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SOUTHEND-ON-SEA CITY COUNCIL

Cabinet

Date: Monday, 18th September, 2023

Time: 6.30 pm

Place: Committee Room 1 - Civic Suite

Contact: Colin Gamble

Email: committeesection@southend.gov.uk

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of the Meeting held on Tuesday, 18 July 2023 (Pages 3 - 10)**
- 4 Policy and Resources Scrutiny Committee In-depth Scrutiny Project - Developing Strong Governance - Strengthening Joint Working between Councillors and Officers (Pages 11 - 28)**
Report of Executive Director (Finance and Resources)
- 5 People Scrutiny Committee In-depth Scrutiny Project - Providing First Class Services for families of Children with Special Educational Needs and Disabilities (Pages 29 - 52)**
Report of Executive Director (Finance and Resources)
- 6 Place Scrutiny Committee In-depth Project: "Preparing Southend for the EV Revolution" - Final Report & Recommendations (Pages 53 - 94)**
- 7 Finance and Corporate Performance Report 2023/24 to end of July 2023 (Period 4)**
Report of Executive Director (Finance and Resources) to follow
- 8 Corporate Risk Register (Pages 95 - 128)**
Report of Executive Director (Finance and Resources)
- 9 Economic Growth Strategy (Pages 129 - 136)**
Report of Executive Director (Environment and Place)
- 10 Domestic Abuse Strategy (Pages 137 - 176)**
Report of Executive Director (Adults and Communities)
- 11 Procedure for Statutory Nuisance Investigation and Progression 'Nuisance Policy' (Pages 177 - 232)**
Report of Executive Director (Environment and Place)
- 12 Treasury Management Report - Quarter 1 (2023/24) (Pages 233 - 248)**
Report of Executive Director (Finance and Resources)

- 13 Debt Management Position to 31 July 2023**
Report of Executive Director (Finance and Resources) to follow
- 14 School Admission Arrangements for Community Schools 2025/26 - The Co-ordinated Admission Scheme for Academic Year 2025/26 and Review of the Relevant Area** (Pages 249 - 286)
Report of Executive Director (Children and Public Health)
- 15 Minutes of the Shareholder Board held Monday, 14 August 2023** (Pages 287 - 290)
- 16 Notices of Motion Referred from Council held Thursday, 13 July 2023**
(Pages 291 - 298)
Report of Executive Director (Finance and Resources)
- 17 Action Taken by Individual Cabinet Member** (Pages 299 - 300)
Report attached
- 18 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 item of business set out below on the grounds that it involves 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.
- 19 Waste Procurement**
Report of Executive Director (Environment and Place) to follow

Chair & Members:

Cllr T Cox (Chair), Cllr M Davidson (Vice-Chair), Cllr H Boyd, Cllr K Buck, Cllr J Courtenay, Cllr D Garston, Cllr D Jarvis, Cllr J Lamb, Cllr J Moyies and Cllr D Nelson

Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Tuesday, 18th July, 2023
Place: Jubilee Room - Civic Suite

3

Present: Councillor T Cox (Chair)
Councillors M Davidson (Vice-Chair), H Boyd, K Buck, J Courtenay,
D Garston, J Lamb, J Moyies and D Nelson

In Attendance: Councillors L Burton and A Jones
M Marks, J Chesterton, C Gamble, M Harvey, A Keating, S Newman
and A Richards

Start/End Time: 6.30 pm - 7.01 pm

18 Apologies for Absence

Apologies for absence were received from Councillor Jarvis.

19 Declarations of Interest

The following declarations of interest were made:

(a) Cllr Buck – Minute 26 (Notice of Motion – Better Queensway) – Council appointed Board member South Essex Homes.

(b) Cllr Moyies – Minute 28 (Notice of Motion – WASPI) – Sister is affected as a WASPI woman.

(c) Cllr Nelson – Minute 22 (Public Health Annual Report) – wife works at the hospital.

(d) A Richards – Minute 26 (Notice of Motion – Better Queensway) – Council representative on Porters Place LLP.

20 Apologies for Absence

Resolved:-

That the Minutes of the Meeting held on DAY MONTH YEAR be confirmed as a correct record and signed.

21 Delivery of Southend Outcomes and Priorities - Annual Report and Provisional Outturn 2022/23

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Council's Annual Report for 2022/23, highlighting the achievements, successes, and challenges towards delivery of the Corporate Plan.

Resolved:

1. That the achievements, successes and challenges brought to life within the Annual Report 2022/23, as set out at Appendix 1 to the submitted report, be noted.

Recommended:

2. That the provisional 2022/23 revenue outturn position for both the General Fund and Housing Revenue Account (HRA), be noted and that the agreement of any final adjustments, following the completion and audit of the Statement of Accounts, be delegated to the Executive Director (Finance and Resources).

3. That the appropriation of revenue funds to and from earmarked reserves, as set out in the report, be approved.

4. That the potential revenue impact of the 2022/23 outturn on the 2023/24 General Fund budget and Medium Term Financial Strategy, be noted.

5. That it be noted that the expenditure on the capital investment programme for 2022/23 totalled £51.822M against a revised budget of £61.820M.

6. That the relevant budget carry forwards and accelerated delivery requests totalling a net £13.032M moving into 2023/24 and future years, as set out in Appendix 2 to the submitted report, be approved.

7. That the virements, reprofiles, additions, deletions and new external funding for schemes, as detailed in Appendix 2 to the report, be approved and that it be noted that this will result in an amended Capital Investment Programme deliverable by the Council of £137.705M for the period 2023/24 to 2027/28, as detailed in Appendix 3 to the report.

8. That it be noted that the requested changes as detailed in Appendix 2 to the report will result in an amended total Capital Investment Programme deliverable by South Essex Homes Limited, Porters Place Southend-on-Sea LLP and Kent County Council of £59.046M, as detailed in Appendix 3 to the report.

9. That it be noted that a further review of the affordability and prioritisation of the current approved Capital Investment Programme and all the schemes currently listed as subject to viable business cases will be brought back to a future Cabinet meeting.

10. That the content of the Infrastructure Funding Statement 2022/23 (included in Appendix 4 to the report), be noted and that the CIL Main Fund receipts be carried forward from reported year 2022/23 and previous reported years until the CIL Governance Framework and spending plans are reviewed for the reported year 2023/24, or Cabinet authorise any detailed spending proposals.

11. That authority be delegated to the Executive Director for Growth and Housing, in consultation with Ward Members and the Cabinet Member for Housing and Planning to agree how the CIL Ward Neighbourhood Allocations received up until 31 March 2023 (excluding allocation to Leigh Town Council) are to be spent.

Reasons for decisions:

1. To provide Cabinet with the provisional revenue and capital outturn position for 2022/23.
2. As part of the year end processes, Cabinet is required to approve any appropriations to or from earmarked reserves. This report fulfils that purpose.
3. Cabinet is required to approve capital budget carry forwards, accelerated delivery requests and in year amendments to the current approved programme.

Other Options:

None. This is a factual report setting out the 2022/23 outturn and is a reporting requirement of good financial governance.

Note: The decision in Resolution 1 above constitutes an Executive Function. The Recommendations in 2 to 11 constitute Council Functions.

Not eligible for call-in as the matter has been subject to pre-Cabinet Scrutiny by the Policy and Resources Committee.

Cabinet Member: Cllr Cox

22 Public Annual Health Report

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the 2022/23 Annual Report of the Director of Public Health.

Resolved:

That the 2022/23 Annual Report of the Director of Public Health, be noted.

Reasons for decision:

The Health and Social Care Act 2012 requires Directors of Public Health to prepare an annual report on the health of the local population.

Other options:

None.

Note: This is an Executive Function

Not eligible for call-in as the matter has been subject to pre-Cabinet scrutiny by the People Scrutiny Committee

Cabinet Member: Cllr Moyies

23 Official Feed and Service Plan 2023-24

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Official Feed and Food Control Service Plan 2023-24.

Recommended:

1. That the achievements against the previous Feed and Food Control Service Plan 2022-23, be noted.

2. That the Official Feed and Food Control Service Plan 2023-24, be approved.

Reasons for decision:

To comply with the Food Standards Agency Framework Agreement.

Other options:

None. This is a statutory requirement.

Note: This is a Council Function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Place Scrutiny Committee

Cabinet Member: Cllr Lamb

24 Treasury Management Report 2022/23

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Annual Treasury Management Report covering the treasury activity for the period from April 2022 to March 2023.

Resolved:

1. That the Annual Treasury Management Report for 2022/23 and the outturn Prudential Indicators for 2022/23, be approved.

2. That it be noted that the financing of 2022/23 capital expenditure of £51.822m has been funded in accordance with the schedule set out in the submitted report.

3. That it be noted that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2022/23.

4. That the following in respect of the return on investment and borrowing, be noted:

- The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

- £3.773m of interest and income distributions for all investments were earned during 2022/23 at an average rate of 2.37%. This is 0.13% over the average SONIA rate (Sterling Overnight Index Average) and 0.07% over the average bank base rate. Also, the value of the externally managed funds decreased by a net of £7.335m due to the changes in the unit price, giving a combined return of -2.24%.

- The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County

Council on 1st April 1998) remained at £347.3m (Housing Revenue Account (HRA): £74.2m, General Fund (GF): £273.1m) throughout 2022/23.

- The level of financing for 'invest to save' schemes decreased from £8.39m to £8.22m by the end of 2022/23.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2022/23 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options:

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note: This is an Executive Function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Policy and Resources Scrutiny Committee.

Cabinet Member: Cllr Cox

25 HRA - Heating Charges

The Cabinet considered a report of the Executive Director (Finance and Resources) setting out the rationale for reducing heating charges in view of the lower contract costs currently in force for the supply of gas to properties with communal heating systems.

Resolved:

1. That the heating charges to properties with a communal heating system be reduced, with effect from Monday 4th September 2023 as set out in the submitted report.
2. That future decisions to decrease heating charges be enacted automatically by officers in consultation with the relevant Portfolio Holder, without further need for future papers to Scrutiny or Cabinet, so as to pass savings onto residents in a timely manner.
3. That any future proposed charging increase(s) be reported to the relevant Scrutiny Committee and Cabinet for consideration before any decision is taken.

Reasons for decision:

Without taking the proposed action the Council, through the management of South Essex Homes, would overcharge tenants that are supplied with heating and hot water from communal heating systems and would fail to comply with a fair charging system under the Heat Network Regulations. The recommended action

is therefore proposed through which to charge affected tenants the correct amount over the course of the year.

Other options:

None

Note: This is an Executive Function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Policy and Resources Scrutiny Committee.

Cabinet Member: Cllr Garston

26 Notice of Motion - Better Queensway

The Cabinet considered a report of the Executive Director (Environment and Place) responding to the Notice of Motion concerning Better Queensway referred to Cabinet by Special Council held on 29th June 2023.

Resolved:

That the amended Notice of Motion (Better Queensway) endorsed by Special Council held on 29th June 2023, as set out at Appendix 1 to the submitted report, be approved.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

This matter is not eligible for call-in.

Cabinet Member: Cllr Nelson

27 Notice of Motion - For Great Homes Upgrade

The Cabinet considered a report of the Executive Director (Environment and Place) providing a response to a Notice of Motion referred by Council on 23rd March 2023 to Cabinet calling on the Government for a Great Homes Upgrade and a commitment to retrofit 19 million homes by 2030.

Resolved:

That the Council continues to pursue its ambitions to retrofit our housing stock to reduce heat demand, save energy and assist our tenants with their fuel costs. To assist with the retrofit challenge, the Council will continue to bid for funding wherever possible and notes the Notice of Motion intention to request Government assistance with additional resources for Local Authorities to achieve our retrofit targets.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

This matter is not eligible for call-in.

Cabinet Member: Cllr Garston

28 Notice of Motion - Women Against State Pension Inequality (WASPI)

The Cabinet considered a report of the Executive Director providing a response to a Notice of Motion referred by Council held on 23rd March 2023 to Cabinet asking the Leader of the Council to write to Southend's local Members of Parliament and the Secretary of State for Work and Pensions (DWP) in support of the Southend WASPI who have suffered financially because of changes to the rise in pension age.

Resolved:

That the Leader of the Council writes to the two local Members of Parliament, and to the Secretary of State for Work and Pensions to outline the effects of the injustice to 1950s women on the community in the City of Southend-on-Sea and to seek their support for an immediate compensation package.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Cox

29 Air Quality Action Plan 2023-2027

The Chair agreed to take this matter as an urgent item.

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Air Quality Action Plan 2023-2027 for adoption.

