

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Policy and Resources Scrutiny Committee

Date: Wednesday, 16th March, 2022

Time: 6.30 pm

Place: Council Chamber - Civic Suite

Contact: S. Tautz (Principal Democratic Services Officer)

Email: 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 10 February 2022 (Pages 1 - 6)

****** ITEMS CALLED-IN/REFERRED DIRECT BY CABINET - 22 FEBRUARY 2022**

5 PSPO Consultation (Pages 7 - 18)

Minute 729 (Cabinet Agenda Item No. 9 refers)
Called-in by Councillors Cox and Davidson

****** ITEMS CALLED-IN/REFERRED DIRECT BY CABINET - 14 MARCH 2022**

6 City Council Branding (Pages 19 - 38)

Cabinet Agenda Item No. 3 refers
Referred direct by the Cabinet

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

None

****** ITEMS FOR PRE-CABINET SCRUTINY**

None

****** OTHER SCRUTINY MATTERS**

7 Association of South Essex Local Authorities - Joint Committee (Pages

39 - 46)

To receive the draft minutes of the meeting of the Joint Committee of the Association of South Essex Local Authorities (ASELA) held on 10 February 2022.

8 Joint In-Depth Scrutiny Project 2021/22

To receive an update on the progress of the joint in-depth scrutiny project for 2021/22.

TO: The Chair & Members of the Policy and Resources Scrutiny Committee:

Councillor D Garston (Chair), Councillor S Habermel (Vice-Chair)
Councillors S Buckley, D Cowan, T Cox, T Cowdrey, M Davidson, M Dent,
S George, M Kelly, D McGlone, J Moyies, D Nelson, I Shead, A Thompson,
S Wakefield and P Wexham

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 10th February, 2022

Place: Council Chamber - Civic Suite

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Present: Councillor S Habermel (Vice-Chair (in the chair))
Councillors B Beggs*, K Buck*, S Buckley, D Cowan, T Cox, T Cowdrey,
M Davidson, M Dent, S George, B Hooper*, D McGlone, J Moyies, I Shead,
S Wakefield and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors I Gilbert, P Collins, A Jones and M Terry (Cabinet Members),
J Chesterton, S Meah-Sims and S Tautz

Start/End Time: 6.30 pm - 6.50 pm

689 Apologies for Absence

Apologies for absence were received from Councillor D Garston (Chair) (Substitute: Councillor B Beggs), Councillor M Kelly (no substitute), Councillor D Nelson (Substitute: Councillor K Buck) and Councillor A Thompson (Substitute: Councillor B Hooper).

690 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors I Gilbert, P Collins, A Jones and M Terry (Cabinet Members) - Interest in the called-in items; Attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.

(b) Councillors I Gilbert, P Collins, A Jones and M Terry (Cabinet Members) - Interest in the referred items; Attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.

(c) Councillor M Davidson - Agenda Item 6 (Draft Housing Revenue Account Budget and Rent Setting 2022/23) - Non-Executive Director of South Essex Homes - Non-pecuniary interest.

(d) Councillor M Dent - Agenda Item 7 (Draft Prioritising Resources to Deliver Better Outcomes 2022/23-2026/27) - Appointed as the Council's representative on the Board of the Essex Pension Fund - Non-pecuniary interest.

691 Questions from Members of the Public

The Committee noted the responses of the Leader of the Council (Cabinet Member for Economic Recovery and Regeneration) and the Cabinet Member for Public Protection to questions submitted by Mr David Webb, which would be sent to Mr Webb as he was not present at the meeting.

692 Minutes of the Meeting held on 1 December 2021

Resolved:

That the minutes of the meeting of the Committee held on 1 December 2021 be confirmed

as a correct record and signed.

693 Resourcing Better Outcomes - Financial Performance Report for November (Period 8)

The Committee considered Minute 602 of the meeting of the Cabinet held on 13 January 2022, which had been called-in to the Committee for scrutiny, together with a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

Resolved:

That the following recommendations of the Cabinet be noted:

"That, in respect of the 2021/22 Revenue Budget Performance, as set out in Appendix 1 to the submitted report:

1. That the forecast outturn for the General Fund and the Housing Revenue Account as at November 2021 and the intention to defer the previously approved use of £2.5M from Reserves to support the 2021/22 budget, be noted.

That, in respect of the 2021/22 Capital Budget Performance, as set out in Appendix 2 to the report:

2. That the expenditure to date and the forecast outturn as at November 2021 and its financing, be noted.

3. That the requested changes to the capital investment programme for 2021/22 and future years, as set out in Section 4 of Appendix 2 to the report, be approved."

Note: This is a Council Function

Cabinet Members: Councillors I Gilbert and P Collins

694 Draft Housing Revenue Account (HRA) Budget and Rent Setting Report 2022/23

The Committee considered Minute 604 of the meeting of the Cabinet held on 13 January 2022, which had been referred directly to the Committee for scrutiny, together with a joint report of the Executive Director (Finance and Resources) and Executive Director (Housing and Growth), setting out the Housing Revenue Account (HRA) budget for 2022/23, together with the information necessary to set a balanced HRA budget.

Resolved:

That the following decisions of the Cabinet be noted:

"1. That an average rent increase of 4.10% on all tenancies, be endorsed.

2. That an average rent increase of 4.10% on shared ownership properties, be endorsed.

3. That an increase of 4.10% for garage rents to £12.70 per week for tenants and £15.24 for non-tenants (being £12.70 plus VAT), a rise consistent with the proposal for the main rent increase (all variants on a standard garage will receive a proportionate increase), be endorsed.

4. That the South Essex Homes core management fee at £6,648,000 for 2022/23, be endorsed.

5. That South Essex Homes proposals for average increases of 10.88% in service charges, be endorsed.

6. That South Essex Homes proposals for an average 16.95% reduction in heating charges for sheltered housing tenants and an average 4.42% increase in heating charges for hostel tenants to reflect the actual costs incurred, be endorsed.

7. That the following appropriations be endorsed:

- £60,000 to the Repairs Contract Pensions Reserve;
- £2,978,000 to the Capital Investment Reserve and
- £8,309,000 from the Capital Investment Reserve

8. That subject to resolutions 1 to 7 above, the HRA budget for 2022/23, as set out in Appendix 1 to the submitted report, be approved.

Note: This is an Executive Function, save that approval of the final budget following Cabinet on 15 February 2022 is a Council Function
Cabinet Members: Councillors I Gilbert and A Jones

695 Draft Prioritising Resources to Deliver Better Outcomes – 2022/23 to 2026/27

The Committee considered Minute 605 of the meeting of the Cabinet held on January 2022, which had been referred directly to each of the scrutiny committees, together with a report of the Executive Director (Finance and Resources) presenting the draft prioritising resources to deliver better outcomes for 2022/23 to 2026/27.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That it be noted that the final version of the updated Financial Sustainability Strategy 2022-2032 will be available for consideration in February 2022 (Appendix 1 to the submitted report).

2. That it be noted that a Medium-Term Financial Strategy for 2022/23 – 2026/27 will be available for consideration in February 2022 and the draft Medium Term Financial Forecast and estimated Earmarked Reserves Balances up to 2026/27 (Annexes 1 and 2 to Appendix 2 to the submitted report), be endorsed.

3. That the draft Section 151 Officer’s statement on the robustness of the proposed budget, the adequacy of the Council’s reserves and the Council’s Reserves Strategy (Appendix 3 to the report), be noted.

4. That the appropriation of the sums to earmarked reserves totalling £2.675M (Appendix 4 to the report), be endorsed.

5. That the appropriation of the sums from earmarked reserves totalling £4.494M, which includes £2.500M that was previously approved to support the budget in 2021/22 and is now requested to be used to support the estimated budget gap for 2022/23 instead. (Appendix 4 to the report), be endorsed.

6. That a General Fund Budget Requirement for 2022/23 of £140.288M and Council Tax Requirement of £91.844M (Appendix 5) and any required commencement of consultation, statutory or otherwise, be endorsed.

7. That it be noted that the 2022/23 revenue budget has been prepared on the basis of using £1.5 million from accumulated Collection Fund surpluses for the core budget to allow for a smoothing of the budget gap across the next four financial years.

8. That a Council Tax increase of 3.99% for the Southend-on-Sea element of the Council Tax for 2022/23, being 1.99% for general use and 2.0% for Adult Social Care, be endorsed.
9. That it be noted that the position of the Council's preceptors is to be determined:
- Essex Police – no indication of Council Tax position
 - Essex Fire & Rescue Services – no indication of Council Tax position
 - Leigh-on-Sea Town Council – proposed Band D precept increase of 0.53%;
10. That no Special Expenses be charged other than the Leigh-on-Sea Town Council precept for 2022/23, be endorsed.
11. That the proposed General Fund revenue budget investment of £13.672M (Appendix 6 to the report), be endorsed.
12. That the proposed General Fund revenue budget savings and income generation initiatives for 2022/23 of £5.087M (Appendix 7 to the report), be endorsed.
13. That the proposed future outline Budget Transformation Programme 2023/24 – 2026/27 (Appendix 8 to the report), be noted.
14. That the proposed range of fees and charges for 2022/23 (Appendix 9 to the report), be endorsed.
15. That the Dedicated Schools Grant budget and its relevant distribution as recommended by the Education Board (Appendix 10 to the report), be endorsed.
16. That the Capital Investment Strategy for 2022/23 to 2026/27 (Appendix 11 to the report) and the Capital Investment Policy (Annex 1 to Appendix 11 to the report), be endorsed.
17. That the new schemes and additions to the Capital Investment Programme for the period 2022/23 to 2026/27 totalling £12.6M for the General Fund (Appendix 12 to the report) and new schemes subject to viable business cases totalling £33.9M (£15.5M for the General Fund and £18.4M for the Housing Revenue Account) (Appendix 12 to the report), be endorsed.
18. That the proposed changes to the current Capital Investment Programme that were considered for approval as part of the Resourcing Better Outcomes – Financial Performance Report – Period 8 (Appendix 13 to the report), be noted.
19. That the proposed Capital Investment Programme for 2022/23 to 2026/27 of £119.8M to be delivered by the Council and £51.3M to be delivered by Subsidiary Companies, Partners and Joint Ventures (Appendix 14 to the report) of which £51.1M is supported by external funding, be endorsed.
20. That the Minimum Revenue Provision (MRP) Policy for 2022/23 (Appendix 15 to the report) and the prudential indicators (Appendix 16 to the report), be endorsed.
21. That the operational boundary and authorised limits for borrowing for 2022/23 are set at £385M and £395M respectively (Appendix 16 to the report), be endorsed.”
- Note: This is an Executive Function, save that approval of the final budget following Cabinet on 15 February 2020 is a Council Function
- Cabinet Members: Councillors I Gilbert and P Collins

The Committee was advised of current progress with regard to the joint in-depth scrutiny project for 2021/22.

