

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Traffic Regulations Working Party

Date: Monday, 7th November, 2022

Place: Committee Room 1 - Civic Suite

Present: Councillor S Wakefield (Chair)
Councillors P Collins (Vice-Chair), K Buck, D Cowan, T Cox, A Dear,
L Hyde, K Mitchell, J Moyies, D Nelson*, M Sadza and R Woodley
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: J Burr, L Delahunty and T Row

Start/End Time: 6.30 pm - 9.00 pm

1 Apologies for Absence

Apologies for absence were received from Councillor Walker (substitute: Councillor Nelson).

2 Declarations of Interest

The following interests were declared at the meeting:-

(i) Councillor Cox – Minute No. 5 (Annual Parking & Enforcement Report 2021/22) – Daughter attends Richmond Primary School which was mentioned in the report;

(ii) Councillor Nelson – Minute No. 5 (Annual Parking & Enforcement Report 2021/22) – Family are members of the Thorpe Bay Tennis Club in Thorpe Bay Gardens; and

(iii) Councillor Wakefield – Minute No. 5 (Annual Parking & Enforcement Report 2021/22) – Some customers of his business are from Thorpe Bay Gardens.

3 Minutes of the Meeting held on Monday, 21st February, 2022

Resolved:-

That the Minutes of the Meeting held on Monday, 21st February 2022 be received and confirmed as a correct record.

4 Thorpe Bay Gardens - Evaluation of Evidence

Further to Minute 653 of the meeting of Cabinet Committee held on 4 January 2022, the Working Party received a report of the Executive Director (Neighbourhoods & Environment) that provided an evaluation of all the evidence of alleged anti-social behaviour on Thorpe Bay Gardens provided by residents, the Police and the Council's Community Safety team since the introduction of a Public Spaces Protection Order (PSPO) in 2019.

The report also provided a review of the covenant relating to the land bounded by the public highways (but not including the said public highway) of Thorpe Bay Esplanade and Thorpe Bay Gardens.

The Working Party discussed the information contained in the report in some detail and concluded that the use of the waiting restrictions under Road Traffic Regulation Act 1984 to address the issues of anti-social behaviour in Thorpe Bay Gardens was inappropriate and could leave the Council at risk of legal challenge. Although the most appropriate controls issues experienced could be addressed under the controls introduced under the existing PSPO, it did not include an explicit reference to parking or driving on the greens within the designated area and were therefore considered somewhat vague in dealing with these issues. It was unclear who would be responsible for enforcing the controls, particularly outside of the working hours of the Council's Community Safety Team. It was therefore felt that this should be addressed through an amendment of the PSPO or the introduction of a new one to deal specifically with parking and driving of greens within the City as a whole.

Resolved:-

1. That the proposed traffic regulation order to amend the restrictions in Thorpe Bay Gardens not be progressed on the basis that there is no justification under the Road Traffic Regulation Act 1984 to advertise and implement the proposals and is likely to be unlawful to do so.

2. That, on the grounds that the reason for seeking the traffic regulation order was to address anti-social behaviour, the matter be referred to the Council's Public Protection Working Party for consideration with a recommendation that the existing Public Spaces Protection Order (Southend Town Centre, Seafront and Adjoining Areas) No. 1 of 2019 be amended to include the specific prohibition of driving and parking on the green spaces within the designated area or that a new Public Spaces Protection Order be introduced to prohibit this.

5 Annual Parking & Enforcement Report 2021/22

The Working Party received a report of the Executive Director (Neighbourhoods and Environment) that provided an overview of the annual parking report and performance for 2021/22 which must be published publicly in accordance with the requirements of the Traffic Management Act 2004 (TMA).

In response to questions regarding the accessibility to information about residential parking permits on the Council's website, the Council's Head of Civil Engineering undertook to investigate the matter after the meeting.

In response to questions regarding the levels of cashless payments for parking charges, the Head of Civil Engineering undertook to provide a breakdown of cash payments in terms of credit/debit card payments, payments via the app and any other methods of payment, including via the Mobon app.

Resolved:-

That the report be noted.

6 Highways Update Report

The Working Party received a report of the Executive Director (Neighbourhoods and Environment) that provided an annual update on the implementation of the highway asset management approach to managing the City's highway infrastructure.

In response to a questions the following undertakings/assurances were given:

- the length/number of cycle tracks within the City to be clarified;
- clarification of drainage and flooding responsibilities to be discussed after the meeting;
- clarification of the method of ascertaining/reporting the condition of footways;
- why only a small section of Delaware Road had been resurfaced when the entire road had been listed for resurfacing;

Resolved:

That the report be noted.

7 Traffic (Civil Engineering) Update Report

This item was deferred until the next meeting.

Chair: _____