Resolved:

1. That the Air Quality Action Plan 2023-2027, as set out in Appendix 1 to the submitted report for the Air Quality Management Area 2 (Appendix 2 to the submitted report), be approved and that it be noted that the Plan must be adopted no later than the negotiated, extended DEFRA deadline of 31 July 2023.

2. That the relevancy of air quality measures contained within the Air Quality Action Plan 2023-2007 to Air Quality Management Area 1 and the rest of the City, be noted.

Reasons for decision:

It is a statutory duty to put in measures to improve local air quality through the development and implementation of an AQAP, to reduce the impact on the health of those living and working within Southend-on-Sea City Council area.

Other Options

None. The Local Authority has a statutory duty to adopt an AQAP where an AQMA has been declared.

Note: This is an Executive Function

Not eligible for call-in as the matter is an urgent key decision

Cabinet Member: Cllr Davidson

Chairman: _____

Meeting:	Cabinet
Date:	18 September 2023
Classification:	Part 1
Key Decision:	No
Title of Report:	In-Depth Scrutiny Projects 2022/23 - Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers.
Report Author:	S Cox (Principal Democratic Services Officer)
Executive Director	Joe Chesterton (Executive Director – Finance & Resources)

1. Purpose of Report

- 1.1 To present the final report and recommendations of the In-Depth Scrutiny Project for 2022/23 – ‘Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers’.

2. Recommendations

- 2.1 **That Cabinet approve the recommendations arising from the in-depth scrutiny project, detailed at paragraph 11 of the attached report.**

3. Background

- 3.1 At its meeting in July 2022, the Policy and Resources Scrutiny Committee agreed that an in-depth scrutiny project be undertaken during the 2022/23 municipal year on the theme of ‘Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers’, as part of the scrutiny work programme for the year.

- 3.2 The Project Team for the In-Depth Scrutiny Project comprised the following members appointed by the Council on 19 May 2022:

Councillors T Cowdrey, D Garston, A Line, R McMullan, D Nelson, M Sadza, C Walker

Former Councillor: I Shead

- 3.3 Councillor T Cowdrey was appointed Chair of the Project Team at its initial project scoping meeting held on 28 September 2022.

- 3.4 The Project Team met on six occasions between September 2021 and March 2022. Efforts were made by the Project Team to ensure that the timescale for

the delivery of the project was maintained and that the project was completed within the 2022/23 municipal year.

- 3.4 The final report arising from the In-Depth Scrutiny Project is attached as Appendix 1 and the recommendations of the Project Team are set out in Section 11 of the report. These have been agreed by the Project Team.
- 3.5 The final report and recommendations arising from the in-depth scrutiny project were agreed by the Policy and Resources Scrutiny Committee at the meeting held on 12 July 2023.
- 3.6 It is suggested that the report and recommendations arising from the project should be presented to the Cabinet by T Cowdrey as Chair of the Project Team that led the project.

4. In-Depth Scrutiny Project 2022/23 - Report and Recommendations

- 4.1 In accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report of the in-depth scrutiny report is attached at Appendix 1 for approval by the Cabinet.
- 4.2 The recommendations from the review are set out in Section 11 of the report.
- 4.3 The Cabinet is requested to endorse the recommendations arising from the in-depth scrutiny project.

5 Corporate Implications

Contribution to the Southend 2050 Road Map

Becoming an excellent and high performing organisation.

Financial Implications

There are costs associated with organising in-depth projects relating to officer time, but this will all be contained within existing resources.

Legal Implications

None

People Implications

None.

Property Implications

None

Consultation

As described in report.

Equalities and Diversity Implications

None

Risk Assessment

None

6. Background Papers

None

7. Appendices

Appendix 1 - Final report of In-Depth Scrutiny Project 2022/23 - Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers.

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**Policy and Resources Scrutiny
Committee**

**In-Depth Scrutiny Project
2022/23**

**‘Developing Strong
Governance:
Strengthening Joint
Working Between
Councillors and Officers’**

Final Report and Recommendations (July 2023)

1. INTRODUCTION

- 1.1 I am pleased to be able to present this report and recommendations of the in-depth scrutiny project for 2022/23.
- 1.2 Councillors and officers are indispensable to one another and mutual respect between both is essential for good local government, as a strong, constructive and trusting relationship between councillors and officers is essential to the effective and efficient working of the Council. Councillors provide a democratic mandate to the Council, whereas officers contribute the professional expertise needed to deliver the policy framework agreed by members and together, they bring the critical skills, experience and knowledge required to manage a local authority effectively. This in-depth scrutiny project builds upon some of the issues that were considered as part of the joint in-depth scrutiny project undertaken for 2021/22 and I would like to thank all councillors, former councillors and officers for their contribution to the project.
- 1.3 Finally, I would like to thank officers of the Democratic Services Section for their assistance and support during the course of the in-depth scrutiny project and in the production of this final report.



Councillor Tricia Cowdrey
Chair of the In-Depth Scrutiny Project Team

2. BACKGROUND

- 2.1 Each of the Council's scrutiny committees (the People Scrutiny Committee, the Place Scrutiny Committee and the Policy and Resources Scrutiny Committee) has traditionally undertaken an in-depth scrutiny project each year. The in-depth projects are selected at the beginning of each municipal year and generally focus on the Council's corporate priorities or matters of local concern. Recent in-depth scrutiny projects have also been aligned with the ambition and outcomes arising from the Southend 2050 programme. The in-depth scrutiny projects lead to the development of reports and recommendations which advise the Executive and the Council on its policies, budget provision and service delivery. Participation in the in-depth projects enable councillors to be actively involved in a specific topic and to influence and shape proposals around service improvement that will result in improved outcomes.

3. FRAMEWORK OF THE IN-DEPTH SCRUTINY PROJECT

- 3.1 At its meeting in July 2022, the Policy and Resources Scrutiny Committee agreed that an in-depth scrutiny project be undertaken during the 2022/23 municipal year on the theme of 'Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers', as part of the scrutiny work programme for the year.

- 3.2 There were a number of reasons for the identification of the in-depth scrutiny project. In particular, the project built upon the success of the project undertaken jointly by each of the scrutiny committees for 2021/22, on the theme of 'Enabling Councillors to be Effective'..
- 3.3 The agreed scope of the in-depth scrutiny project was:
- (a) To ensure that the separate review being undertaken of the Council's Constitution by the General Purposes Committee, to which all members of the Council have a separate opportunity to contribute, is used to deliver effective communication between councillors and officers.
 - (b) Where relevant, to feed into the review being undertaken of the Constitution by the General Purposes Committee.
 - (c) To review current arrangements for communication between councillors and officers and to identify what better communication would look like, using 'live' examples, setting a positive tone and learning from strengths.
 - (d) To review current training and development opportunities and induction arrangements for new/existing councillors to ensure engagement with training and induction arrangements and better understand how councillors would like information to be presented, to improve the understanding of business needs and new ways of working across the Council.
- 3.4 The review was set within the context of the Council's 2050 ambition and priorities and the Project Team was tasked with reviewing relevant issues and to report back to the Cabinet with appropriate findings and recommendations.
- 3.5 As a number of elements of the in-depth scrutiny project also covered issues that were considered as part of the joint scrutiny project undertaken for 2021/22, we received progress updates on the implementation of each of the recommendations arising from that joint scrutiny project, to assist the consideration of aspects of the current in-depth scrutiny project and the formulation of appropriate recommendations arising from the project.

4. METHODOLOGY

- 4.1 The review was undertaken on behalf of the Policy and Resources Scrutiny Committees by a Project Team comprising the following members appointed by the Council on 19 May 2022:

Councillors T Cowdrey, D Garston, A Line, R McMullan, D Nelson, M Sadza, C Walker

Former Councillor: I Shead

- 4.2 Councillor T Cowdrey was appointed Chair of the Project Team at its initial project scoping meeting held on 28 September 2022.

- 4.3 The Project Team was supported by relevant officers including S Meah-Sims (Executive Director (Strategy, Change and Governance)) and S Tautz (Principal Democratic Services Officer/Project Co-ordinator). Other officer support was provided in respect of specific elements of the in-depth scrutiny project, including:

R Erasmus (Learning and Development Manager)
K Eyre (Internal Communications Advisor)

- 4.4 The Project Team met on six occasions between September 2021 and March 2022. Efforts were made by the Project Team to ensure that the timescale for the delivery of the project was maintained and that the project was completed within the 2021/22 municipal year.
- 4.5 The in-depth scrutiny project was undertaken using an evidence-based approach to the consideration of existing governance and joint working arrangements, through a mixture of experiences presented by councillors and informative presentations that supported the understanding of the current provision of services. No witness sessions or site visits were held in respect of the project, although some examples of service provision in other local authorities were presented to the Project Team.
- 4.6 A project plan and work programme for the in-depth scrutiny project was adopted by the Project Team in November 2022, having been agreed by the Policy and Resources Scrutiny Committee in October 2022. The project plan and work programme set out the scope and framework for the project, alongside a programme of thematic evidence-gathering activities around the following specific areas identified as key to the desired outcomes for the project:
- (a) The context and expectations of the in-depth scrutiny project.
 - (b) Induction training arrangements and development opportunities for councillors, including the Councillor Induction and Training Programme.
 - (c) The ongoing review of the Council's Constitution.
 - (d) Communication between councillors and officers.
 - (e) How councillors would like information to be presented.
 - (f) The progress of relevant recommendations arising from the joint in-depth scrutiny project for 2021/22.
- 4.7 The following sources of evidence were considered as part of the in-depth scrutiny project:
- (a) Case studies, experiences and feedback.
 - (b) Specific examples of issues within the scope of the project where things have not gone well.
 - (c) Relevant data etc. held by the Council or obtained from published sources or benchmarking arrangements.
 - (d) Information/feedback from relevant service teams.
 - (e) The presentation/demonstration of relevant systems and processes.
 - (f) The progress of relevant recommendations arising from the joint in-depth scrutiny project for 2021/22 ('Enabling Councillors to be Effective').

5. CONTEXT AND EXPECTATIONS OF THE IN-DEPTH SCRUTINY PROJECT

- 5.1 At the meeting of the Project Team in December 2022, we considered the context and expectations of the in-depth scrutiny project and agreed that the Project Team would focus on the identification of solutions to issues or concerns that were raised as part of the project, that members and officers would demonstrate mutual respect for each other in the delivery of the project and that officers would work in partnership with members of the Project Team to ensure the successful delivery of the in-depth scrutiny project. We also agreed that the Chair would seek the full support and active engagement of all members of the Project Team to ensure the successful delivery of the project.
- 5.2 The Project Team considers that the chairs of committees etc. should ensure that they always set clear expectations regarding roles, responsibilities, boundaries, standards of conduct and behaviours between councillors and officers, at the outset of meetings. We believe that Chairs should also seek the active participation of all members to achieve the successful delivery of outcomes and we are aware that arrangements have already been agreed for the Chairs of the Council's public-facing meetings to formally outline the

expectations of the standard of conduct and behaviour to be shown during debates, at the commencement of meetings. We support the continuation of this approach going forward and recommend that these expectations be reviewed on a regular basis to ensure that all members and officers feel included, respected and able to contribute effectively.

- 5.3 The Local Government Association (LGA) undertook a corporate peer challenge of the Council in October 2022, as part of the support that the LGA offered to local authorities to provide independent and external support and challenge. Following the completion of the peer challenge, the LGA provided the Council with a report based on their findings and some aspects of the in-depth scrutiny project for 2022/23 set out in this report reflect recommendations made by the LGA.

6. INDUCTION TRAINING ARRANGEMENTS AND DEVELOPMENT OPPORTUNITIES FOR COUNCILLORS

- 6.1 At the meeting of the Project Team in March 2022, we considered the 'Induction Training and Development Opportunities and Arrangements for Councillors' theme of the work programme for the in-depth scrutiny project.

- 6.2 Councillors bring different and valuable skills to their role. However, new councillors do not always have extensive knowledge of the system of local government, how a council works or the full range of their roles and responsibilities. From their first council meeting, councillors will be required to make important decisions on behalf of their communities and take responsibility for those decisions. Those decisions often involve significant use of public money, assets or natural resources. It is important that councillors have, or quickly attain, a clear understanding of the system of local government, how the Council works and the full range of their roles and responsibilities. It is equally important that all councillors have ongoing opportunities to undertake appropriate skills development and training in areas needed to assist them to carry out their role effectively.

- 6.3 A comprehensive induction programme helps new councillors to settle in with the Council, to understand their role and expectations, to develop strong relationships with officers, and to build competence and confidence in serving their residents and the community. The Councillor Induction and Training Programme outlines the training and development that councillors can expect to receive as part of their induction arrangements or as continuous professional development.