Councillors noted that the project had recently been delayed and that, as a result, the Project Team had requested that the work programme activity around Officer/Councillor Engagement, be reviewed to reflect that such aspects of the project could be aligned with the separate work taking place to implement the actions arising from the review of the Member/Officer Protocol. The Committee was informed that the Project Team had recently received a presentation on the current performance of the 'Councillor Queries' portal and plans for its development and had also asked to receive a presentation in respect of appropriate member casework management systems that could be considered by the Council.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

Chair: _____

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Southend-on-Sea Borough Council

Report of
The Assistant Director Legal Services

To

Cabinet

On

22nd February 2022

Agenda
Item No.

5

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

Title of Report

Southend Town Centre & Seafront Public Spaces Protection Order (No 2)

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

1. Purpose of Report

- 1.1 To invite Members to consider whether the Council should commence statutory consultation (the 'Consultation') on extending and varying the Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No 1 of 2019 ('the 2019 PSPO').
- 1.2 It should be noted that Members are not being asked to decide whether the 2019 PSPO should be extended or amended, but to approve the commencement of the Consultation. A further report of the next steps will be prepared once the Consultation has been completed. At that future stage, Members may be asked to extend and vary the 2019 PSPO (or potentially consider making a new PSPO) if the statutory criteria are met and it is thought to be a necessary and proportionate response to the issues that have been identified. No decision or recommendation is made or required on that in this report.

2. Recommendations

- 2.1 **That a Consultation be undertaken into the possibility of the Council extending and varying (and/or making a new) Public Spaces Protection**

Order (PSPO) under Sections 59, 60 & 61 of the Anti-social Behaviour, Crime and Policing Act 2014 in respect of the area and activities detailed in this report.

- 2.2 That the proposed Consultation process commences as soon as practically possible.**
- 2.3 That the Assistant Director for Legal Services in consultation with the Cabinet Member for Environment, Culture, Tourism & Planning is delegated to:**
 - 2.3.1 finalise the draft PSPO to form part of the Consultation;**
 - 2.3.2 settle the final form of the Consultation;**
 - 2.3.3 explore and report back to Cabinet following the Consultation any additional resource requirements to effectively enforce the PSPO.**

3. Background

- 3.1** Local Authorities have a key role to play in helping to make local areas safe places to live, work and visit. Tackling behaviour which has a detrimental impact on the quality of life of those in the locality is a key element of this role. These behaviours are sometimes called anti-social behaviour ('ASB'). It is to be noted that behaviour which has a detrimental impact can be broader than that which has traditionally been described as ASB.
- 3.2** The Anti-social Behaviour, Crime and Policing Act 2014 ('the 2014 Act') introduced several new tools and powers for use by councils and their partners to address ASB in their local areas. These tools, which replaced and streamlined a number of previous measures, were brought in as part of a Government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact ASB can have on both communities and individuals, particularly on the most vulnerable.
- 3.3** Local Authorities can use a Public Spaces Protection Order ('PSPO') to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPO's differ from other tools introduced under the 2014 Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location. The Home Office's statutory guidance reiterates that PSPOs should be used responsibly and proportionately, in response to issues that cause ASB, and where necessary to protect the public.
- 3.4** Under the 2014 Act, authorised council officers have the power to issue a fixed penalty notice ('FPN') to anyone they reasonably believe is in breach of the PSPO. Whilst the 2014 Act sets out a framework for issuing FPNs, councils will also have their own wider protocols around issuing fines. The Council currently has an enforcement policy for the Council's enforcement team to ensure fairness and best practice is exercised. This will be reviewed and updated following any

future decision of the Council in relation to any additional restrictions that form part of any varied, extended or new PSPO.

3.5 The 2019 PSPO.

3.5.1 The 2019 PSPO prohibits certain ASB within a geographical area ('the Restricted Area') and the Restricted Area plan can be found at **Appendix A**. The current Restricted Area is contained within the red line on this plan and includes the Town Centre, Seafront, Southchurch Hall Gardens, Hamlet Court Road and York Road.

3.5.2 The following ASB is prohibited in the Restricted Area:

- Urination, defecation, spitting and littering
- Sleeping in a public place in a manner that has a detrimental impact
- Erecting tents or other structures without permission from the Council
- Consuming alcohol or failing to surrender containers reasonably believed to contain alcohol within a drinking control area (hatched blue on **Appendix A**)
- Outside the drinking control area consuming alcohol and behaving in an anti-social manner or failing to surrender containers when required (within the area on **Appendix A** shaded pink)
- Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances
- Begging or approaching someone for that purpose
- Approaching or stopping someone to enter into arrangements for future charity payments or to collect information to assist in a future arrangement without the Council's permission.

3.5.3 The 2019 PSPO can be found at **Appendix B**.

3.6 It is proposed that along with the potential renewal of the existing restrictions, to consider additional restrictions to combat ASB that has become apparent over the last three years and includes:

- Cycling in pedestrianised areas
- Using electronic scooters ('e-scooters') in pedestrianised areas
- Restricting the use of barbeques ('BBQs') to dedicated areas at East Beach, Shoeburyness and Eastern Esplanade between the former Gas works building and the Camper Road Jetty
- Restrictions on the appropriate use and disposal of BBQs within the designated areas
- Restrictions on launch points, recovery points and areas used for Personal Water Crafts (PWCs)
- Conduct when in charge of or operating PWCs.

3.7 Evidence for the requirement of these restrictions will be provided to Cabinet along with the results of the Consultation and details of enforcement implications after the Consultation has been concluded, for a decision on whether, or not, to implement the extension and amendments or otherwise.

- 3.8 The Council is required under the 2014 Act to carry out a Consultation and necessary publicity and notification before making, extending or varying a PSPO.
- 3.9 As a minimum, the Council must consult with the Chief Officer of Police, the Police Fire and Crime Commissioner, appropriate community representatives, and the owners or occupiers of land in the area to be designated (where reasonably practicable).
- 3.10 The proposed wording of the PSPO and the proposed restricted area as part of the Consultation will be finalised prior to the Consultation.
- 3.11 During the Consultation process the Council will seek comments on:
- Whether a PSPO is appropriate, proportionate or needed at all;
 - The proposed restrictions; and
 - The proposed area to be designated as the Restricted Area.
- 3.12 Consultation would be over a 4 week period, with the following stakeholders:
- Chief Officer of Police for Southend
 - The Police Fire and Crime Commissioner
 - Town Centre/Seafront Businesses
 - Ward Councillors
 - The voluntary sector
 - Community representatives
 - Local residents/those working nearby/Visitors (via a survey).
- 3.13 Findings from the Consultation will be brought back to Cabinet along with evidence in relation to the necessity for any restrictions, for Cabinet to decide whether to proceed with the PSPO and, if so, the area to be designated and the restrictions which would apply. At that point the Cabinet would have to consider all material considerations including proportionality i.e. are the proposed restrictions proportionate to the harm/nuisance that is being caused?
- 3.14 Clearly there will be challenges in enforcement of the PSPO, with any additional restrictions, over a wide area. PSPOs can be resource-intensive to introduce and enforce and there will need to be commitment from partners to ensure it can be implemented effectively. Consideration may have to be had to whether the PSPO is disaggregated into two separate PSPOs considering the area covered and the various ASB and whether the ASB associated to BBQs and PWC's is more effectively dealt with by a separate PSPO. The Consultation will help inform this. Further, in some areas, codes of practice around certain practices such as that possibly related to the PWCs, may provide effective solutions in responding to particular concerns.

4. Other Options

The Council could choose not to engage in the Consultation process. This would result in the current PSPO expiring at midnight on the 10th July 2022 and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling ASB in the restricted area.

5. Reasons for Recommendations

5.1 Whilst the 2019 PSPO has provided authorised council officers with an additional tool to tackle ASB, there has been a growing number of other complaints received in the last three years about the following:

- Cycling on the footway and e-scooters, particularly in the Town Centre area where there have been a number of reported near misses. This escalated during the Covid-19 Pandemic during the different phases of restrictions during the lockdown periods whereby a number of residents took to using cycles/e-scooters for their exercise and commuting.
- ASB associated with the use of PWCs.
- ASB associated with use of BBQs on beaches.

5.2 Therefore the Council proposes to consult on all these activities and to bring the findings back to Cabinet in a report along with a summary of findings and evidence of the operation of the 2019 PSPO to then decide whether to extend and vary the 2019 PSPO or progress with any new PSPO.

6. Corporate Implications

6.1 Contribution to the Southend 2050 Road Map

Safe and Well. Residents feel safe and secure in their homes, neighbourhoods and across the borough.

6.2 Financial Implications

The costs of consulting on the PSPO and gathering further evidence of ASB will be relatively modest but will draw upon a significant amount of officer time (which, in itself, is an associated cost). Following the Consultation, if agreed, a further report to Cabinet will provide greater visibility as to the costs of proceeding with the PSPO which will depend on the extent of any PSPO in terms of scope and geographic area, particularly in terms of signage and enforcement.

6.3 Legal Implications

6.3.1 The introduction, varying or amending of a PSPO must be undertaken in accordance with the 2014 Act and the Statutory Guidance. Failure to do so could result in a legal challenge.

6.3.2 Under section 59 of the 2014 Act, local authorities must be satisfied that the following two conditions are met to make a PSPO:

- (a) The first condition is that on reasonable grounds that the activity subject to a PSPO has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect).

