding is provided from alternative budgets, this is highlighted as appropriate.

### *6.3 Legal Implications*

- 6.3.1 The formal statutory consultative process will be completed in accordance with the requirements of the legislation where applicable.

### *6.4 People Implications*

- 6.4.1 Staff time will be prioritised as needed to investigate, organise the advertisement procedures and monitor the progress of the proposals based on the committee priorities.

## 6.5 *Property Implications*

6.5.1 None

## 6.6 *Consultation*

6.6.1 Formal consultation will be undertaken including advertisement of the proposal in the local press and on the street as appropriate.

## 6.7 *Equalities and Diversity Implications*

6.7.1 The objectives of improving safety takes account of all users of the public highway including those with disabilities.

## 6.8 *Risk Assessment*

6.8.1 Neutral.

## 6.9 *Value for Money*

6.9.1 All works resulting from the scheme design are to be undertaken by term contractors appointed through a competitive tendering process.

## 6.10 *Community Safety Implications*

6.10.1 All proposals are designed to maximise community safety through design, implementation and monitoring.

## 6.11 *Environmental Impact*

6.11.1 All proposals are designed and implemented to ensure relevant environmental benefits are attained through the use of appropriate materials and electrical equipment to save energy and contribute towards the Carbon Reduction targets where appropriate.

## 7. **Background papers**

10<sup>th</sup> March 2016 – T & P – Members' Requests Report

**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Chairmen's Scrutiny Forum**

**Date: Tuesday, 28th June, 2016**  
**Place: Committee Room 7, Civic Centre, Southend-on-Sea**

**22**

**Present:** Councillors B Ayling, Kenyon, C Nevin, K Robinson and P Wexham

**In Attendance:** J K Williams and F Abbott

**Start/End Time:** 6.00 - 6.55 pm

**1 Appointment of Chairman.**

Resolved:-

That Councillor Robinson be appointed Chairman of the Forum for the current Municipal Year.

**2 Apologies for Absence**

Apologies for absence were received from Councillor Moyies.

**3 Declarations of Interest**

No declarations of interest were made at the meeting.

**4 Role of Forum - extract from Constitution**

The Head of Legal and Democratic Services briefly outlined the role and constitution of the Forum. He also referred to the letter sent to the new Scrutiny Chairmen recently, which had also been copied to the Vice Chairmen for their information.

**5 Minutes of the Meeting held on 8th September 2015**

Resolved:-

That the Minutes of the Meeting held on Tuesday 8<sup>th</sup> September, 2015 be confirmed as a correct record.

**6 Discussion on potential In depth scrutiny projects for 2016/17 for Place, People & Policy & Resources Scrutiny Committees**

The Forum discussed the progress on the in depth scrutiny projects undertaken in 2015/16 and the Scrutiny Officer provided the following update:-

(a) 'Transition arrangements from children's to adult life' – the draft report was agreed at the People Scrutiny Committee meeting in April 2016 and agreed by Cabinet at its meeting held earlier in the day;

- (b) 'Control of personal debt' – the final report has been drafted and will be shared with project team Members shortly;
- (c) '20 mph speed limits in residential streets' – the final report is in the process of being drafted.

Councillor Wexham requested an update on the in depth scrutiny project pursued in 2014/15, 'Understanding erosion taking place on the foreshore'. This study was discontinued at the end of the 2014/15 Municipal Year, as the subject matter proved to be overly technical for a scrutiny review topic (particularly given the fact that a comprehensive study and report had been obtained by Professor Bradbury and was the subject of a report to Scrutiny Cttee in October 2013). No conclusions could be reached on the matter without the Council itself commissioning a major piece of work from expert consultants, involving a significant period of study and monitoring over a period of time. In any event the subject matter is being dealt with in another way as the Environment Agency is undertaking annual monitoring and additional sampling and this data will be passed to the Council's consultants and reported to the Place Scrutiny Committee later in the year.

The Forum then discussed the possible projects to be undertaken during 2016/17. Each Scrutiny Committee is due to agree its in depth project at the July meetings. It was agreed that the options be explored further by Scrutiny Chairmen.

## **7 Scrutiny Training**

The Scrutiny Officer confirmed that the training session on scrutiny has been arranged for Thursday 7<sup>th</sup> July 2016 and noted the proposed programme. The training will now begin at earlier start time of 5.30 pm on that evening and is aimed at new Councillors in particular.

## **8 Any Items from Forum Members**

New Councillors – Councillor Wexham said that in his role as Vice Chairman of the Place Scrutiny Committee, he would find it helpful to have a copy of the photos of the new Members on the Committee.

## **9 Date of next meeting**

The next meeting of the Forum will be arranged for early January 2017 (date to be confirmed).



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