- 6.4 The Project Team received a presentation from the Learning and Development Manager on the development, content and delivery of the Councillor Induction and Training Programme for 2023/24. The Learning and Development Manager also presented a draft version of the Induction and Training Programme for 2023/24.

- 6.5 The Project Team was advised that the Induction and Training Programme was being developed on a co-production basis to ensure the best use of member skills and experience, to ensure that induction arrangements met the needs of members and to identify what should be regarded as essential or optional training, as well as the frequency of delivery of such training.

- 6.6 Co-production allows all involved to work collaboratively as equal partners to design, plan, deliver and review councillor training arrangements in order to achieve shared outcomes. It recognises that councillors, officers and training providers all have important contributions to make due to their differing knowledge, skills and experience. We believe that, for co-production to be most effective, all partners should be fully involved at the earliest opportunity when planning or designing councillor training and we therefore recommend that the Project Team or the existing Councillor Development Group should be utilised for

the co-production of the Councillor Induction and Training Programme for 2024/25 and future years.

- 6.7 We suggest that the role and function of the Councillor Development Group as well as its continued involvement in the co-production of learning and development opportunities for councillors should be formalised and that continuity of membership of the Councillor Development Group should be achieved wherever possible each year, possibly through the inclusion of two members of each political group, and independent members, based on relevant experience and skills.
- 6.8 The Learning and Development Manager reported that the use of Microsoft Teams for the delivery of elements of the Induction and Training Programme had encouraged attendance at training sessions and enabled sessions to be recorded for subsequent delivery, although the level of councillor engagement with e-learning programmes which mirrored sessions made available for officers, was currently disappointing.
- 6.9 The Project Team raised concerns with regard to the completion of 'essential' training by councillors and were assured that this would be considered as part of the finalisation of the Induction and Training Programme for 2023/24, through the identification of all training that was considered to be essential for councillors. We consider that it is important to ensure that all essential training is undertaken by new and re-elected councillors to ensure that they are up to date with the latest information and guidance on specific matters within the Councillor Induction and Training Programme. The Project Team also considers that it is important that relevant training opportunities are extended to the co-opted members of the People Scrutiny Committee, to enable them to effectively undertake their roles around the scrutiny of local education and healthcare services.
- 6.10 We consider that consideration should be given to the inclusion of matters including child and adult safeguarding, the Code of Conduct and the responsibilities of councillors as Data Controllers for the handling of personal data, as essential training requirements within the Councillor Induction and Training Programme for 2023/24 and future years.
- 6.11 We understand that the inclusion of councillor training activities within the individual profile for each member on the Council's website is currently being investigated and we fully support this approach in terms of the transparency of the council's training requirements for councillors.
- 6.12 The Project Team has requested the Learning and Development Manager to ensure that, wherever possible, councillor induction and training activities are spread throughout each year to avoid training 'fatigue', whilst recognising that some essential training needs to be completed as soon as possible in order to enable councillors to undertake the role and responsibilities of quasi-judicial bodies such as the Development Control Committee and the Licensing Committees and Sub-Committees.
- 6.13 We fully support the inclusion of member training around the use and navigation of the Modern.Gov committee management system, the dedicated area of the intranet for councillors and the case management system to be implemented as part of the recommendations arising from the joint in-depth scrutiny project for 2021/22 and support for councillors as needed, to support the transition to a paperless way of working. We have been assured that reasonable adjustments will be made where necessary to facilitate the paperless approach and that an assessment of need will be undertaken in this regard, if requested by any member at the commencement of their term of office or at any point during such term.
- 6.14 We recognise that to be effective, councillors require certain skills and experience in key areas and consider that it might be appropriate to undertake a skills audit with

councillors to ensure that the Council has the necessary skills, knowledge and expertise across all key positions and areas of responsibility, and to identify gaps in skills, knowledge and expertise and relevant training needs for new and existing members.

- 6.15 The Project Team also suggests that an 'induction pack' to be co-produced with councillors, be developed for newly elected members as part of the annual Councillor Induction and Training Programme to support the achievement of milestones in the induction process, and that such induction pack be added to the dedicated area of the intranet for councillors.
- 6.16 We recognise the success of the existing 'Buddy' scheme for new councillors, whereby experienced officers assist new councillors to settle into their role as quickly as possible. However, the Project Team considers that opportunities for the refresh of the 'Buddy' arrangements should be considered, including the possible development of a written agreement to set out the scope and timeframe of the 'Buddy' arrangements and a form of 'check list' to support the achievement of milestones in the induction process for new councillors. We consider that review and evaluation should also be undertaken as specific milestones to check that new councillor and their 'Buddy' are satisfied with the effectiveness of the buddy relationship.

7. THE REVIEW OF THE COUNCIL'S CONSTITUTION

- 7.1 At our meeting in March 2022, we also considered the 'Constitution Review' theme of the work programme for the in-depth scrutiny project.
- 7.2 The Council's constitution sets out how it operates and make decisions. It also contains the procedures that make sure the Council is efficient, transparent and accountable to local people. Some processes are required by law, while others have been adopted by choice. In 2021 the Council commenced a review of the Constitution, which was led by the General Purposes Committee and was supported by the Centre for Governance and Scrutiny. The recommendations arising from this work are aimed at bringing about change to the attitude and approach for transacting effective and timely business at the meetings of the Council, the Cabinet, the Scrutiny Committees and also informally.
- 7.3 The Chair of the General Purposes Committee updated the Project Team on the current progress of the review of the Constitution following the meeting of the Committee held on 9 February 2023, which had considered revised Council Procedure Rules and Overview and Scrutiny Procedure Rules for adoption by the Council. The Chair of the Committee advised the Project Team that there was likely to be a significant immediate and ongoing training requirement for members and officers around the operation of these new elements of the Constitution and we have considered how such training could be used to deliver effective communication and behaviour change between councillors and officers.
- 7.4 We consider that the consultation and engagement process for the review of the Constitution worked well and that all members were able to participate fully in the review process led by General Purposes Committee. In terms of the in-depth scrutiny project, we consider that this approach should be recognised as good practice and be replicated for any future constitutional review processes.

8. COMMUNICATION BETWEEN COUNCILLORS AND OFFICERS

- 8.1 At the meeting of the project Team in March 2022, we considered the 'Communication Between Councillors and Officers' theme of the work programme for the in-depth scrutiny project.
- 8.2 Effective communication requires commitment from councillors and officers and is a two-way process, about listening as well as informing. Councillors and officers are servants of

the public and they are indispensable to one another, although their responsibilities are distinct. Mutual respect and communication between councillors and officers is essential to good local government.

- 8.3 As part of its consideration of this theme of the work programme for the in-depth scrutiny project, the Project Team had requested that it receive a presentation from Paul Tarplett on the view of current communication between councillors and officers, as a result of the ongoing work currently being undertaken by The Public Office. Unfortunately, Paul was unable to attend a meeting of the Project Team in this regard.
- 8.4 We were advised that options for a survey to be undertaken across relevant staff levels to assess the effectiveness of current forms of communication with councillors, was intended to be addressed as part of the response to the feedback report of the Corporate Peer Challenge undertaken by the Local Government Association in 2022 and that this would therefore be undertaken outside the auspices of the in-depth scrutiny project. We have requested however, that the results of such survey be made available to all councillors once the findings of the survey have been evaluated.
- 8.5 We also consider that appropriate engagement and consultation should be regularly undertaken between councillors and officers, to support the understanding of experiences of working together and to identify ways to further enhance the success of joint working arrangements.
- 8.6 We suggest that a suite of simple, easy to understand 'Five-Minute Guides' or 'Service Profiles' should be developed for relevant services, to help councillors to understand the roles and responsibilities of individual service areas and to make it quicker and easier for them to find the information they need. We consider that such 'Five-Minute Guides' should include clear process maps and details of service/team structures and that the guides should be published on the website and the councillors section of the intranet, alongside the development of appropriate FAQs to support effective councillor casework activity.

9. HOW COUNCILLORS WOULD LIKE INFORMATION TO BE PRESENTED

- 9.1 At the meeting of the project Team in March 2022, we considered the 'How Councillors Would Like Information to be Presented' theme of the work programme for the in-depth scrutiny project, to improve the understanding of business needs and new ways of working across the Council.
- 9.2 We have considered some suggestions for improvements to the style and quality of reports presented to committees etc., to ensure that clear and concise reports are presented to councillors at all times and we suggest that options should therefore be investigated for all reports include an 'executive summary' to provide a brief overview of the report and its main points.
- 9.3 We also consider that robust arrangements be introduced/enforced across the Corporate Leadership Team to ensure that reports are fully checked prior to submission to committees etc. to ensure they are accurate, factual and correct, that lengthy documents are not routinely attached as appendices to reports and that hyperlinks are used within reports in preference to appendices where possible.
- 9.4 We also received a presentation with regard to the use of the Council's intranet as a document repository and resource base and the provision of training for councillors in the navigation of the intranet. We consider that the dedicated area of the intranet for councillors should be the default repository and resource base for councillors, in terms of the provision of access to policy documentation and other relevant information. We recognise however, that for the intranet to successfully act as such repository and resource base for councillors,

it is vital that that all published information is regularly reviewed and kept up to date. We also consider that the annual Councillor Induction and Training Programme should include appropriate training to support councillors in the use of the intranet.

- 9.5 We consider that a 'Paperless' approach should be established as the default position for the distribution of agenda and reports for committee meetings etc. to councillors as soon as possible, possibly on an incremental change basis beginning with the cohort of new and re-elected councillors in May 2023, as part of the Council's response to the previously declared climate emergency and to mitigate the impacts of climate change.
- 9.6 We believe that Southend-on-Sea City Council is at the forefront of digital infrastructure and innovation and that a move to paperless meetings would provide councillors with an opportunity to lead by example in this regard and demonstrate that they are prepared to embrace new forms of technology to deliver savings, to embrace more efficient working practices and to help reduce the Council's carbon footprint. The Modern.Gov app, which supports the Council's corporate committee management system, enables councillors to access meeting papers from any place, at any time to suit their personal commitments, and the app contains annotation tools to allow councillors to notate and highlight reports etc. as required, in a similar way to the notation and highlighting of paper reports.
- 9.7 The Project Team recognises that some councillors will adapt quicker than others to a transition to paperless meetings and the full use of the Modern.Gov app, and that a high standard of support will be critical to support this transition. We consider that this should therefore include regular training as part of the annual Councillor Training and Development Programme and dedicated one-to-one support from Democratic Services. We also consider that reasonable adjustments should be made to the corporate paperless approach wherever necessary and that an assessment of need should be facilitated (if requested), for any councillor that requires this.

10. JOINT IN-DEPTH SCRUTINY PROJECT 2021/22

- 10.1 At the final meeting of the Project Team in March 2022, we received a brief update on the progress of each of the recommendations arising from the joint in-depth scrutiny project for 2021/22 ('Enabling Councillors to be Effective'), several actions from which were also related to our scrutiny project.
- 10.2 We requested that a full report setting out current progress and achievements against each of the actions arising from joint in-depth scrutiny project for 2021/22 be prepared, which is attached as an appendix to this report.

11. RECOMMENDATIONS

- 11.1 We consider that the in-depth scrutiny project was undertaken within the context of the Council's 2050 ambition and priorities and that the proposed outcomes for the project have generally been achieved.
- 11.2 Throughout this report, we have identified some 'quick wins' in terms of aspects of the work programme for the in-depth scrutiny project, alongside the following substantive recommendations to strengthen joint working between councillors and officers.
- 11.3 We therefore recommend as follows:

Context and Expectations of the In-Depth Scrutiny Project

- (1) That expectations of the standard of conduct and behaviour to be shown during debates at meetings of committees etc. be welcomed and that such expectations be

reviewed on a regular basis to ensure that all members and officers feel included, respected and able to contribute effectively.

- (2) That the Council be encouraged to 'celebrate what works' as part of its response to the feedback report of the Local Government Association Peer Challenge undertaken in 2022.