(b) If so, then the second condition is that the effect, or likely effect, of the activities:

- is (or is likely to be) persistent or continuing in nature
- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

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

6.3.4 Draft proposals for a PSPO must be published as part of the Consultation process. Further, a copy of the draft order should be provided. Therefore, whilst the proposals are included within this report some further work is required to finalise the proposed draft order. Recommendation 2.3 provides that the Assistant Director for Legal Services in consultation with the Cabinet Member for Environment, Culture, Tourism and Planning is delegated to finalise the draft PSPO that is to form part of the Consultation. This allows the draft PSPO to be finalised following clarifications that enforcement through the PSPO would not prejudice enforcement through other means, processes or legislation. It is important to remember that in some cases existing legislation covering various forms of ASB or public order may be adequate and proportionate to deal with that ASB or public order.

6.3.5 Before making, amending or varying a PSPO the Council must consider comments and representations received.

6.4 Environmental Impact

There would arguably be a positive impact on the environment as the PSPO would enable enforcement against littering hence improving street cleanliness. Further, through enforcement the PSPO provides additional protection of our parks and gardens, reducing the effects and dangers of BBQs and the dangerous use of PWCs on swimmers and marine life.

6.5 People Implications

None specific for the Consultation.

6.6 Property Implications

None specific for the Consultation.

6.7 Consultation

N/A. This is the purpose of this report and what is being sought to commence.

6.8 Equalities and Diversity Implications

An updated Equality Analysis will be undertaken.

6.9 Risk Assessment

None specific for the Consultation.

6.10 Value for Money

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

6.11 Community Safety Implications.

None specific to this report. To be fully addressed in the further report following the Consultation.

7. Background Papers

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

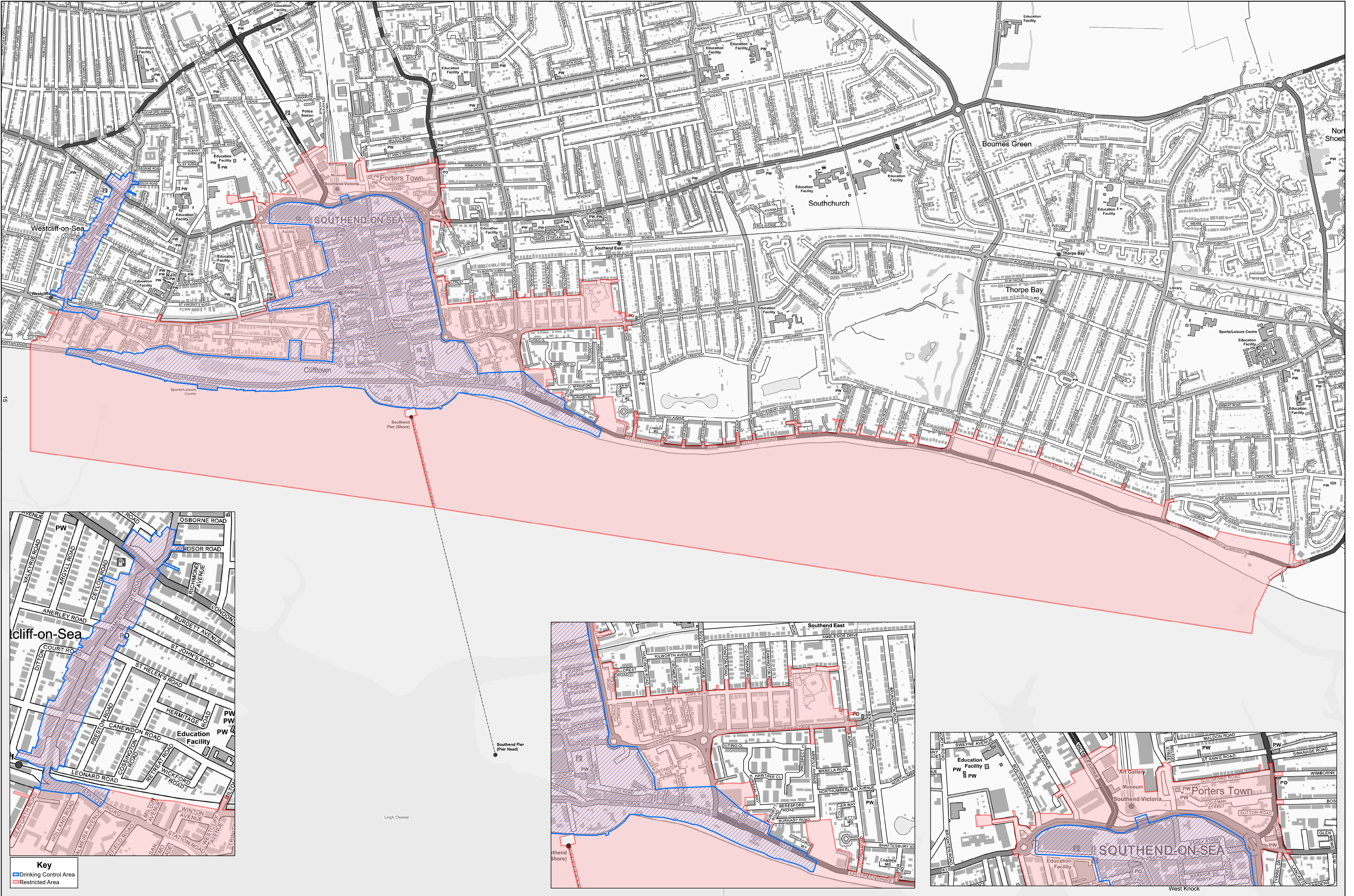
[2018 report for consultation.pdf](#)

8. Appendices

A Plan of the Restricted Area contained in the Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No 1 of 2019.

B The Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No 1 of 2019. (Without Plan as provided at Appendix A)

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ORDER

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by the Southend-on-Sea Borough Council (the 'Council') and shall be known as the Public Spaces Protection Order (Southend Town Centre, Seaford and Adjoining Areas) No 1 of 2019.

PRELIMINARY

1. The Council, in making this order is satisfied on reasonable grounds that: The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality, and that: the effect, or likely effect, of the activities: is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

2. The Council is satisfied that the prohibitions imposed by this order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

3. The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this order are lawful, necessary and proportionate.

THE ACTIVITIES

4. The Activities prohibited by this order are:

Urination, defecation, spitting or littering.

Sleeping in a public place within the Restricted Area (which includes car parks and shop doorways) in a manner which has a detrimental impact on the quality of life of others in the locality. This includes but is not limited to causing an obstruction to members of the public or local businesses.

iii. Erecting tents or other structures anywhere within the Restricted Area, save for where so permitted by the Council.

iv. In any Drinking Control Area, consuming alcohol or failing to surrender any containers (sealed or unsealed) which are reasonably believed to contain alcohol when an Authorised Officer has required such consumption to cease.

v. Outside of any Drinking Control Area consuming alcohol and behaving in an anti-social manner or failing to surrender any containers (sealed or unsealed) which are reasonably believed to contain alcohol, in a public place, when an Authorised Officer has required such consumption to cease.

vi. Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances.

vii. Beg, begging or approaching any person for that purpose.

viii. Save for where excepted at paragraph 12 of this order or otherwise permitted by the Council, approaching or stopping another person with the intention of asking that other person: to enter into any arrangements which involve that other person making any future payment for the benefit of charitable or other purposes; or for any information to assist in that other person being contacted at another time with a view to making arrangements for that person to make any payment for the benefit of charitable or other purposes.

THE PROHIBITION

5. A person shall not engage in any of the Activities anywhere within the Restricted Area as shown delineated by the red line and shaded pink on the master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset to this order and identified as the 'Restricted Area'.

6. This Prohibition is subject to the Exceptions stated below.

THE REQUIREMENTS

7. A person who is believed to have engaged in a breach of this order or anti-social behaviour within the Restricted Area, is required to give their name and address to an Authorised Officer.

8. A person who is believed to have engaged in a breach of this order, or in anti-social behaviour within the Restricted Area, is required to leave the area if asked to do so by a police officer, police community support officer or other person designated by the Council and not to return for a specified period not exceeding 48 hours.

9. A person must clear up his/her belongings and/or litter if asked to do so by a police officer, police community support officer or other person designated by the Council.

THE EXCEPTIONS

10. Nothing in the paragraph 4(iv or v) of this order applies to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980.

11. The requirement in paragraph 4(vi) of this order does not apply where the substance:

i) is used for a valid and demonstrable medicinal or therapeutic purpose;

ii) is a cigarette (tobacco) or vaporiser;

iii) is a food product regulated by food, health and safety legislation

12. Nothing in paragraphs 4(vii) and (viii) of this order applies to any person authorised by virtue of the Police, Factories (Miscellaneous Provisions) Act 1916 to undertake an on-street collection of Money

OTHER

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

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

Dated 22nd July 2019

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

Proper Officer of the Council

ASSISTANT DIRECTOR
LEGAL SERVICES



15. For the purpose of this order the following definitions will apply:
'Alcohol' has the meaning given by section 191 of the Licensing Act 2003;
'Authorised Officer' means a constable, a police community support officer or a person authorised in writing by Southend-on-Sea Borough Council.
'Beg or begging' means asking for or accepting money, personal, charitable or any other donations or approaching a person for that purpose, when to do so would cause, or is likely to cause, a nuisance or annoyance, harassment, alarm or distress to that person. Examples of nuisance, annoyance, alarm or distress include, but are not limited to, the following:
(a) Obstructing the path of the person solicited during the solicitation or after the person solicited responds or fails to respond to the solicitation.
(b) Using abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation.
(c) Continuing to solicit a person in a persistent manner after the person has responded negatively to the solicitation.
(d) Have in their possession any item for holding, inviting or receiving money for the purpose of solicitation.
(e) Placing self in the vicinity of an automated teller machine, taxi rank or public transport stop to solicit and or soliciting a person who is using, waiting to use, or departing from any of these services.
'Drinking Control Area' means any such area within the Restricted Area whereupon there is in force a Southend-on-Sea Borough Council and Essex Police designated Drinking Control Area as at the date of this order.
'Interested person' means an individual who lives in the restricted area or who regularly works in or visits that area.
'Public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
'Psychoactive Substances' has the meaning given by section 2 of the Psychoactive Substances Act 2016.
'Restricted Area' has the meaning given by section 59(4) of the Anti-Social Behaviour, Crime and Policing Act 2014 and for the purposes of this order is shown delineated by the red line on the PSPO master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the 'Restricted Area'.
'Solicit' means to request, in person the immediate provision of money or another thing of value, regardless of whether consideration is offered or provided in return, using the spoken, written or printed word, a gesture or other means.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

16. This Order came into force at midnight on 11th July 2019 and will expire at midnight on 10th July 2022.

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

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

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

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

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

FIXED PENALTY

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

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the safe zone. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

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

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

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (1) It is an offence for a person without reasonable excuse—
(a) To do anything that the person is prohibited from doing by a public spaces protection order, or
(b) To fail to comply with a requirement to which a person is subject under a public spaces protection order
(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
(3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order

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Southend-on-Sea Borough Council

Report of Executive Director (Transformation)

To
Cabinet

On
14th March 2022

Agenda
Item No.