Induction Training Arrangements and Development Opportunities for Councillors

- (3) That for 2023/24 and future years, training activity previously identified as 'mandatory' within the Councillor Induction and Training Programme, be instead referred to as 'training essential for the role' (or similar).
- (4) That all 'essential' training be undertaken by new and re-elected councillors to ensure that they are up to date with the latest information and guidance on the specific matters within the Councillor Induction and Training Programme.
- (5) That consideration be given to the inclusion of matters including child and adult safeguarding, the Code of Conduct and the responsibilities of councillors as Data Controllers, as essential training requirements within the Councillor Induction and Training Programme for 2023/24 and future years.
- (6) That appropriate options be considered for ensuring the completion of essential training by all councillors.
- (7) That the completion of councillor training activities be included within the individual profile for each member of the Council that is available on the Council's website, to support transparency in terms of the Council's training requirements for councillors.
- (8) That, wherever possible, councillor induction and training activities be spread throughout each municipal year wherever possible to avoid issues of training 'fatigue', whilst recognising that some 'mandatory' training needs to be completed as soon as possible in each municipal year in order to enable councillors to undertake the role and responsibilities of quasi-judicial bodies.
- (9) That consideration be given to the undertaking of a skills audit amongst existing councillors to ensure that the Council has the necessary skills, knowledge and expertise across all key areas of responsibility and, where gaps are identified, to consider how such gaps should be addressed through relevant training for new and existing members.
- (10) That the development of an 'induction pack' of key information for issue to all newly elected councillors as part of the annual Councillor Induction and Training Programme to support the achievement of milestones in the induction process be considered, to include such information as:
 - (a) The Council's current committee structure.
 - (b) The roles and responsibilities of committees.
 - (c) Meeting arrangements and the commitments required of councillors.
 - (d) Floor plans and service area locations for the Civic Campus.
 - (e) Information in respect of the normal business activities of the Council.
- (11) That the proposed induction pack be co-produced with councillors and be added to the dedicated area of the intranet for councillors.

- (12) That opportunities for the refresh of the existing 'Buddy' arrangements for newly elected councillors be considered, including the possible development of a written agreement to set out the scope and timeframe of 'Buddy' arrangements and a form of 'check list' to support the achievement of milestones in the induction process for new councillors.
- (13) That the Project Team and/or the existing Councillor Development Group continue be utilised for the co-production of the Councillor Induction and Training Programme for 2024/25 and future years.
- (14) That the role and function of the Councillor Development Group as well as its continued role in the co-production of learning and development opportunities for councillors be appropriately formalised and that continuity of membership of the Group be achieved wherever possible each year, on the basis of relevant knowledge, experience and skills.

The Review of the Council's Constitution

- (15) That the Project Team support the co-production of the content and delivery of training on key aspects of the new Constitution, including the proposed revised Council Procedure Rules and Overview and Scrutiny Procedure Rules, as part of the Councillor Induction and Training Programme for 2023/24.
- (16) That consideration be given to the inclusion of training on key aspects of the new Constitution as an essential training requirement within the Councillor Induction and Training Programme for 2023/24 and future years, as a means of addressing the perception of a lack of understanding of the Constitution and the limited level of previous engagement with some aspects of the programme, but that that such training not just be provided for newly elected councillors each year and that all members be encouraged to participate in relevant training opportunities.
- (17) That training around the key aspects of the new Constitution should fully recognise the importance of the strategic and operational partnership between councillors and officers that is necessary to deliver the priorities of the Council.
- (18) That, as part of the training offer on key aspects of the new Constitution, in particular the revised Overview and Scrutiny Procedure Rules, consideration be given to the holding of a 'mock' meeting of a scrutiny committee to demonstrate the application of revised constitutional rules and procedures on a practical basis.
- (19) That appropriate flow charts/process maps be developed for the revised constitutional rules and procedures and other relevant business processes to demonstrate their application in practice and that options be investigated for the local branding of such information (e.g., as 'The Southend Way') and its publication on the Council's intranet and website.
- (20) That the approach taken to the review of the Constitution that enabled all members to participate fully in the review process led by General Purposes Committee, be recognised as good practice and be replicated for any future review of constitutional arrangements or processes.

Communication Between Councillors and Officers

- (21) That the results of the survey to be undertaken across relevant staff levels to assess the effectiveness of current forms of communication with councillors, as part of the response to the feedback report of the Corporate Peer Challenge undertaken in 2022

be made available to all councillors once the findings of the survey have been evaluated.

- (22) That opportunities be investigated for regular engagement and consultation to be undertaken between councillors and officers to improve and support the understanding of experiences of working together and to identify ways to further enhance working relationships.
- (23) That appropriate 'Five-Minute Guides' or 'Service Profiles' be developed for relevant services, to help councillors to understand the roles and responsibilities of individual service areas and that such guides include relevant process maps and FAQs to support training for councillors and the handling of casework activity.

How Councillors Would Like Information To Be Presented

- (24) That, to ensure that clear and concise reports are always presented to councillors, all reports made to committee etc. should be written in plain English using the Council's house style and should include an appropriate executive summary.
- (25) That arrangements be introduced to ensure that reports are fully checked prior to submission to committees etc. to ensure they are accurate, factual and correct and that lengthy documents are not routinely attached as appendices to reports.
- (26) That the existing dedicated area of the intranet for councillors be the default repository and resource base for councillors, in terms of the provision of access to policy documentation and other relevant information, that that all published information be regularly reviewed and kept up to date and that the annual Councillor Training Programme include appropriate training to support councillors in the use of the intranet.
- (27) That subject to the assessment of accessibility requirements in individual circumstances where requested, a 'Paperless' approach be established as the default position for the distribution of agenda and reports for committee meetings etc. to councillors, as soon as possible.
- (28) That the Modern.Gov app be promoted as the Council's corporate committee management system and that full training on the functionality of the app continue be delivered to all councillors as part of the annual Councillor Induction and Training Programme and on a one-to-one basis where appropriate.
- (29) That all members of the Council be encouraged to avail themselves of the training available opportunities available to support a corporate 'paperless' ambition.

Joint In-Depth Scrutiny Project 2021/22

- (30) That the separate report setting out current progress and achievements against each of the actions arising from the joint In-Depth Scrutiny Project for 2021/22, be noted.

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Meeting:	Cabinet
Date:	18 September 2023
Classification:	Part 1
Key Decision:	No
Title of Report:	In-Depth Scrutiny Project 2022/23 - Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities.
Report Author:	S Cox (Principal Democratic Services Officer)
Executive Director	Joe Chesterton (Executive Director – Finance & Resources)

1. Purpose of Report

- 1.1 To present the final report and recommendations of the In-Depth Scrutiny Project for 2022/23 - 'Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities'.

2. Recommendations

- 2.1 That Cabinet approve the recommendations arising from the in-depth scrutiny project, detailed at paragraph 11 of the attached report.**

3. Background

- 3.1 At its meeting on 6 July 2022, the Committee agreed that an In-Depth Scrutiny Project be undertaken during the 2022/23 municipal year on the theme of 'Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities,' as part of the scrutiny work programme for the year.

- 3.2 The Project Team for the In-Depth Scrutiny Project comprised the following members appointed by the Council on 19 May 2022:

Councillors: T Cowdrey, A Dear, N Folkard, K Murphy, M O'Connor, L Salter, M Stafford and A Thompson.

- 3.3 Councillor T Cox was appointed to membership of the Project Team by the Council on 14 July 2022 to replace Councillor L Salter and Councillor B Hooper was appointed to membership of the Project Team by the Council on 20 October 2022, to replace Councillor A Thompson. Councillor Cox was appointed as Chair of the Project Team at its initial project scoping meeting held on 26 September 2022. At the request of Councillor Cox and with the agreement of the Project Team, Councillor Cowdrey subsequently assumed the role of the Chair of the Project Team from January 2023. The Project

Team was supported by relevant officers including M Marks (Executive Director (Children and Public Health)) and S Tautz (Principal Democratic Services Officer/Project Co-ordinator). Other officer support was provided in respect of specific elements of the in-depth scrutiny project.

- 3.4 Progress with regard to the joint in-depth scrutiny project was achieved throughout the 2022/23 municipal year, including the development of an action plan and a comprehensive work programme. Efforts were made by the Project Team to ensure that the timescale for the delivery of the project was maintained and that the project was completed by the end of the 2022/23 municipal year.
- 3.5 The final report arising from the In-Depth Scrutiny Project is attached as Appendix 1 and the recommendations of the Project Team are set out in Section 11 of the report. These have been agreed by the Project Team. A number of the recommendations arising from the in-depth scrutiny project have budget implications that will require consideration as part of current and future years' budget processes prior to implementation.
- 3.6 The final report and recommendations arising from the in-depth scrutiny project were agreed by the People Scrutiny Committee at the meeting held on 11 July 2023.
- 3.7 The report and recommendations arising from the completion of the In-Depth Scrutiny Project will be presented to the Committee by Councillor T Cowdrey, as Chair of the Project Team that led the project.

4. In-Depth Scrutiny Project 2022/23 - Report and Recommendations

- 4.1 In accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report of the in-depth scrutiny report is attached at Appendix 1 for approval by the Cabinet.
- 4.2 The recommendations from the review are set out in Section 11 of the report.
- 4.3 The Cabinet is requested to endorse the recommendations arising from the in-depth scrutiny project.

4 Corporate Implications

Contribution to the Southend 2050 Road Map

Becoming an excellent and high performing organisation.

Financial Implications

There are costs associated with organising in-depth projects relating to officer time, but this will all be contained within existing resources.

Legal Implications

None

People Implications

None.

Property Implications

None

Consultation

As described in report.

Equalities and Diversity Implications

None

Risk Assessment

None

6. Background Papers

None

7. Appendices

- Appendix 1 - Final report of In-Depth Scrutiny Project 2022/23 - Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities.

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People Scrutiny Committee

**In-Depth Scrutiny Project
2022/23**

**‘Providing First-Class
Services for Families of
Children with Special
Educational Needs and
Disabilities’**

Final Report and Recommendations (June 2023)

1. INTRODUCTION

- 1.1 I am pleased to be able to present this report and recommendations of the in-depth scrutiny project for 2022/23. In undertaking this work, the Project Team were conscious that the Council needed to work efficiently and effectively to enable families to receive the support they were entitled to, particularly for the most vulnerable young people with SEND. We were particularly aware of the need to improve the way that the Council works with parents and carers, including local service providers, and the need to be aspirational in how we support our children and young people with SEND.
- 1.2 I would like to thank all councillors and officers for their contribution to the in-depth scrutiny project. I would also like to thank those parents who gave their time to speak with members of the Project Team, in particular representatives of Southend SEND Independent Forum and SEND The Right Message for their direct input to the project in the presentation of the views of local parents, and to the practitioners and service teams within Southend-on-Sea City Council who welcomed councillors and were open to our questioning and scrutiny. Finally, I would like to thank officers of the Democratic Services Section for their assistance and support during the course of the in-depth scrutiny project and in the production of this final report.



Councillor Tricia Cowdrey
Chair of the In-Depth Scrutiny Project Team

2. BACKGROUND

- 2.1 Each of the Council's scrutiny committees (the People Scrutiny Committee, the Place Scrutiny Committee and the Policy and Resources Scrutiny Committee) has traditionally undertaken an in-depth scrutiny project each year. The in-depth projects are selected at the beginning of each municipal year and generally focus on the Council's corporate priorities or matters of local concern. Recent in-depth scrutiny projects have also been aligned with the ambition and outcomes arising from the Southend 2050 programme. The in-depth scrutiny projects lead to the development of reports and recommendations which advise the Executive and the Council on its policies, budget provision and service delivery. Participation in the in-depth projects enable councillors to be actively involved in a specific topic and to influence and shape proposals around service improvement that will result in improved outcomes.

3. FRAMEWORK OF THE IN-DEPTH SCRUTINY PROJECT

- 3.1 At its meeting in July 2022, the People Scrutiny Committee agreed that an in-depth scrutiny project be undertaken during the 2022/23 municipal year on the theme of 'Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities,' as part of the scrutiny work programme for the year.

3.2 There were a number of reasons for the identification of the In-Depth Scrutiny Project which included feedback from parents that they felt their voices had not been sufficiently heard through the Ofsted Inspections and Peer Review. In addition, Councillors had identified a need to be able to source information, advice and guidance for parents of children and young people with special educational needs and/or disabilities. Councillors wanted to feel confident in signposting families to appropriate services and support and to be able to advocate on their behalf when appropriate/possible.

The agreed scope of the in-depth scrutiny project was:

With a focus on the experiences of parents and carers of children and young people with SEND, to review what had already been done and undertaken following the LGA Peer Review of the Council's SEND services. This included assessing the impact of the recommended actions set out in the plan established to respond to the findings and recommendations from the review of the Council's SEND service and what had and had not worked well, based on those recommendations. Specifically:

- (a) Identify any improvements in the SEND offer, the impact the improvements have had on children, young people, and their parent/carers, what has not been successful and as a result where further focus is required to improve the offer and outcomes for SEND service users and their families.
- (b) Review the current process and approach to transition from Children's into Adults' services. Specifically:
 - When are young people with care and support needs flagged with adult services.
 - What is the process of engagement with Adult Services before the age of 18?
 - How is the young person involved in the process?
 - How are their parents involved in the process?
- (c) Clarify the difference between transferring and transitioning. Specifically clarify:
 - How is this applied by different services?
 - The respective legislation and guidance that different services operate within.
 - The circumstances in which children or young people move out of Southend and the respective roles/responsibilities of the Council following any families moving out of or into Southend.
- (d) Review and identify what is needed to enable Councillors to respond effectively to enquiries from their residents/families with Children with special educational needs and/or disability. Specifically:
 - Review how councillors currently respond to issues raised by families with children with a special educational need and/or disability.
 - Review the current training offer to Councillors on SEND.
 - Review how the Local Offer works.