6

Report prepared by Stephen Meah-Sims, Executive
Director (Transformation) and Adam Keating,
Strategic Communications Manager

City Council Corporate Branding Refresh (Pre-engagement) Policy and Resources Scrutiny Committee Cabinet Members: Councillor Ian Gilbert

1 Purpose of Report

- 1.1 Following the tragic death of Sir David Amess MP in October 2021, Southend-on-Sea, the place, was granted the privilege of being granted City Status; a long-standing ambition which Sir David Amess fought for on behalf of Southend.
- 1.2 Southend, the place, officially became a city at a Civic Commemoration Event on the 1st of March 2022, where His Royal Highness, The Prince of Wales and Her Royal Highness, The Duchess of Cornwall bestowed city status, through the handing of the Letters Patent to our serving Mayor at a Full Council meeting, as part of the Commemoration Event.
- 1.3 Southend-on-Sea Borough Council became the local authority serving the new city and at the same Full Council, it was agreed that council's name would change with immediate effect to Southend-on-Sea City Council.
- 1.4 The new city designation for Southend provides an opportunity for the council to consider options connected to the council's existing corporate branding and updating it to reflect the new name of the council.
- 1.5 In preparation for the council's change in name, this report builds on cross-party engagement, led through the Leader of the council's Cross-Party Working Group, which was mobilised in January 2022 to work with all political groups to build a shared view of councillors in developing a new corporate brand for the council. This engagement has informed the options set out in appendix 1 of this report.

- 1.6 This report sets out the opportunities connected to updating the corporate branding for the council and presents options for Cabinet to agree on, as branding options to go out to engage more widely.
- 1.7 It is important to clarify that the corporate branding for the council is not a wide Southend place branding. The place branding for Southend, which is used across many sectors in the city, as a way of attracting visitors and investment was developed in 2021 and has been successfully implemented across the city to date.
- 1.8 Thus far, engagement with the Cross-Party Working Group and Group Leaders on concepts for a new corporate brand for the council has generated four different branding concepts. This Cabinet Report presents the four options to date, for Cabinet to endorse the next stage in further engagement with a wider group of stakeholders, which will contribute to the final decision on the council's new corporate branding.

2 Recommendations

That Cabinet consider the corporate branding options set out within this report.

- 2.1 **To agree on the four branding concepts to go out to wider engagement, as set out in section 4.1.**
- 2.2 **To agree to the timeframe of engagement of 2 weeks.**
- 2.3 **To use the feedback as an evidence-base to inform the final decision on the council's new corporate branding.**

3 Background

- 3.1 The current branding, known as the council's corporate brand, should enable users of council services to instantly recognise the council. Corporate branding aims to identify the council and the range of services that the council is connected to across the city. Branding also raises awareness of council services and makes the council publicly accountable. For example, if a resident sees a service that they are dissatisfied with and the corporate branding is visible, this transparency makes the council more accountable to that resident. If an excellent service is experienced, the same applies.
- 3.2 Corporate branding exists in variety of settings. Some can feel obvious, whereas others can feel subtle. The vast range of settings where branding exists stretches from virtual channels and social media, to livery on our uniforms, buildings, and vehicles.
- 3.3 Our branding also conveys our authenticity as a local authority, whether that is in council communication, policies and strategies, to official correspondence from the council.

- 3.4 Using corporate branding also aims to promote direct and subtle messages about the values and principles of the organisation that it represents or aspires to.
- 3.5 The change of Southend to a city includes the council changing its name to reflect its new status within a new city. Looking forward as a strong, ambitious and cohesive city; the council has the opportunity to embrace the change of status by updating the corporate branding, which reflects where the council sees itself in the city and how it wants to be perceived going forward.
- 3.6 Developing a new corporate brand for any organisation comes with challenges as brands can mean different things to different audiences. It is important to emphasise that the corporate branding for the council is not the same as the place branding that was developed for Southend as a whole, in 2021. The corporate branding for the council is focused on the council. Drawing in ideas and preferences from across the political spectrum was essential in working up the design brief. A Cross-Party Working Group, chaired by the Leader of the Council came together in January 2022 to start the conversation about working up a design brief for a new corporate brand for Southend-on-Sea City Council.
- 3.7 The design team working under the design brief are the council's contracted bespoke design and print company. They are a local company that have worked with the council since a procurement exercise in 2017, with a track record of high-quality design work across council services.
- 3.8 Through the Cross-Party Working Group, and conversations with political group leaders outside of the working group, a number of points around design preferences were established. These included:
- a) Keeping the new branding simple and identifiable
 - b) Drawing on our location as a city by the sea
 - c) Using colour, shapes and form in our branding to signal our city as a diverse one, where many council services operate for a diverse range of residents and businesses
 - d) Must work well across different settings, e.g., for social media and digital channels, to large vehicle livery
 - e) Looks forward, not backwards
 - f) Draws on good recent examples from other local authorities and sectors
- 3.9 The design preferences under 3.8 were used as the framework to work up design options, which were presented back to the Cross-Party Working Group and political group leaders. In a process of further discussion, the design options were further refined based on a range of feedback, with some new additions, such as the Southend 'S' Monogram with the pier option.
- 3.10 The corporate branding options set out in detail within appendix A illustrates four branding options.

3.10.1 Option 1: The Seaside Windmill

The Seaside Windmill sticks to the design preferences around simplicity, seaside connection and colour and form. The windmill represents an iconic symbol of the seaside, evoking memories of handheld windmills that continue to be a feature among visitors to the seafront. It also represents the different components of Southend, for example being urban, rural, coastal, diverse and our values of inclusivity and working together. The fans also represent the range of services and the five 2050 ambitions. It also shares similarities with the St Mary's lily from our traditional crest, representing the origins of the new City. This design works as a standalone device without supporting text, for social media.

3.10.2 Option 2: The Shell

The shell design is also simple and identifiable and represents several different features connected to Southend, including the seaside and beach, shells, waves, water and the 'S' motif representing Southend. This design works as a standalone device without supporting text, for social media.

3.10.3 Option 3: The Modern Coat of Arms

This is modern take on the Borough's traditional coat of arms/crest and focuses on the main shield element and its four arms that represent the heritage of the city. These symbols have been simplified into basic icons and arranged in a clear and uncomplicated quadrant design. This does not replace the formal Coat of Arms, but links the corporate brand identity. This design works as a standalone device without supporting text, for social media.

3.10.4 Option 4: Southend 'S' Monogram

An upper case 'S' motif for 'Southend' monogram with waves and pier in the lower portion. This option was developed following feedback from the Group Leader discussions.

Including a simple representation of the pier with the Royal Pavillion makes this icon unmistakably 'Southend' and is in unique in that it cannot be applied to any other Seaside town or city, even those that have a name that starts with S.

As a bold, simple design this will be easy to implement across all platforms as a standalone devices or with accompanying text.

3.11 The four options set out very different design concepts which work across the visual platforms that the council use. The options apply the design preferences across three very different styles, yet remain consistent with contemporary branding concepts used by local authorities and other sectors.

3.12 The design summary for each of the four options set out are attached as **Appendix 1** where the examples are illustrated against different visual situations, for example, electronic, print and livery.

4 Seeking views on the four options

- 4.1 As part of engaging, a market testing exercise on public perceptions around the four proposed options, an on-line poll to different testing groups will be conducted to obtain feedback. The groups approached for feedback, in addition to the Cross-Party Working Group and Political Group Leaders will be:
- All 51 Councillors
 - Council staff
 - Business community leaders
 - Voluntary and Community leaders
 - Young people
 - Anyone wishing to share views through the council's website
- 4.2 The opportunity to participate will be promoted through social media and direct contact that signposts to where the four options are, with the ability to feedback.
- 4.3 It is essential to ensure that a new corporate brand is accessible and contains no reference that could cause offence. The initial testing will also assess Equality Impact.

5 Transitioning to a new Corporate Brand

- 5.1 It is important to balance the requirement to update corporate branding with public perception and council reputation with respect to implementing a corporate branding change.
- 5.2 Branding for the council will be required across a broad range of situations, which include:
- Electronic – Websites, Social Media, Service Portals
 - Print – Letterheads, documents, publications
 - Uniforms
 - Building signage
 - Vehicles
- 5.3 Given the scale and range of services provided by the council, it is not advised to change branding across all areas at the same time. The costs associated with this approach will not represent best value.
- 5.4 Once the decision is made on the new corporate brand, it is advised that the council prioritises areas to be updated with new corporate branding. This is a common approach across local government and other sectors. This will enable the council to focus updated branding where it has the most impact and value for money. Following this approach, it is advised that the council update it's Corporate Style Guide, which sets out the guidelines for use of corporate branding where all newly commissioned items requiring branding contain the new format and new branding replaces the old as part of a programme of 'as and when' renewal. This pragmatic approach to updating the council's branding over time, is sensitive to budget challenges.

6 Costs connected to corporate rebranding

- 6.1 The work on new brand concepts for the council was developed through a long-standing local Southend business, that the council has a history and contractual relationship with, having developed a range of products across council services. The costs associated with development work leading up to the latest iteration of corporate brand concepts for the council is £4338.75 and is based on 111.25 hours, including all the design work and meetings.