3.3 The review was set within the context of the Council's 2050 ambition and priorities and the Project Team was tasked with reviewing relevant issues and to report back to the Cabinet with appropriate findings and recommendations.

4. METHODOLOGY

- 4.1 The review was undertaken on behalf of the People Scrutiny Committee by a Project Team comprising the following members appointed by the Council on 19 May 2022:

Councillors: T Cowdrey, A Dear, N Folkard, K Murphy, M O'Connor and M Stafford

Former Councillors: L Salter and A Thompson

- 4.2 Councillor T Cox was appointed to membership of the Project Team by the Council on 14 July 2022 to replace former Councillor L Salter and former Councillor B Hooper was appointed to membership of the Project Team by the Council on 20 October 2022, to replace former Councillor A Thompson.

- 4.3 Councillor T Cox was appointed as Chair of the Project Team at its initial project scoping meeting held on 26 September 2022. At the request of Councillor Cox and with the agreement of the Project Team, Councillor T Cowdrey subsequently assumed the role of the Chair of the Project Team from January 2023.

- 4.4 At the request of the Project Team, the relevant Cabinet Members and Group Spokespersons were invited to participate in the in-depth scrutiny project.

- 4.5 The Project Team was supported by relevant officers including M Marks (Executive Director (Children and Public Health)) and S Tautz (Principal Democratic Services Officer/Project Co-ordinator). Other officer support was provided in respect of specific elements of the in-depth scrutiny project:

G Bloom (Head of Special Educational Needs and Disabilities)

L Chiles (Local Offer and Co-production Officer)

L Hunt (Director of Education, Inclusion and Early Years)

C Jacobs (SEND Project Officer)

S Leibrecht (Director of Adult Social Care Operations)

L-M Minnis (Director of Childrens Social Work, Early Help and Youth Support)

L Thomas (Co-Production Lead)

- 4.6 The Project Team met on six occasions between September 2022 and April 2023. Although the progress of the in-depth scrutiny project was interrupted by an unannounced local area SEND inspection by the Care Quality Commission and Ofsted in January 2023, efforts were made by the Project Team to ensure that the timescale for the delivery of the project was maintained and that the project was completed within the 2022/23 municipal year.

- 4.7 The project was undertaken using an evidence-based approach to the consideration of service provision, through a mixture of experiences presented by parents, carers and parent/carer representatives and councillors, alongside informative presentations that supported our understanding of the current provision of services to support SEND children and families.

- 4.8 A project plan for the in-depth scrutiny project was agreed by the Project Team in November 2022, having been agreed by the People Scrutiny Committee in October 2022. The project plan set out the scope and framework for the project, alongside a work programme of thematic evidence-gathering activities around the following specific areas identified as key to the desired outcomes for the project:

- (a) The action plan arising from the Local Government Association (LGA) Peer Review of SEND services designed to improve SEND service provision, undertaken in November 2021.

- (b) SEND offer improvements and impacts, including feedback from engagement with parents, carers, local SEND parent/carer groups and SEND service providers.
- (c) The process and approach to transition from Children's into Adults' Services and the provision of clarity around the respective roles and responsibilities in circumstances where a family moves out of Southend.
- (d) Lived experiences, including the views and experiences of parents/carers and SEND service users.
- (e) The review of arrangements for the 'co-production' of SEND services, including the current Co-Production Charter.
- (f) Member training, including the review of the current training offer for councillors on SEND and how councillors currently respond to issues raised by families with children with a special educational need and/or disability.

4.9 The following sources of evidence were considered as part of the in-depth scrutiny project:

- (a) Case studies, experiences and feedback.
- (b) Specific examples of issues within the scope of the project where things have not gone well.
- (c) Relevant data etc. held by the Council or obtained from published sources or benchmarking arrangements.
- (d) Information/feedback from relevant officer teams.
- (e) The presentation/demonstration of relevant systems and processes.
- (f) A review of recommendations arising from the Local Government Association (LGA) Peer Review of SEND services.
- (g) Meetings with relevant teams and officers and external bodies engaged in the delivery of SEND services.

4.10 Relevant case studies prepared as part of the in-depth scrutiny project have been published on a dedicated Microsoft Teams channel.

4.11 Although we had originally intended that a survey would be undertaken to help the Project Team understand the views and lived experiences of parents/carers and SEND service users, this was deferred as a result of the inspection of SEND services undertaken by Ofsted in February/March 2023, to avoid any confusion arising from the respective review processes.

4.12 As part of the methodology for the delivery of the in-depth scrutiny project, it was agreed that individual members of the Project Team would be encouraged to engage with parents, carers, local SEND parent/carer groups and SEND service providers to facilitate the submission of case studies for presentation as part of the project. In this regard, the Project Team requested that the Executive Director (Children and Public Health) prepare a schedule of appropriate local SEND parent/carer groups and SEND service providers that might be willing to engage with individual members of the Project Team with regard to aspects of the in-depth scrutiny project, alongside appropriate 'questions' that could be utilised by councillors as a basis for informed discussion around relevant issues. Amongst the membership of the Project Team, former Councillor B Hooper expressed interest in undertaking direct engagement with regard to current arrangements for transition from Children's into Adult's Services and the transfer of children and young people to other local authorities, including engagement with the Lighthouse Project and the Children with Disabilities Team.

5. LOCAL GOVERNMENT ASSOCIATION PEER REVIEW

5.1 A SEND peer review looks at how an education setting provides for children and young people with special educational needs and disabilities. The findings of a peer review are

intended help to improve SEND provision and strategy to support children and young people to achieve good outcomes.

- 5.2 A peer review of the Council's provision of SEND services was carried out by the Local Government Association (LGA) in November 2021. The peer review followed an inspection revisit by Ofsted and the Care Quality Commission earlier in 2021, which found that there had been sufficient progress made in most areas of significant weakness identified in an inspection carried out in October 2018. An action plan was developed in response to the recommendations of the LGA arising from the peer review in November 2021.
- 5.3 At the meeting of the Project Team in November 2022, we considered aspects of the work programme for the joint in-depth scrutiny project, around the review of progress against the action plan that had been developed following the Peer Review. The Project Team received a revised version of the Action Plan prepared by the Executive Director (Children and Public Health) as a means of reviewing activity that had been completed and to assess the impact of the actions set out in the Action Plan, including what had and hadn't worked well.
- 5.4 At its initial scoping meeting in September 2022, the Project Team agreed that the focus of the in-depth scrutiny project should be on the assessment of current progress around the recommendations arising from the Peer Review, in order to identify key areas of work for the project. The Project Team welcomed the layout of the action plan and supported a suggestion of the Executive Director (Children and Public Health) that the actions be captured under the headings of matters that were a focus for the in-depth scrutiny project, those actions that could be regarded as business as usual activities and actions that had been completed.
- 5.5 A separate update setting out current progress and achievements against each of the actions arising from the Peer Review and highlighting where relevant actions will be taken forward as part of a new framework arising from the development of a strategic action plan in response to a further Ofsted inspection undertaken in February 2023, is attached as an appendix to this report.
- 5.6 We make recommendations with regard to specific aspects of the action plan later in this report and also recommend that the revised version of the action plan should form the basis of the regular update made to the People Scrutiny Committee on progress with the delivery of the recommendations arising from the Peer Review, until such time as the response to the recent Ofsted inspection has been finalised and a revised action plan produced.

6. SEND OFFER IMPROVEMENTS & IMPACTS

- 6.1 At the meeting of the Project Team in January 2023, we considered the 'SEND Offer Improvements and Impacts' theme of the work programme for the joint in-depth scrutiny project.
- 6.2 We consider that it would be appropriate to develop a 'charter' to clarify the expectations and processes around the development of Education, Health and Care Plans (EHCP) for children and young people aged up to 25, who need more support than is available through special educational needs support. EHCPs identify educational, health and social needs and set out the additional support required to meet those needs and the Executive Director (Children and Public Health) indicated that it was important to be able to provide clarity about the EHCP assessment process and the roles of those involved.
- 6.3 The Project Team also received the Council's SEND Local Offer annual report for 2021/22 and submitted comments on the annual report direct to the Head of Special Educational Needs and Disabilities. The Children and Families Act 2014 requires that the Council must publish an annual report on Special Educational Needs and Disability that provides

feedback about the Local Offer, from children, young people and parents/carers, the progress we have made, what we have learnt and our next steps.

- 6.4 We consider that it is important to review the functionality of the Local Offer and the information available on the Council's website to make sure that it is presented appropriately and provides a clear pathway for parents and carers to access SEND advice and services.

7. YOUNG PEOPLE WITH CARE & SUPPORT NEEDS - TRANSITIONS & TRANSFERS

- 7.1 At the meeting of the Project Team in February 2023, we considered aspects of the work programme for the joint in-depth scrutiny project around the 'Transitions and Transfers' theme in respect of our young people with care and support needs.

- 7.2 The Project Team reviewed a draft 'Transitions to Adulthood in a Social Care Context' protocol that aimed to provide information and guidance for professionals supporting young people in Southend through transition (the process of preparing, planning and moving from children's to adult services) to adulthood. The draft protocol also provided an overview of statutory responsibilities and good practice guidance for Children and Young People Services and Adult and Community Services. The Director of Adult Social Care Operations reported that the draft Protocol was focussed on transition support for all young people with care and support needs, as this was a statutory requirement and was not specific to young people with SEND.

- 7.3 As part of this process, the Chair of the Project Team along with Councillor Folkard and former Councillor Hooper, met with the Social Care Team to provide input into the development of the draft protocol. The Project Team also expressed appreciation for the contribution made to the development of the draft protocol by the Commissioning Team.

- 7.4 The Project Team was advised that the draft protocol would be supported by an effective complaints system to ensure that opportunities for robust challenge to the provision of support services for young people with care and support needs, was available.

- 7.5 The Project Team also received a summary of the care and support roles and responsibilities for children that moved out of or into Southend-on-Sea, depending on their status and were reminded that the 'About Me' facility for the sharing of information between health and social care, that was being developed for national roll out and adoption. Although it wasn't possible to achieve as part of the completion of the in-depth scrutiny project, the Project Team asked to meet with the SEND Team to understand the provision of transition support for young people with SEND.

- 7.6 We also requested that members of the Project Team, the Cabinet Member for Adult Social Care and Health Integration and the Director of Adult Social Care Operations liaise to consider any necessary action arising from the perceived increase in the level of the 'hand over' of young people reaching the age of eighteen to Social Care, from an existing family support setting.

8. LIVED EXPERIENCES

- 8.1 From the outset, the Project Team was concerned to offer appropriate opportunities for parents/carers to contribute to the in-depth scrutiny project, to help councillors to gain a clearer picture of families lived experiences with SEND children, enabling them to build on good practice and improve the journey for families in the future.

- 8.2 At the meeting of the Project Team in March 2023, we received presentations from representatives of Southend SEND Independent Forum (SSIF) and SEND The Right

Message (STRM) in connection with the views and lived experiences of parents, carers and SEND service users.