7 Reasons for Recommendations

- 7.1 Part of updating the council's branding and visual identity, connected to the council's change in name. Enabling the council to take an active lead in responding to the new city status for Southend, with a fresh step into a new identity for the council.

8 Corporate Implications

8.1 Contribution to the Southend 2050 Road Map

The council is a major delivery partner of Southend 2050 and though the updated corporate branding will not affect the agreed outcomes in Southend 2050, the council being perceived as a pro-active, engaging, and a forward-looking organisation is essential in successful leadership of Southend 2050.

8.2 Financial Implications

Financial implications up to this point total £4338.75 and is based on 111.25 hours of work. This is likely to increase with final development and design work, following the engagement connected to this report. This is within the budget identified for council rebranding, which was established to support the council with its City Status programme of work.

8.3 Legal Implications

None identified at this stage.

8.4 People Implications

People implications will be assessed as part of the equality impact, which is set out under section 8.7 below and underpins section 4 (4.3) of this report.

8.5 Property Implications

Updated signage to electronic property, buildings, signs and vehicles in due course.

8.6 Consultation

Market testing connected to perception of brand options is set out in section 4 of this report.

8.7 Equalities and Diversity Implications

Equality impact, ensuring that new Corporate Branding for the council is accessible and does not contain any reference to cause offence on religious or cultural grounds.

8.8 Risk Assessment

None identified at this stage.

8.9 Value for Money

The proposals within this report are consistent with the council's plans to continue to improve value for money within financial strategy and the services it offers.

8.10 Community Safety Implications

None identified at this stage.

8.11 Environmental Impact

None at this stage.

9 Background Papers

Please refer to appendix 1.

10 Appendices

Appendix 1 – Corporate Branding Options

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SOUTHEND-ON-SEA CITY COUNCIL CORPORATE IDENTITY REBRAND

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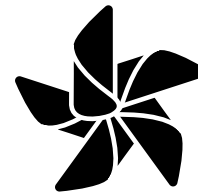
LOGO DESIGN CONCEPTS FROM

FORMARA 
print & marketing

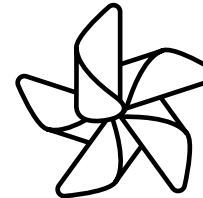
Please note. Colour schemes and typefaces are for illustration only and subject to change.



Southend-on-Sea City Council



Southend-on-Sea
City Council



Southend-on-Sea
City Council



Southend-on-Sea
City Council



CONCEPT 1 - SEASIDE WINDMILL/PINWHEEL

A pinwheel design has been developed that clearly represents Southend's seaside town heritage but also acknowledges the Council's environmental credentials such as wind power, and shares similarities with the St Mary's lily, representing the origins of the new City.

It also demonstrates working together and inclusivity.

As symbol, a pinwheel is a childhood symbol – it represents a time when things were simple and natural. In Chinese culture, for example, the pinwheel signifies “turning one's luck around”; the pinwheel figures prominently in Chinese New Year celebrations where it represents good luck, longevity, health and prosperity.

Mono treatment are also shown to illustrate how the design can work with different solid fills, outlines only or single colour.

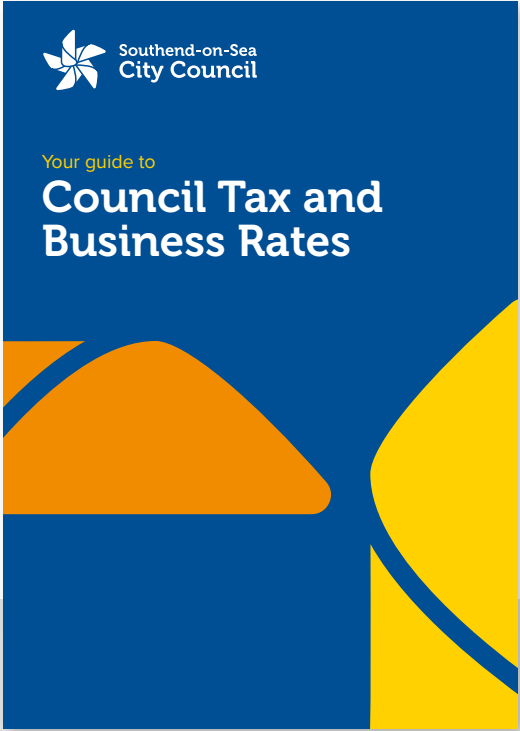
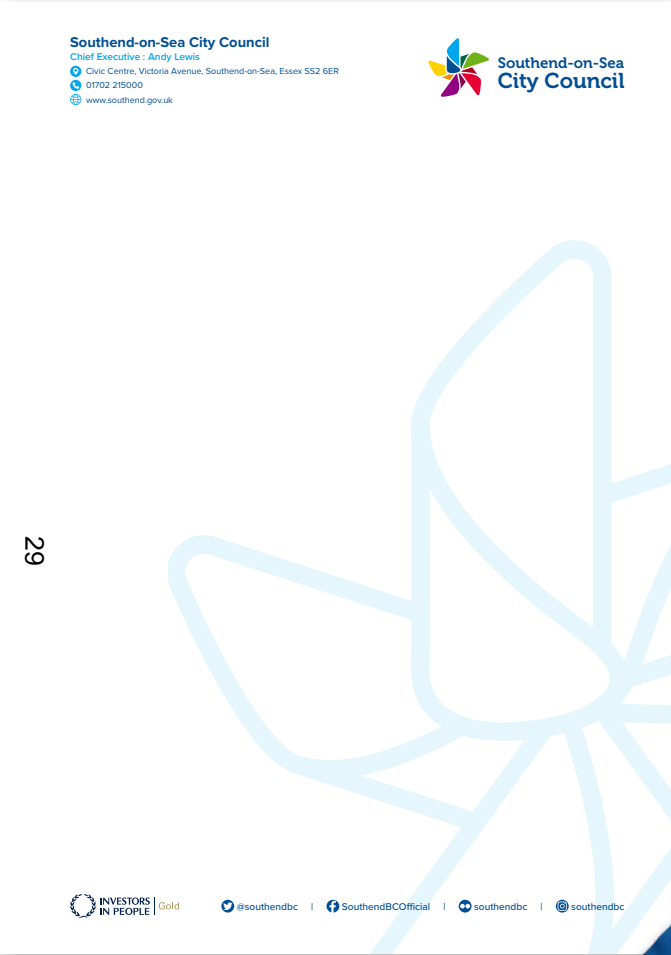
The icon could equally be used in single colours as standalone devices, such as a the

2050 icons or to represent council services/campaign, and broken into individual elements as part of a design scheme.

Alternative treatments and colour schemes for the pinwheel design are shown below.



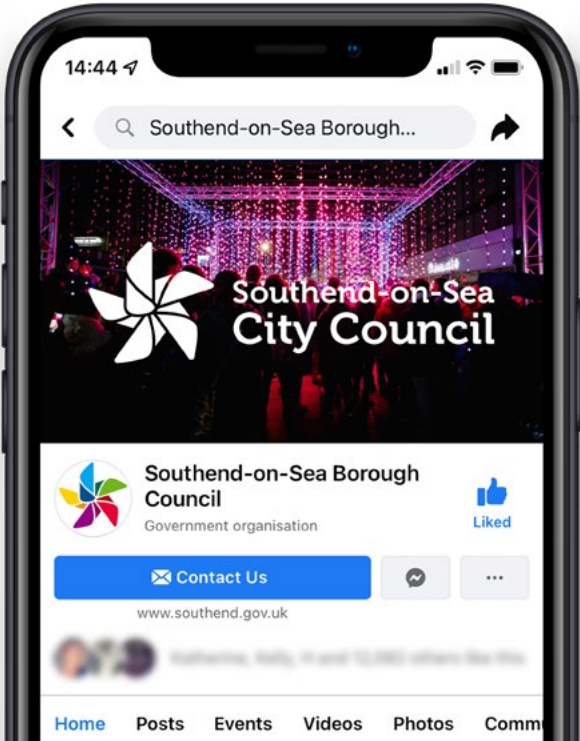
SOUTHEND-ON-SEA CITY COUNCIL



Social media banner

Document cover

Social media icon



Letterhead watermark

Uniform with mono logo on coloured shirt



Vehicle livery

SOUTHEND-ON-SEA CITY COUNCIL



CONCEPT 2 - SHELL DESIGN

Conch shell design that includes a subtle 'S' motif on the right hand section of the shell.

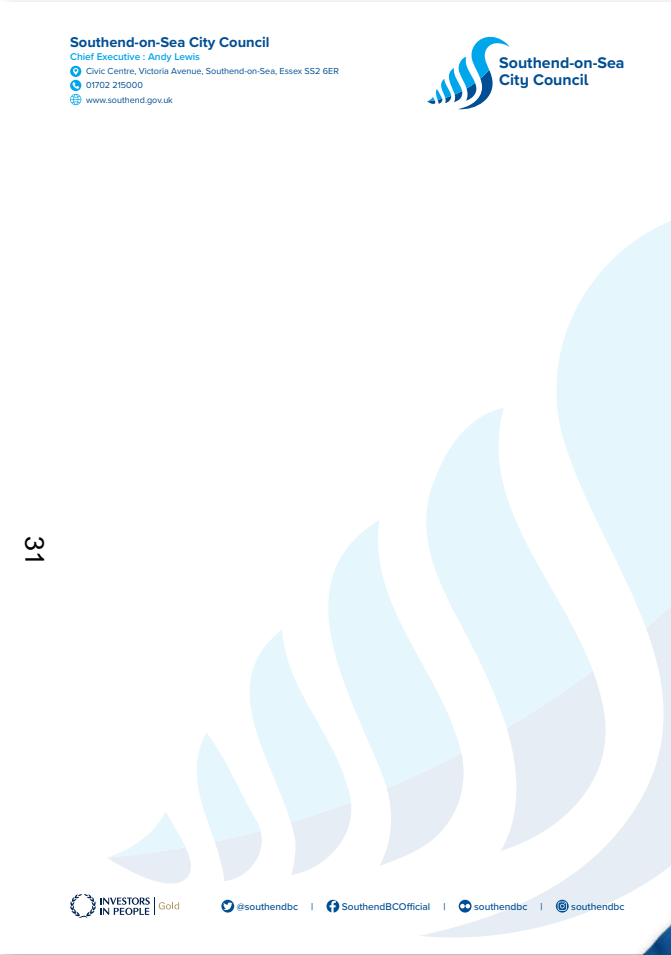
This icon is representative of the seaside and beach and also alludes to waves, water and the environment.