- 8.3 The representatives of SSIF, the recognised Parent Carer Forum for Southend-on-Sea, indicated that the Ofsted inspection of February/March 2023 had been a valuable experience and that SSIF generally supported many of the issues that had been raised as part of the inspection process. SSIF highlighted that, whilst the inspection process limited its ability to secure feedback from local families, other than via the Inspection questionnaire which Ofsted and CQC asked families and children and young people to complete, it had been suggested that some services were inconsistently provided. SSIF indicated however that the Early Help Service was widely valued and that the signposting of relevant support opportunities by the Early Help Team was welcomed by parents and carers of children and young adults with SEND.
- 8.4 SSIF highlighted that it was important to ensure 'buy-in' from schools to bridge the gap in service provision that was currently supported by the reassurance provided by the Early Help Service to help ensure consistency in the delivery of services, and that the apparent slowness of the pace of change in the delivery of SEND related services was the main cause of frustration for the Parent Carer Forum, which it was considered needed to be improved at both the strategic and operational level. SSIF suggested that SEND families had been particularly disadvantaged by the local and national response to the COVID-19 pandemic, particularly in terms of its initial and ongoing effect on the provision of education services in local schools.
- 8.5 The Project Team was advised that as the recognised Parent Carer Forum, SSIF had a strategic role in working co-productively with the Council, NHS bodies and local charities to help improve SEND service provision as the 'voice' of parents and carers, rather than purely as a support organisation for local SEND families, but that there appeared to be a general misunderstanding of the role and responsibilities of the Parent Carer Forum. The representatives of SSIF indicated that they fully supported the use of co-production techniques in the design and delivery of SEND services, but that there was no definitive definition of co-production and that such approach to service design and delivery meant different things in different situations, and that it was important that all co-production activity was clearly and adequately scoped.
- 8.6 The Project Team was informed that the Parent Carer Forum supported the concept of 'Waiting Well', where information and resource services were available to support families both physically and mentally whilst they were waiting for assessment or diagnosis but that, in reality many parents sought private healthcare assessment where they were able to afford this.
- 8.7 The representatives of STRM setting out its aspirations for effective joint working with the Council but highlighted that it was considered that most negative social determinants currently applied to SEND families, particularly through health inequality and deprivation. The Project Team was advised that STRM currently had a network of over 1470 members and was actively engaged with funding organisations to support local SEND families that were experiencing financial hardship.
- 8.8 STRM drew the attention of the Project Team to the Marmot Review into health inequalities that had been published in February 2010 that proposed an evidence-based strategy to address the social determinants of health and the conditions in which people were born, grew, lived, worked and aged, which could lead to health inequalities. STRM highlighted that the highest priority objective arising from the Marmot Review was to give every child the best start in life.

- 8.9 The representatives of STRM outlined how it could support the Council in the co-production and co-design of SEND service provision, to ensure that the delivery of services was ‘right first time’ and was achieved using appropriate stakeholder knowledge and experience, through effective joint working with stakeholders. STRM expressed the view that simple engagement and consultation around service design and delivery was often felt to be tokenistic and that, although a co-production approach that fully involved key stakeholders would necessarily require the investment of human and financial resources to start with, effective co-production was considered to achieve the best service delivery results in the long-term.
- 8.10 The Executive Director (Children and Public Health) reminded the Project Team that the development of an Education, Health and Care Plan (EHCP) did not have regard to the availability of resources to support children and young people with SEND and that the ‘Waiting Well’ concept should be a key consideration in the provision of support for SEND families alongside appropriate early intervention and interaction, as diagnosis and the development of an EHCP was often seen as the ‘golden road’ for support and service provision. We understand that the ‘Waiting Well’ concept has been shown to demonstrate success where information and resource services are available to support families both physically and mentally whilst they are awaiting assessment or diagnosis, for example via Early Help and the Local Offer. Whilst Early Help has been identified as a positive experience for some parents, we understand that for others there has been some confusion about the role of the worker they are in contact with and their purpose or function, and we consider that this needs to be clarified in order to manage expectations.
- 8.11 The Executive Director (Children and Public Health) reminded the Project Team that the SEND ‘graduated response’ provided a stepped approach to the provision of support that met the needs of children and young adults at the earliest opportunity, which also involved professionals from across the education, health and social care sectors, and support services within and outside the Council.
- 8.12 The Executive Director (Children and Public Health) also reminded the Project Team of the requirements for schools to use funding allocated for the support of pupils with SEND in appropriate ways, although funding was not required to be spent on support for specific children, and that a ‘SEND Information Report’ should be published on a regular basis by each school. The Director of Education, Inclusion and Early Years highlighted that specialist teaching teams had been introduced into mainstream schools in other local authority areas.
- 8.13 The Project Team expressed concerns that there currently appeared to be no clear flow of information between the Southend SEND Strategic Partnership Board (with representation from the (Parent Carer Forum), the SEND Operations Group and the Joint Commissioning Group, and the People Scrutiny Committee, to ensure that councillors were able to respond to SEND issues effectively. We therefore recommend that appropriate arrangements for a clear flow of information between the Southend SEND Strategic Partnership Board (with representation from the (Parent Carer Forum), the SEND Operations Group and the Joint Commissioning Group, and the People Scrutiny Committee be investigated, to ensure that councillors are better informed and able to respond to SEND issues more effectively.
- 8.14 We consider that there is a real need to build confidence and trust with disaffected and disengaged SEND parents and that this should be addressed through the development of an appropriate communication strategy to facilitate respectful relationships and improved partnership working arrangements, whilst ensuring that everyone that wants to contribute is invited to be involved in the co-production of the communication strategy and that the strategy is developed as an ‘easy read’ and accessible document.

8.15 We have requested that the Cabinet Member for Children, Learning and Inclusion encourages all councillors to sign-up to the e-newsletter of the Southend SEND Strategic Partnership Board.

9. CO-PRODUCTION OF SEND SERVICES

9.1 At our meeting in March 2023, we also considered the aspect of the work programme theme around 'Co-Production'.

9.2 The Project Team considers that it is important to strengthen and recognise the voice of children and young people, parents and carers in improving SEND service provision and that appropriate co-production techniques are fully utilised to develop service strategies and forward planning. Co-production allows all involved to work collaboratively as equal partners to design, plan, deliver and review SEND support and services in order to achieve shared outcomes. It recognises that children and young people, parents, carers and professionals all have important contributions to make due to their differing knowledge, skills and experience. We believe that, for co-production to be most effective, all partners should be fully involved at the earliest opportunity when planning or designing SEND support or services.

9.3 We understand that there is currently no single recognised approach within the council to the achievement of successful co-production, which should always be flexible to need. A corporate Test and Learn Framework for co-production was currently being piloted, to inform the development of a corporate Co-production Strategy for consideration by the Cabinet later in the year, and which would include a common definition of co-production for application to appropriate joint activity across the Council. It was emphasised that, even with the benefit of the adoption of an appropriate definition of co-production, it may be unlikely that co-production partners will always be in agreement on specific matters related to the design and delivery of services and that this understanding would need to be reflected in the proposed Co-production Strategy. However, the importance of ensuring the voices of children and families are heard and valued remains paramount.

9.4 The Project Team was advised that the Council's commitment to successful co-production and the promotion of opportunities to become involved in co-production activities, was set out in a dedicated area of the existing 'Your Say Southend' website.

9.5 It was reported that the current SEND Co-production Charter was currently in development and would form part of the proposed corporate Co-production Strategy. The Project Team considered that the SEND Co-production Charter was overly detailed in its current form and requested that efforts be made to make the document more explicitly focussed on the outcomes desired from relevant co-production activity and how these would be achieved, particularly in terms of ensuring that all parent/carer voices were adequately considered through co-production opportunities.

9.6 We consider that co-production needs to be embedded across the Council, although we have seen some excellent practice in Adult Social Care and with the development of the Anti-Poverty Strategy which should be celebrated. We welcome the Co-Production framework currently under development and believe that the Council would benefit from the adoption of clear definitions of co-production at all levels, from individual consultation or engagement to policy development. The SEND Co-production Charter is to be reviewed and needs to be able to define co-production at all levels, from involvement in Education, Health and Care Plans to decision-making and policy development.

9.7 The Project Team suggested that to support successful co-production activity and increase buy-in for the value of co-produced service design and delivery going forward, a small

number of officers are identified as trained co-production champions to support and advise services and teams across the Council undertaking co-production activities.

10. COUNCILLOR TRAINING

- 10.1 At the final meeting of the Project Team in April 2023, we considered the ‘SEND Councillor Training Offer’ theme of the work programme for the joint in-depth scrutiny project.
- 10.2 We consider that all councillors should regularly complete basic awareness training around SEND, to ensure that they fully understand the SEND system as a whole and how practitioners have a part to play in supporting good outcomes, in particular:
- What SEND means.
 - The key points of legislation regarding SEND.
 - The potential impact of SEND on a family and how families can be supported.
 - Where to find more information, including external support agencies and the Local Offer website.
- 10.3 The Project Team considered that SEND training for councillors should be co-produced with the existing Councillor Development Group to include a focus on casework alongside information required to enable robust scrutiny.
- 10.4 The Project Team believes that appropriate SEND training for councillors should sit within an ‘essential’ suite of training activities, to also include Childrens and Adults Safeguarding and Corporate Parenting, for completion during each term of office of all councillors. We also consider that priority should be given for members of the People Scrutiny Committee to undertake this essential training and other relevant training opportunities available across the municipal year.
- 10.5 We also suggest that a new set of simple, easy to understand ‘Five-Minute Guides’ be developed for all Council children’s services including those focused on SEND, to help councillors to understand the Council’s SEND system and that such guides include clear process maps around issues such as eligibility for carers assessments. We consider that these ‘Five-Minute Guides’ should be published on the councillor’s section of the intranet and also be made available to parents to improve communication and clarify expectations around SEND service provision, alongside the development of appropriate FAQs to support councillor casework activity.

11. RECOMMENDATIONS

- 11.1 We consider that the in-depth scrutiny project was undertaken within the context of the Council’s 2050 ambition and priorities and that the proposed outcomes for the project have generally been achieved.
- 11.2 Throughout this report, we have identified some ‘quick wins’ in terms of aspects of the work programme for the in-depth scrutiny project, alongside the following substantive recommendations to improve the effectiveness of the Council’s SEND service delivery. We therefore recommend as follows:

Local Government Association Peer Review

- (1) That the separate report of the Executive Director (Children and Public Health) setting out current progress and achievements against each of the actions arising from the Peer Review and highlighting where relevant actions will be taken forward as part of a new framework arising from the development of a

strategic action plan in response to the Ofsted inspection undertaken in March 2023, be noted.

- (2) That any remaining actions from the LGA peer review are incorporated into the SEND Area Strategic Action Plan which the Area Partnership is required to publish within 30 working days of the publication of the Area SEND inspection report by Ofsted. This will include in respect of the peer review action plan:
 - a. The Graduated Response as set out in Recommendations 4 and 6.
 - b. Recommendation 5 (Joint Commissioning Roadmap) be taken forward as part of the Council's response to any recommendations arising from the inspection of SEND services undertaken by Ofsted in March 2023.
 - c. In respect of Recommendation 7 (Threshold of Need), priority be given to the roll-out of a new threshold of need document for all Children's Services and the Cabinet Member for Children, Education and Learning be requested to provide an update to the Project Team on progress with the development and timescale for the threshold of need document.
 - d. Staff Training on Neurodiversity including mental health awareness.
 - e. In respect of Recommendation 9 (Neurodiversity), the Cabinet Member for SEND be requested to provide an update to the Project Team on the review of cases undertaken by the Director of Education, Inclusion and Early Years.
 - f. In respect of Recommendation 10 (Early Years), it be recommended that priority be given to this matter going forward from the conclusion of the in-depth scrutiny project, particularly around the identification of additional resources to facilitate the delivery of a strengthened Early Years offer.
 - g. In respect of Recommendation 15 (Trauma Informed Approach), it be recommended that priority be given to this matter going forward.
- (3) That the Cabinet Member for SEND and the Executive Director (Children and Public Health) provide periodic updates on the implementation and impact of the Area SEND Strategic Action Plan are provided to the People Scrutiny Committee.

SEND Offer Improvements & Impacts

- (4) That the Executive Director (Children and Public Health) consider the development of a 'charter' to clarify the expectations and processes around the development of Education, Health and Care Plans (EHCP).
- (5) That if appropriate, the proposed charter clarifying expectations and processes around the development of EHCPs and setting out the minimum expectations of SEND service users, be combined with the similar charter document already developed for the Children With Disabilities Team.

Young People with Care & Support Needs - Transitions & Transfers

- (6) That the work undertaken by the Adult Social Care Teams to develop the 'Transitions to Adulthood in a Social Care Context' protocol be recognised and

that the Director of Adult Social Care Operations ensure that this is followed-up. Further the protocol should:

- a. include arrangements for resolving 'personality' difficulties that might arise between the families of children and young people with SEND and officers of the Social Care Team, to ensure the provision of effective care and support services in such situations.
 - b. be produced in an 'easy read' type of format, broken down to provide information and guidance on individual areas of care and support provision for young people transitioning to Adult's Services.
- (7) That Essex Partnership University NHS Trust (EPUT) be invited to present their newly formed Transitions Framework document to a future meeting of the People Scrutiny Committee.
 - (8) That the Director of Adult Social Care Operations consider opportunities to ensure appropriate oversight of transition care and support for young people offered by other organisations, such as the 'Ready, Steady, Go' tool developed by EPUT and the services provided by Southend Connexions.
 - (9) That a Preparing for Adulthood Strategy is produced which captures all the preparing for adulthood pathways, for those children with SEND and those who may not sit within a statutory framework, so that effective transitioning is embedded in Southend EHCP practice.
 - (10) That the service roles and responsibilities for children and young people with an EHC Plan that move out of, or into, Southend-on-Sea, be published on the Local Offer website and on the dedicated space for councillors on the Council's intranet, and that a FAQs be developed to support greater understanding of roles and responsibilities in these circumstances.
 - (11) That a process map identifying the journey for those children and young people with SEND either transferring out of our into authority be published and readily available to both parents and professionals.

Lived Experiences

- (12) That arrangements are made for officers to report to councillors learning from the monitoring and review of complaints about the Council's SEND service. Further that the annual SEN 2 update report is provided to Councillors.
- (13) That clarity be achieved around the role and responsibilities of the recognised Parent Carer Forum for Southend-on-Sea and that the PCF be empowered to fulfil its functions as the designated PCF working with other parent/carer groups on the development and delivery of SEND services arising from feedback and coproduction opportunities.
- (14) That the Cabinet Member for SEND be encouraged to meet regularly with Southend SEND Independent Forum in its role as the recognised Parent Carer Forum, possibly on a termly basis, to support the ongoing work of SSIF and to maintain an up-to-date understanding of current issues and concerns raised by parents.

- (15) That an appropriate communication strategy be developed to facilitate respectful engagement and relationships, improved partnership working arrangements and increased confidence and trust with disaffected and disengaged SEND parents.
- (16) That the 'Waiting Well' concept be utilised as a key consideration in the provision of support for SEND families alongside appropriate early intervention and interaction including access to good quality information and resources, and that improved clarity in the signposting and delivery of relevant services be considered to ensure that people are well informed and that the expectations of parents/carers are managed.

Co-Production of SEND Services

- (17) That, subject to the review of the current draft SEND Co-production Charter address the concerns raised by the Project Team to ensure it is focussed on the outcomes of co-production activity and ensure that parent/carer voices are adequately considered.
- (18) That the Council adopt clear definitions of co-production at all levels of service provision where possible and that co-production as a process is embedded in practice across the Council and that co-production champions within the Council are identified and trained to support good practice across Council Services.
- (19) That appropriate arrangements are established to ensure that we are engaging with commissioners in identifying co-design opportunities for service development.

Councillor Training

- (20) That appropriate SEND training for councillors is co-produced with the existing Councillor Development Group as part of a suite of 'essential' training activities for completion during each term of office for all councillors and that priority be given for members of People Scrutiny Committee to undertake such essential training and other relevant training opportunities available across the municipal year.
- (21) That appropriate 'Five-Minute Guides' be developed for all Children's Services including SEND services, to help councillors to understand the Council's SEND system and that such guides include relevant process ('roadmaps') and FAQs to support parents/carers and councillor training and casework activity.

The in-depth People Scrutiny Review of SEND assessed progress against the action plan devised in response to the LGA peer review recommendations of the Council's SEND and Children with Disability(CWD) Service. The table below provides an update on the current position in relation to those recommendations. The table captures those actions that.

- Have been completed.
- Are business as usual for the Council's SEND and CWD service.
- Will be incorporated within the new Area SEND Strategic Plan that the Area SEND Partnership is required to produce and publish within 30 working days of the publication of the Area SEND inspection report; and
- Those specific outstanding actions to be undertaken by the Council.

	Completed Actions
	Consider the level of seniority of the chair of the Resource Allocation Panel <ul style="list-style-type: none"> • New Chairing arrangements in place with effect from 1/02/22
48	<ul style="list-style-type: none"> • Consider moving the SENDIASS service outside the SEND/CWD service. New line management arrangements in place.
	Review and refresh the Area SEND Strategy <ul style="list-style-type: none"> • Review completed and new 4-year strategy endorsed in the early part of 2023 by key partners via Education Board and Council Cabinet • Mid and South Essex (MSE) ICB due to endorse by Autumn 2023
	Business as Usual (BAU) - Ongoing Work
	Portfolio Holder (PFH) sample casework <ul style="list-style-type: none"> • Embed quarterly sampling of casework by PFH.
	Reduce the number of "refusal to assess" at initial stages of EHCNA decision. <ul style="list-style-type: none"> • Continue to review data and process mapping for panel assessment and procedures and monitor DNA levels.

	<ul style="list-style-type: none"> Continue to monitor the effectiveness and issues associated with the Hub as a source for holding all papers.
	<p>Update the threshold of need document for Children's Services</p> <ul style="list-style-type: none"> Threshold document for all Children's Services, launched in July 2021, is under review with partners and there will be changes. Aim is to introduce the new threshold document in Autumn 2023
	<p>Incorporate learning from complaints as part of the quality assurance system.</p> <ul style="list-style-type: none"> Director of Education, Inclusion and Early Years to review all complaints routinely and feed any actions required as a result into the SEND Strategic Partnership Board to inform the service and offer across Southend going forward.
	<p>Strengthen the early help offer for children with disabilities.</p> <ul style="list-style-type: none"> Increase resource identified and allocated to the Short Breaks offer. Resource increased for 2023/24. Build into the Area SEND Strategic Action Plan a focus to strengthen the Early Years offer and additional resources to deliver this offer.
49	<p>Introduce specific training for staff working in SEND on Neurodiversity</p> <ul style="list-style-type: none"> First round of training completed for Council SEND staff in post when the training was provided. Neurodiversity training to be provided (as part of the SEND service staff induction programme) to ensure new staff joining the Council's SEND Service undertake and complete it. Refresher training to be provided for all Council SEND staff every 2 years.
	<p>Expectations and Aspirations - Actions to be included within the Area SEND Strategic Action Plan</p>
	<p>Increase the pace of support and challenge to schools in the graduated response and ensure clear system wide understanding of the graduated response.</p> <ul style="list-style-type: none"> Implement the successful Alternative Provision applications by schools which will be confirmed July 2023 Southend SEND Strategic Partnership Board and Education Board to review and monitor the impact of this funding on the wider graduated in schools. Identify other inclusion projects to support the graduated offer and improve outcomes for children with SEND.

	<p>Develop clear timescales and outcomes measures for the joint commissioning roadmap.</p> <ul style="list-style-type: none"> • That a Joint Commissioning Roadmap be taken forward as part of the Council's response to any recommendations arising from the inspection of SEND services undertaken by Ofsted in March 2023.
	<p>Carry out an audit of children and young people where neurodiversity is a possibility.</p> <ul style="list-style-type: none"> • Director, Education, Inclusion and Early Years, with partners to review the number of open/closed cases over the last 12 months. • Following the review identify how the learning and information from it feeds into the Area SEND Strategic Action Plan and the identification and commissioning of future services.
	<p>Build trust with parents and carers.</p> <ul style="list-style-type: none"> • Make sure that parents and carers and professionals receive clear and reliable information about how to access the range of support and services that are available. • Increase the pace of improvement to increase trust and confidence in the offer. • Increase and improve consistency of co-production to develop individual EHC plans. • Identify if / how to develop a trauma informed approach for those families who are angry and distressed about their previous experience.
50	<p>Expectation and Aspirations - Actions to be undertaken by the Council</p>
	<p>Training and support for councillors to increase knowledge and awareness and to ensure that they fully understand the SEND system as a whole and how practitioners have a part to play in supporting good outcomes.</p> <ul style="list-style-type: none"> • That appropriate basic SEND awareness training for councillors is co-produced with the existing Councillor Development Group as part of a suite of 'essential' training activities for completion during each term of office for all councillors and that priority be given for members of People Scrutiny Committee to undertake such essential training and other relevant training opportunities available across the municipal year. • Once the training package has been co-designed ask Democratic Services to ensure that a regular rolling training programme is scheduled as part of the wider member training programme with training session offered twice per year as essential training for councillors. • That appropriate 'Five-Minute Guides' be developed for all Children's Services including SEND services, to help councillors to understand the Council's SEND system.

Conclusion

Given the update above there will be no further specific reviews of the above table on the LGA peer review recommendations. Any monitoring / oversight of the outstanding actions above will be through updates and reports on the Area Strategic SEND strategic action plan to the Southend SEND Strategic Partnership, the Southend Health and Well Being Board (HWBB) and to the Department for Education (DfE).

Existing business as usual performance monitoring arrangements of Council SEND Services, and feedback from the teams within the Council that lead and deliver the Councillor training offer.

It is proposed that a mid and end of year for information report on the Area SEND offer is provided to the Council's People Scrutiny Committee.

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Meeting:	Cabinet
Date:	18 th September 2023
Classification:	Part 1
Key Decision:	No
Title of Report:	In-Depth Scrutiny Projects 2022/23 and 2023/24
Report Author:	Tim Row (Principal Democratic Services Officer)
Executive Director	Joe Chesterton (Executive Director - Finance & Resources)

1. Purpose of Report

- 1.1 To present the draft report and recommendations of the In-Depth Scrutiny Project undertaken on behalf of the Place Scrutiny Committee for 2022/23 entitled "Preparing Southend for the EV Revolution".

2. Recommendations

- 2.1 **That the report and recommendations arising from the Place Scrutiny Committee In-Depth Scrutiny Project for 2022/23, detailed at Section 6 of the attached report, be approved.**
- 2.2 **That the budget implications arising from the recommendations of the in-depth scrutiny project be considered as part of current and future years' budget processes prior to implementation.**

3. Background

- 3.1 At its meeting on 4 July 2022, the Place Scrutiny Committee agreed that an In-Depth Scrutiny Project be undertaken during the 2022/23 municipal year on the theme of 'Preparing Southend for the Electric Vehicle Revolution', as part of the scrutiny work programme for the year (Minute 86 refers).
- 3.2 The project was led by a Councillor Project Team appointed by the Council on 19 May 2022 comprising: Councillors: M Berry, K Buck, J Courtenay, M Dent, A Jones, N Ward, J Warren and P Wexham. Councillor Buck was appointed Chair of the Project Team from January 2023.
- 3.3 The Project Team was supported by relevant officers including J Burr (Executive Director (Neighbourhoods & Environment)) and T Row (Principal Democratic Services Officer/Project Co-ordinator). Other officer support was provided in respect of specific elements of the in-depth scrutiny project.

- 3.4 Progress with regard to the joint in-depth scrutiny project was achieved throughout the 2022/23 municipal year. Efforts were made by the Project Team to ensure that the timescale for the delivery of the project was maintained and that the project was completed by the end of the 2022/23 municipal year.
- 3.5 The draft final report arising from the In-Depth Scrutiny Project was agreed by the Place Scrutiny Committee at its meeting on 29th August 2023 (Minute No. 28 refers). A copy of the final report is attached as Appendix 1 and the recommendations of the Project Team are set out in Section 6 of the report. These have been agreed by the Project Team.
- 3.6 In accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report and recommendations of an In-Depth Scrutiny Project would normally be presented to the Cabinet by the chair of the relevant scrutiny committee. As the scrutiny project for 2022/23 was undertaken on behalf of the Scrutiny Committee by the project team, it is suggested that the report and recommendations arising from the project should be presented to the Cabinet by Cllr Buck as Chair of the Project Team and now the relevant Cabinet Member.

4. Recommendations

- 4.1 In accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report of the in-depth scrutiny report is attached at Appendix 1 for approval by Cabinet.
- 4.2 The recommendations from the review are set out in Section 6 of the report. Some of the recommendations arising from the review have budget implications that will require consideration as part of future years' budget processes prior to implementation.
- 4.3 The Cabinet is requested to endorse the recommendations arising from the in- depth scrutiny project.

5. Other Options

- 5.1 To note the report but not progress any of the recommendations.

6. Reasons for Recommendations

- 6.1 Not applicable

7. Corporate Implications

Contribution to the Southend 2050 Road Map

Becoming an excellent and high performing organisation.

Financial Implications

There are costs associated with organising in-depth projects relating to officer time, but this will all be contained within existing resources.

Legal Implications

None

People Implications

None.

Property Implications

None

Consultation

As described in report.

Equalities and Diversity Implications

None

Risk Assessment

None

6. Background Papers

None

7. Appendices

Appendix 1 - Final report of In-Depth Scrutiny Project 2022/23

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Place Scrutiny Committee

**In-Depth Scrutiny Project
2022/23**

**‘Preparing Southend for
the Electric Vehicle
Revolution’**

Final Report and Recommendations (July 2023)

1. INTRODUCTION

- 1.1 I am pleased to be able to present this report and recommendations of the in-depth scrutiny project for 2022/23.
- 1.2 Electric vehicles and the reduction of the use of fossil fuelled vehicles is something that I am particularly passionate about. This project was an important piece of work not solely because of the Government's ambition to end the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035 and the continued usage on fossil fuels but also to improve the air quality and environment within the City and removing barriers to potential EV ownership where residents may be unable to install their own charging units.
- 1.3 In undertaking this work, the Project Team was conscious that the Council needed to identify some solutions to kick start the preparations for the EV revolution in Southend and reduce the barriers for increasing electric vehicle usage. This will help identify the right technology, the necessary infrastructure and appropriate solutions.
- 1.4 I would like to thank everyone involved for their contribution to the in-depth scrutiny project, including Shirley Long at the Royal Borough of Kensington and Chelsea and representatives from both companies who kindly gave their time to share their expertise and experiences to inform our work.
- 1.5 Finally, I would like to thank officers of the Democratic Services Section for their assistance and support during the course of the in-depth scrutiny project and in the production of this final report.