Again, we can use this in various colour ways and treatments as well as having different orientations.

This design works as a standalone device without supporting text, for social media.



SOUTHEND-ON-SEA CITY COUNCIL



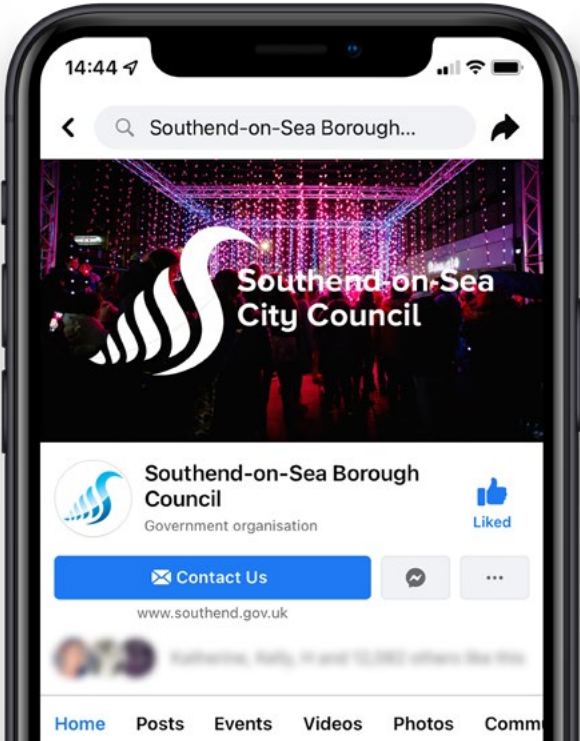
31



Social media banner

Document cover

Social media icon



Letterhead watermark

Uniform with mono logo on coloured shirt

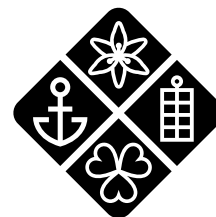


Vehicle livery

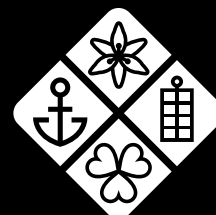
SOUTHEND-ON-SEA CITY COUNCIL



Southend-on-Sea City Council



Southend-on-Sea City Council



Southend-on-Sea City Council

CONCEPT 3 - MODERN COAT OF ARMS

A modern take on the coat of arms, focussing on the main shield element and its four arms that represent the heritage of the city.

- The lilies and vase, symbol of the Virgin Mary are for St Mary, Prittlewell,
- The anchor, the symbol of St Clement is for Leigh,
- The gridiron is for St Lawrence, Eastwood,
- The trefoil, symbol of the Holy Trinity, is for Southchurch.

These symbols can be simplified into basic icons and arranged in clear and uncomplicated quadrant design.

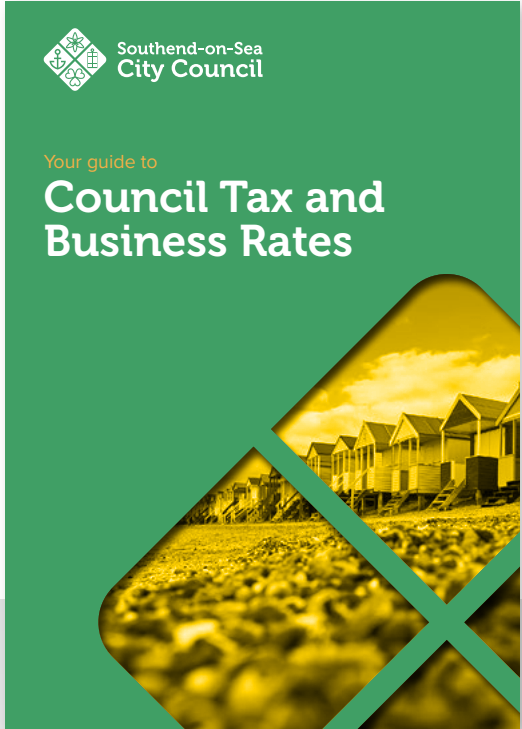
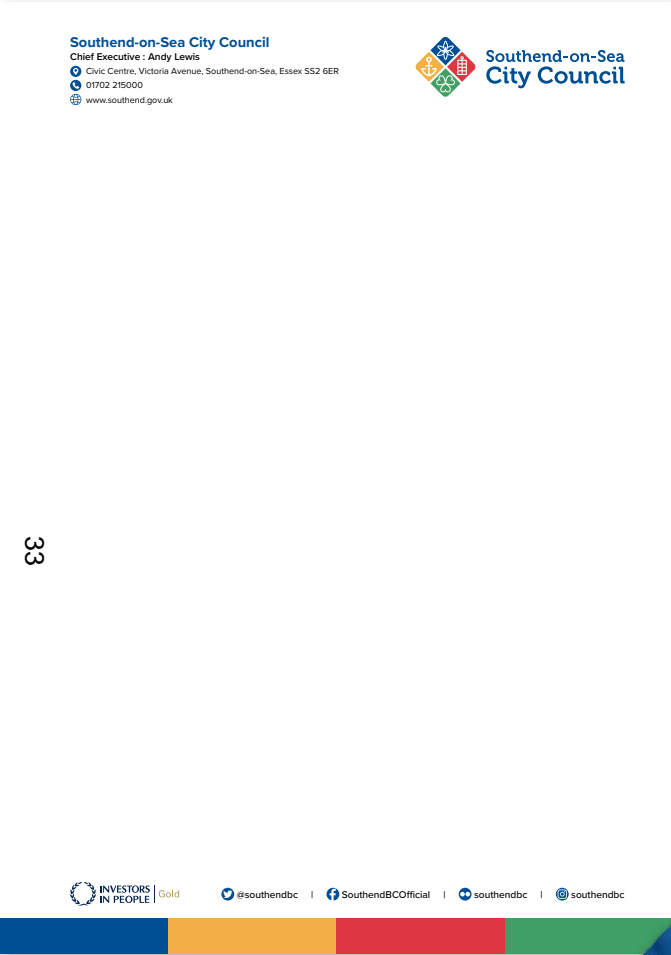
Furthermore, we can assign colours that are frequently associated with each saint: blue for St Mary, gold for St Clement, red for St Lawrence and green for the Holy Trinity.

This design works as a standalone device without supporting text, for social media.

Alternative colour schemes show below.



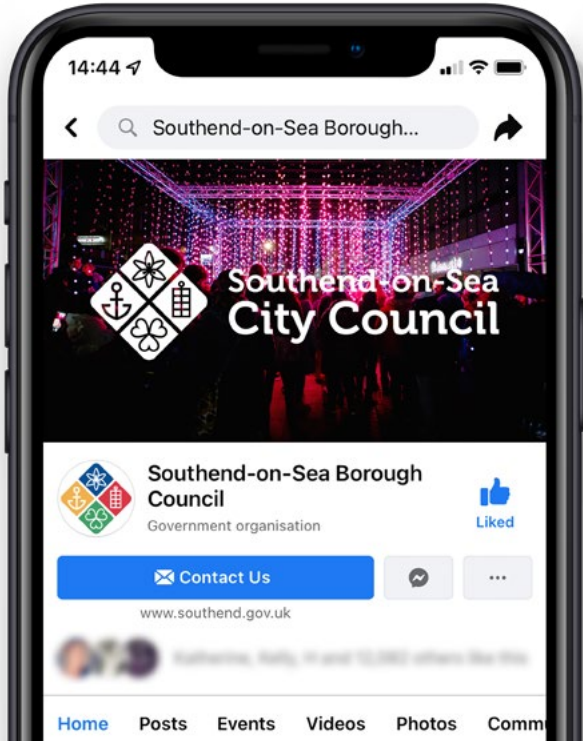
SOUTHEND-ON-SEA CITY COUNCIL



Social media banner

Document cover

Social media icon



Letterhead logo and matching border

Uniform with mono logo on coloured shirt



Vehicle livery



CONCEPT 4 - S MONOGRAM

An upper case 'S' for 'Southend' monogram style logo including waves and pier in the lower portion.

Including a simple representation of the pier with the Royal Pavilion makes this icon unmistakably 'Southend' and is unique in that it cannot be applied to any other Seaside town or city, even those that have a name that starts with an 'S'.

As a bold, striking design this logo works well across all platforms as a standalone logomark or combined with the Council name.

We can use this in various colour combinations and treatments as well as in different orientations with the Council name.

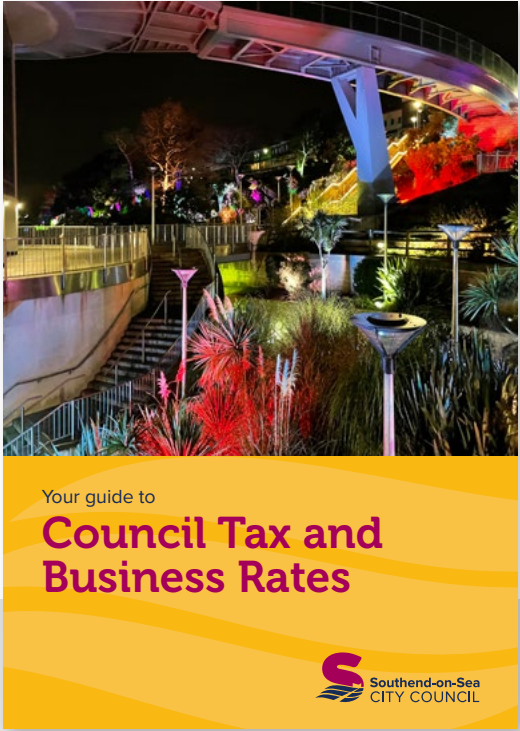


SOUTHEND-ON-SEA CITY COUNCIL



Letterhead watermark

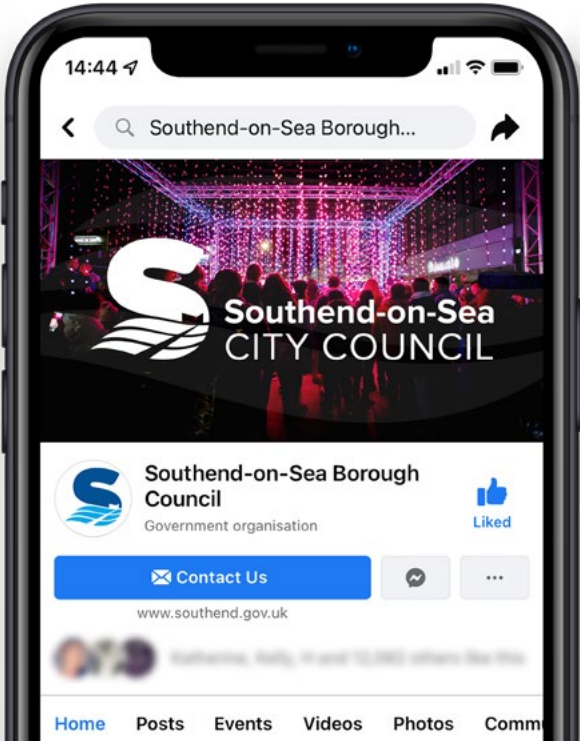
Uniform with mono logo on coloured shirt



Document cover

Social media banner

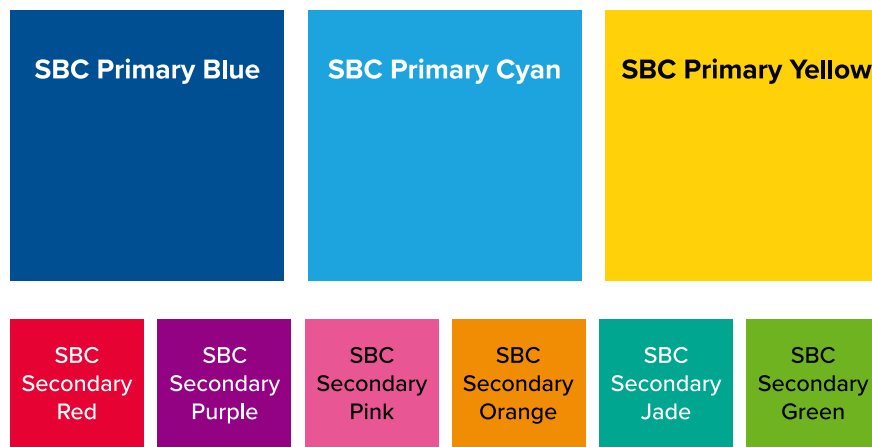
Social media icon



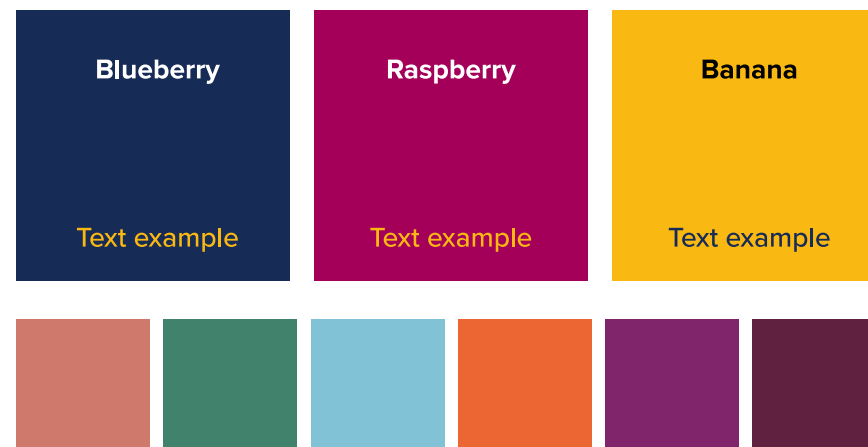
Vehicle livery

SOUTHEND-ON-SEA CITY COUNCIL

Current S.B.C. colour palette



Example alternate accessible colour palette



ANNEX A - COLOUR PALETTES

We have used the existing SBC colour palette throughout the design process as a baseline. However, we feel that it doesn't completely meet the requirements for accessibility, so an alternative palette option is being developed that could be applied to the new brand that meets WCAG compliance. These colours have been used sporadically on the previous pages.

The colour palette will form the basis of the entire brand identity. Whilst the primary colour will feature most heavily, a selection of secondary colours will help expand the flexibility of the design scheme when required, such as graphs, illustrations and CTAs.

SOUTHEND-ON-SEA CITY COUNCIL

Proxima Nova (current S.B.C brand font)

Southend-on-Sea City Council

PT Sans

Southend-on-Sea City Council

Museo

Southend-on-Sea City Council

Aleo

Southend-on-Sea City Council

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ANNEX B - TYPEFACES

A few typeface options for the wordmark element of the logo are shown above. These have been specifically chosen to meet accessibility standards for legibility.

The typeface used in the logo will ideally be used as part of the wider design scheme for the Council's new brand identity. In the case of Museo for example, this could be used as a display font paired with a simple body copy font such as Arial.

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Meeting of Association of South Essex Local Authorities (ASELA) - Joint Committee 7

Date: Thursday, 10th February, 2022

Place: Council Chamber, Castle Point Borough Council, Kiln Road, Thundersley, Benfleet, SS7 1TF

Present: Councillors S Wootton (Vice-Chair, in the Chair)
Councillors A Baggott (Leader - Basildon Borough Council), I Gilbert (Leader - Southend-on-Sea Borough Council) and P Varker (Deputy Leader - Castle Point Borough Council)
P Glading (Opportunity South Essex (Co-opted Member))

In Attendance: I Butt (Castle Point Borough Council), L Carpenter (Chief Executive - Thurrock Borough Council), M Doran (Essex County Council), A Hutchings (Rochford District Council), A Horgan (Castle Point Borough Council), S Logan (Chief Executive - Basildon Borough Council), S Tautz (Southend-on-Sea Borough Council (Secretariat)), A Wardle (ASELA Communications Lead) and L Wosko (Castle Point Borough Council)

Start/End Time: 10.00 am - 11.55 am

14 Apologies for Absence

Apologies for absence were received from Councillor C Hossack (Chair) (Leader - Brentwood Borough Council), Councillor K Bentley (Leader – Essex County Council), M Coxshall (Cabinet Member - Thurrock Borough Council), A Sheldon (Leader - Castle Point Borough Council) (Substitute: Councillor P Varker), G Jones (Chief Executive - Essex County Council), A Lewis (Chief Executive - Southend-on-Sea Borough Council) and J Stephenson (Joint Chief Executive - Brentwood Borough Council and Rochford District Council).

15 Declarations of Interest

No declarations of interest were made at the meeting.

16 Minutes of Previous Meeting

Resolved:

That the minutes of the meeting of the Committee held on 28 October 2021 be confirmed as a correct record.

17 Lower Thames Crossing

The Joint Committee received a presentation from M Palmer, Executive Director (Lower Thames Crossing) of Highways England, with regard to the current

proposals for the new A122 and the proposed Lower Thames Crossing, that was designed to provide relief for the existing Dartford Crossing from 2029.

M Palmer presented an overview of the development of the Lower Thames Crossing proposal and its intended positive impact on the delivery of skills, education and employment opportunities in the region, the proposed approach of Highways England to the mitigation of the impact of the new crossing on the environment in South Essex, and the plans for the crossing to support decarbonisation through low carbon emissions during construction and to deliver appropriate upskilling across construction industries to achieve a lasting positive legacy from the project.

The Joint Committee was advised that the Lower Thames Crossing would be a significant enabler of the current ASELA key programmes, particularly in support of the ambition for Thames Freeport and the future skills requirements to be delivered by the proposed South Essex Technical University, and that it was therefore important that the respective lead Chief Executive for each programme should work closely with M Palmer/Highways England to identify and progress opportunities to support each programme that arise from the development of the proposed crossing.

It was reported that the ASELA Communications Lead would also be able to provide support for appropriate engagement and communications activity around the benefits to the ASELA key programmes arising from the planning and delivery of the new Lower Thames Crossing.

Resolved:

- (1) That the current position with regard to the new A122 and the proposed Lower Thames Crossing, be noted.
- (2) That the lead Chief Executive for each of the ASELA key programmes work with M Palmer/Highways England to identify and progress appropriate opportunities arising from the proposed Lower Thames Crossing to support the delivery of the key programmes.
- (3) That the appreciation of the Joint Committee for his attendance at the meeting, be extended to M Palmer.

18 Association of South Essex Local Authorities - Finance Report

The lead Chief Financial Officer presented a report setting out the financial position of ASELA and the key programmes for February 2022, including budgeted income and expenditure, which provided assurance in relation to the arrangements for financial management and reporting in respect of the budget for 2021/22.

The Joint Committee was advised that the finance report now provided detail of the additional funding provided by the ASELA authorities and the income received from other partners for 2021/22, as requested at the previous meeting, alongside the budgeted income for 2022/23 and an initial budget forecast for 2023/24.

It was reported that the budget for 2021/22 currently forecast an in-year deficit of £66,000, which would be met from reserves arising from underspends in previous years, but that it was anticipated that the financial position of would show an £11,000 surplus for 2021/22 at year-end. The lead Chief Financial Officer reported that, at the present time, there were no financial issues or concerns to be brought to the attention of members.

The Joint Committee was advised that a surplus of £25,000 was currently forecast for 2022/23, although the ongoing level of such surplus would evolve alongside the development of appropriate business cases for the key programmes over the year.

Resolved:

That the ASELA finance report for February 2022, be noted.

19 Thames Freeport Programme - Highlight Report

The Joint Committee received a report setting out the current progress of the Thames Freeport programme.

It was reported that Rt Hon Ruth Kelly had recently been appointed as the interim Chair of the Thames Freeport Governing Board and that the final business case for the Freeport had been submitted to the Government on 8 January 2022. The Joint Committee noted that the business case was now be considered by the Department for Levelling Up, Housing and Communities and the Treasury and that, following approval of the business case, the Board would be expanded to include other stakeholders.

The Joint Committee was reminded that the Thames Freeport programme was aligned with the successful delivery of each of the other ASELA key programmes and that the £6m skills levy committed by the private sector leaders of the Thames Freeport initiative would provide significant support for the establishment of the proposed South Essex Technical University. The Joint Committee was advised that the outcomes arising from the establishment of the Thames Freeport would benefit not only the immediate area of the Freeport, but also have positive impacts across South Essex whilst also complementing the aspirations set out in the recently published Levelling Up White Paper.

The Joint Committee considered that it was important for the success of the programme, that the aspirations of ASELA for the Thames Freeport be conveyed beyond the scope of the current key private sector partners, to ensure that small and medium-size enterprises were also engaged with the programme and were aware of the benefits that could be generated for local businesses by the operation of the Freeport.

Resolved:

That the progress of the Thames Freeport programme be noted and that the continued provision of support to deliver the programme, be endorsed.

20 Infrastructure & Housing Programme - Highlight Report

The Joint Committee received a report setting out the current progress of the Infrastructure and Housing programme.

It was reported that the place-based partnership between ASELA and Homes England had been formalised through a Memorandum of Understanding signed by the Chair of the Joint Committee and the Chair of Homes England on 17 January 2022. The Joint Committee was advised that Memorandum of Understanding represented one of only two such accelerated housing partnerships across England and enabled ASELA to work alongside Homes England at a more strategic level than would normally be possible by individual local authorities, but that discussions on the funding of specific projects would continue to be held directly with local authorities by Homes England, where appropriate. The Joint Committee was informed that further work was currently planned to strengthen links between housing associations, small and medium-size enterprises and ASELA, to increase capacity for accelerated housing provision.

The Joint Committee was advised that work had commenced on a project to vision new settlements and urban extensions through appropriate engagement, although it was emphasised that the planning of such new settlements and extensions would remain a sovereign matter for individual local authorities. It was reported that Essex County Council were providing impetus to the work around the visioning of new settlements and urban extensions to ensure that its ambitions for sustainable transport and active travel were designed into new settlements, to provide relevant infrastructure and facilitate appropriate behaviour change.

It was reported that a draft version of the non-statutory South Essex Joint Strategic Framework designed to complement the local plans of each local authority was nearing completion and that it was anticipated that this would be rolled-out for discussion with Leaders and relevant Cabinet Members/Portfolio Holders over the next month.

Resolved:

- (1) That the signing of the Memorandum of Understanding between ASELA and Homes England be noted.
- (2) That the proposed further work to unlock housing sites already approved by constituent ASELA local authorities, be approved.
- (3) That the further planned action to support market stimulation, including work with housing associations, small and medium-size enterprises and guidelines for new settlements and urban extensions, be noted.

21 South Essex Estuary Park (SEE Park) Programme - Highlight Report

The Joint Committee received a report setting out the current progress of the South Essex Estuary Park (SEE Park) programme.

It was reported that work was progressing well on the initial stages of the programme, which was closely linked with the development of the South Essex Joint Strategic Framework and the other key programmes of ASELA. The Joint Committee was reminded that the aspiration of the SEE Park programme was for the provision of 23,000 hectares of 'green and blue' infrastructure across South

Essex, and that it was therefore necessary for elements of the programme to be delivered over time and in conjunction with the aspects of the other key programmes.

The Joint Committee was advised that the draft design for the first phase of the demonstrator project at the Central Thames Marshland had been completed and that draft business cases for each of the other proposed landscape spaces were being developed for future consideration by the Committee, to provide a high-level overview of the SEE PARK delivery programme and identify potential project partners and funding streams. It was reported that Metal had been appointed to support the Creative Workstream within the programme to facilitate the development of the creative and cultural arising from the SEE PARK.

The Joint Committee considered that it was important for the success of the programme, that the aspirations of ASELA for the concept of the connected SEE Park across local authority boundaries, be explained as part of an appropriate communications strategy that also set out how the establishment of the SEE Park would address the existing carbon reduction and biodiversity objectives of the individual ASELA authorities.

Resolved:

That the progress of the SEE Park programme be noted and that the continued support to deliver the programme, be endorsed.

22 Full Fibre Digital Programme - Highlight Report

The Joint Committee received a report setting out the current progress of the Full Fibre Digital programme.

It was reported that infrastructure laying for the Phase 2 of the local full fibre network scheme was progressing well and that full fibre connectivity had now been achieved or identified for over 200 public sector sites across South Essex. The Joint Committee was advised that the programme was currently focussed on opportunities for the leverage of investment from fibre carriers and infrastructure providers and the delivery of 'Taking of Service' work to ensure that connected sites could derive best value for local areas from connectivity with the full fibre infrastructure. The Joint Committee was informed that a report in respect of the procurement framework arrangements for Taking of Service for village halls and community centres being led by Brentwood Borough Council, would be made to the next meeting.

The Joint Committee was advised that a communication strategy around the local impacts and benefits arising from the delivery of the Full Fibre Digital programme and the lessons learnt from pilot scheme hosted by Thurrock Borough Council to reduce social isolation in sheltered accommodation, was currently being developed.

It was reported that market engagement with fibre carriers and infrastructure providers that had expressed interest in investing in the region and the alignment of private sector investment with the priorities of ASELA, was a key aspect of the delivery of the Full Fibre Digital programme, to ensure that connectivity was rolled out as quickly as possible. The Joint Committee was advised that the delivery of

the programme would also continue to focus on ensuring that coverage 'Not Spots' across the region were identified and addressed, to ensure that the achievement of an inclusive digital infrastructure going forward.

Resolved:

- (1) That the progress of the Full Fibre Digital programme be noted and that the continued support to deliver the programme, be endorsed.
- (2) That details of the public sector sites across South Essex for which full fibre connectivity has been completed pursuant to Phase 1 of the programme, and the additional sites identified for full fibre installation as part of Phase 2 of the programme, be circulated to all members of the Joint Committee.

23 South Essex Technical University Programme - Highlight Report

The Joint Committee received a report and presentation setting out the current progress of the South Essex Technical University programme.

It was reported that, following the approval of the feasibility study in early 2021, the first draft of the detailed business case for the proposed South Essex Technical University was being developed to address feedback received from stakeholders and the Partnership Board and was anticipated to be completed by the end of February 2022, for consideration at the next meeting. It was noted that the timescale for approval of the full business case had slipped in order to ensure that it secure the funding needed to progress to the next phase of the programme.

The Joint Committee was advised that the financial model for the Technical University was considered to be commercially viable, although it would require cashflow funding in the start-up phase, but that potential sources of funding were being explored, including through strengthened links with Thames Freeport. It was reported that the development of the proposed Technical University was consistent with the aspirations of the Government set out in the recent Levelling Up White Paper.

It was reported that the Partnership Board was working on the development of a high-level plan to secure the next phase of the programme, including company formation and governance arrangements, the securing of funding to 'pump prime' the programme through engagement with local business and the development of the skills pipeline, and the procurement of an appropriate higher education partner.

The Joint Committee considered that it was important for the success of the programme, that the aspirations of ASELA for the South Essex Technical University be conveyed beyond the scope of the current key private sector partners, to ensure that small and medium-size enterprises were also engaged with the programme and were aware of the benefits that could be generated for local businesses in terms of addressing current and future skills requirements across South Essex.

Resolved:

That the progress on the development of the full business case for the South Essex Technical University, in advance of its presentation to the next meeting of the Joint Committee, be recognised and supported.

24 Association of South Essex Local Authorities - Communications Report

The Joint Committee received an update on recent communications and engagement activity undertaken to support ASELA and the delivery of the current key programmes.

It was reported that progress had been made to update the ASELA communications channels and to increase engagement with the key programmes by stakeholders, through the building of a South Essex 'brand.' The Joint Committee considered proposals for the development of a communications and engagement strategy for ASELA and was advised of several forthcoming events and project milestones that would provide proactive communication and engagement opportunities.

The Joint Committee considered that opportunities to raise the profile of ASELA and the current key programmes, through appropriate engagement with local Members of Parliament to support and promote the success of projects across South Essex, should be investigated as part of the proposed communications and engagement strategy for ASELA.

Resolved:

- (1) That the recent communications and engagement activity to support ASELA and the delivery of the key programmes be noted.
- (2) That the proposed communications and engagement strategy for ASELA be endorsed.
- (3) That details of the respective social media platforms for ASELA and the key programmes be circulated to all members of the Joint Committee.

25 'South Essex No Use Empty' Scheme

The Joint Committee received an overview of the 'No Use Empty South Essex' Scheme for bringing long-term empty properties back into alternative commercial or mixed-use commercial/residential use to aid the revitalisation of town centres.

The Joint Committee was advised that 'No Use Empty' was a project that had been run successfully by Kent County Council for a number of years and was recognised as good practice by the Government and that the relationship of the scheme for South Essex' with Kent County Council had been formalised through a Service Level Agreement, with Southend-on-Sea Borough Council acting as the 'accountable body for the funding of the scheme locally.

It was reported that through work led by Southend-on-Sea Borough Council, grant funding of £2.2m had been secured for the scheme to deliver 10 to 15 projects across South Essex and that the role of the ASELA local authorities would be to publicise and market the scheme locally to ensure that a strong pipeline of potential projects was identified to ensure that return on investment was

maximised. The Joint Committee was advised that the scheme had been launched on 7 February 2022.

The Joint Committee requested that clarification be sought as to whether the £1.2m grant funding received for the Scheme from the 'Getting Building Fund' should be expended on bringing empty properties back into use before the funding of £1m secured from the 'Growing Places Fund', as it was suggested that the grant funding received from the 'Getting Building Fund' might need to be spent by the end of September 2022.

Resolved:

- (1) That the overview of the 'No Use Empty South Essex' Scheme be noted.
- (2) That the ASELA local authorities ensure that their respective Economic Development and Regeneration and Teams are involved in promoting the opportunities provided by the Scheme for their areas and the ASELA partnership.
- (3) That opportunities for appropriate publicity to promote the support of ASELA for the launch of the Scheme, be investigated.
- (4) That the success of the Scheme and the operation of the Service Level Agreement with Kent County Council be reviewed by the Joint Committee at an appropriate juncture.