Councillor Kevin Buck
Chair of the In-Depth Scrutiny Project Team

2. BACKGROUND

- 2.1 Each of the Council's scrutiny committees (the People Scrutiny Committee, the Place Scrutiny Committee and the Policy and Resources Scrutiny Committee) has traditionally undertaken an in-depth scrutiny project each year. The in-depth projects are selected at the beginning of each municipal year and generally focus on the Council's corporate priorities or matters of local concern. Recent in-depth scrutiny projects have also been aligned with the ambition and outcomes arising from the Southend 2050 programme.
- 2.2 The in-depth scrutiny projects lead to the development of reports and recommendations which advise the Executive and the Council on its policies, budget provision and service

delivery. Participation in the in-depth projects enable councillors to be actively involved in a specific topic and to influence and shape proposals around service improvement that will result in improved outcomes.

3. FRAMEWORK OF THE IN-DEPTH SCRUTINY PROJECT

3.1 At its meeting in July 2022, the Place Scrutiny Committee agreed that an in-depth scrutiny project be undertaken during the 2022/23 municipal year on the theme of 'Preparing Southend for the Electric Vehicle Revolution', as part of the scrutiny work programme for the year.

3.2 There were a number of reasons for the identification of the in-depth scrutiny project. In particular, the project aimed to bring Southend into the 21st Century in preparation for the increased use and ownership of electric vehicles, ensuring appropriate infrastructure would be available given the Government's plan end the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035.

From the outset of the study, it was felt that the focus should be on on-street charging facilities, particularly given the complexities enabling charging facilities in densely urbanised areas with streets which have limited or no off-street parking suitable for private home chargers and very high levels of on street parking.

3.3 The agreed scope of the in-depth scrutiny project was:

- (a) To review and develop the vision proposed in the Southend City Council Electric Vehicle (SCC EV) Feasibility Study in particular the provision of chargers in residential areas.
- (b) To identify and develop an appropriate timeline for the introduction of any proposals.
- (c) To identify an appropriate revenue model which will realise short and medium-term benefits for the City.

3.4 The review was set within the context of the Council's 2050 ambition and priorities and the Project Team was tasked with reviewing relevant issues and to report back to the Cabinet with appropriate findings and recommendations.

4. METHODOLOGY

4.1 The review was undertaken on behalf of the Place Scrutiny Committee by a Project Team comprising the following members appointed by the Council on 19 May 2022:

Councillors M Berry, K Buck, J Courtenay, M Dent, A Jones, N Ward, J Warren and P Wexham

4.2 Councillor K Buck was appointed Chair of the Project Team at its initial project scoping meeting held on 16 November 2022.

4.3 The Project Team was supported by relevant officers including J Burr (Executive Director (Neighbourhoods and Environment)) and T Row (Principal Democratic Services Officer/Project Co-ordinator). Other officer support was provided in respect of specific elements of the in-depth scrutiny project, including:

N Hoskins (Head of Civil Engineering)
J Gay (Interim Head of Waste and Climate Change)

- 4.4 The Project Team met on three occasions between September 2022 and March 2023. Efforts were made by the Project Team to ensure that the timescale for the delivery of the project was maintained and that the project was completed within the 2022/23 municipal year.
- 4.5 The in-depth scrutiny project was undertaken using an evidence-based approach to the consideration of existing governance and joint working arrangements, through a mixture of experiences presented by councillors and informative presentations that supported the understanding of the barriers, challenges, opportunities and aspirations of the issues involved. One witness session was held in respect of the project, where an officer with significant experience in the matter within a number of London Boroughs and two commercial companies presented to the Project Team.
- 4.6 A project plan and work programme for the in-depth scrutiny project was adopted by the Project Team in November 2022, having been agreed by the Place Scrutiny Committee in October 2022. The project plan and work programme set out the scope and framework for the project, alongside a programme of thematic evidence-gathering activities around the following specific areas identified as key to the desired outcomes for the project:
- (a) The context and expectations of the in-depth scrutiny project.
 - (b) The current provision of charging facilities in the City.
 - (c) The barriers to and opportunities for charging facilities in densely urbanised areas and potential options.
 - (d) The experiences from other local authorities on providing such infrastructure
 - (e) What eligible local authorities need to do to apply for appropriate funding sources such as LEVI electric chargepoint infrastructure funding and the Office for Zero Emission Vehicles (OZEV) 'on-street residential chargepoint scheme' (ORCS)
- 4.7 The following sources of evidence were considered as part of the in-depth scrutiny project:
- (a) Overview of challenges and opportunities for increased EV charging infrastructure in Southend-on-Sea – July 2022
 - (b) Relevant strategies, surveys, data, documents, reports and plans.
 - (c) Feedback from providers and other local authorities
 - (d) Government guidance

5. CONTEXT AND EXPECTATIONS OF THE IN-DEPTH SCRUTINY PROJECT

- 5.1 From the outset of the study, the Project Team was mindful of the Council's ambition to become a Green City, with low-emission transport a key focus in the City Council's sustainability reporting. The Council had also declared a Climate Emergency on 18 July, 2019, and announced a commitment to achieving carbon neutrality in their operations by 2030 (or before), as well as supporting the wider City to achieve net zero by the same date. To assist in achieving this target, several strategy documents and enabling policies had been produced including:
- (i) Supplementary Planning Document regarding Electric Vehicle Charging Infrastructure for new development.
 - (ii) A Feasibility Study regarding charging infrastructure by Net Zero East entitled "Overview of challenges and opportunities for increased EV charging infrastructure in Southend-on-Sea".

It was also mindful that there were two Air Quality Management Areas covering sections of the A127, which currently exceed national air quality goals.

- 5.2 The Project Team had regard to the Government's Electric Vehicle Infrastructure Strategy, published in March 2022, which summarised the need for a particular focus on chargepoint infrastructure:

"We expect around 300,000 public chargers as a minimum by 2030. Our goal is to ensure these chargepoints are installed ahead of demand, inspiring confidence in drivers who have not yet made the switch."

This equates to between approximately 250-260 public chargers in Southend by 2030.

- 5.3 The Project Team noted the level existing provision of charging infrastructure within its car parks and other facilities. Public electric vehicle charging points across Southend were limited and most were centred across the seafront and the middle of the City. The network across the wider city and smaller areas was, however, somewhat scarce. According to the DfT, as of April 2022, the total public charging devices within Southend stood at 19 devices. This equated to 10.4 devices per 100,000 people. The Council did, however, have the ambition to install further devices in public areas within its control.
- 5.4 The Project Team also noted the Council's ambition to ensure that no resident was more than a 10 minute walk from an EV charger by installing facilities at Council car parks and leisure centres. A plan taken from the feasibility study regarding charging infrastructure produced by Net Zero East was shared with the Project Team. It was explained that by mapping a "10-minute walk" radius to different potential public charging locations on council land, it was possible to identify potential gaps to ensuring adequate access to charging for all residents. The scenarios set out in the plan indicated how the spread of EV charging would enable the greatest access for residents. It was felt that the Council should continue to assess charging volume requirements at the different car parks and begin discussions with companies that could install 'destination' charging options. The type and speed of chargers at each location would need to be determined.
- 5.5 The Project Team accepted that the installation of electric charging infrastructure across the City needed to be accessible for all demand users. It quickly identified that the more challenging issue was the complexities in providing charging facilities in densely urbanised areas with streets which have limited or no off-street parking suitable for private home chargers and very high levels of on street parking. If on-street charging is installed in such areas it would be important that the density of parking spaces is not adversely impacted and the residents who use the on-street parking are still able to keep their car close to their house.
- 5.6 For those properties with driveways off-street parking and dedicated parking facilities, charging at home was a relatively easy and convenient solution, with many energy suppliers now offering EV charging solutions along with specific tariffs. There were also innovative solutions coming to market to enable EV's to act as flexible assets and sell electricity back to the grid (Vehicle to Grid). This could be attractive source of income for EV owners in the future and could encourage EV uptake. Many people who lived in multi-story dwellings or rely on on-street parking, however, would require alternative methods of charging.
- 5.7 There are many areas in the City where roads and pavements are narrow, with vehicles parking on the kerb. Most terraced houses also very often offered no dedicated parking spots, and residents may therefore feel it too risky to invest in an EV charge point if they are not guaranteed ability to park near their home. There are also roads where vehicles are parked and lining both sides of the road. In some cases, residents could run private

charge points from their houses however, there were health and safety concerns particularly in relation trip hazards etc. although residents could seek permission to run gullies from the properties to facilities charging cables. Many roads also have narrow pavements but with the inclusion of traffic calming systems and kerb-side furniture. Any existing kerb-side furniture (such as lamp-posts) could make installing EV charge points difficult without affecting pavement accessibility.

- 5.8 The Project team heard that whilst such street furniture could make the installation of EV charging points difficult without affecting pavement accessibility, these assets provided an opportunity for alternative solutions eg lamp post chargers, pop-up chargers or concealed chargers. Where additional kerb-side furniture is less likely to impose additional further restrictions to accessibility dedicated bays for charging could be considered. Southend is fortunate in that the majority of lampposts in the City are still located at the front of the pavement. This means that a lamppost can be retrofitted very quickly and without any additional cost such as having to use a satellite post, etc.
- 5.9 Although one of the largest challenges for Southend when installing, upgrading and maintaining an electric vehicle charging network is the upfront, operations and maintenance costs, there various funding streams now available for the benefit of local authorities to aid with the installation costs. There were also new companies able to provide appropriate solutions for on-street charging systems with a variety of financing options available, meaning that the facilities could be installed with no financial input from the Council while still generating an income for it.
- 5.10 Two such companies were Connected Kerb and ChargeLight. Representatives from both companies were invited to a meeting of the Project Team to explain their services and what they could do for Southend. Copies of the slides used in the presentations are attached as appendices to this report.
- 5.11 Connected Kerb have developed a multi-award-winning EV charging and smart cities infrastructure solution, recognised as market-leading and addressing many of the issues that have plagued EV charging technologies. The ChargeLight solution uses lamppost charging hardware made by CityEV, a leading charge point manufacturing firm based in the UK.
- 5.12 The Project Team heard that by end of 2022, more than 7,000 lamppost chargers had already been installed in the UK Lamppost chargers already notably in London, Brighton, Coventry, Portsmouth, Hampshire, Wirral, Reading amongst others. In most London Boroughs, lampposts make up appropriately 80% of public charging points
- 5.13 It was evident from the presentations that some locations could facilitate a dedicated on-street parking pay and charging pillar, but this would need to be assessed on a case-by-case basis in discussion with residents. There are also a number of terraced streets that are both too narrow to facilitate on-street charging posts but would leave residents greater than a 10 minute walk from the nearest charge-point without a local solution. It may be worth exploring whether adapting street lighting to incorporate charge-points would be viable in these areas.
- 5.14 Both companies identified some options for the Council to provide a network of charging points. These schemes would qualify for grant funding from the Office for Zero Emissions Vehicles (OZEV) and both had experience in working with local authorities with submitting applications. The Office for Zero Emission Vehicles (OZEV) is a cross Government, industry endorsed team established to promote the uptake of zero emission vehicles (ZEV). OZEV has the remit to dispense funding for the 'on-street residential chargepoint scheme' (ORCS) to local authorities, supporting the roll-out of EV charge point networks across England. The purpose of the scheme is to increase the availability of on-street

chargepoints in residential streets where off-street parking is not available, thereby ensuring that on-street parking is not a barrier to realising the benefits of owning a plug-in EV.

- 5.15 There is also an opportunity to encourage both the take up of EV's, ensure 'close to home' charging, but also to generate additional income for the council, to introduce a time limited incentive of dedicated EV charging bays in 'high stress' parking residential streets. Subject to agreeing to the terms and conditions, meeting full compliance and passing all legal and statutory due diligence, an opportunity exists to allow residents to apply for a dedicated parking permit at a fee to be agreed, to solely use a specific EV charging bay enabled for this purpose.

6 RECOMMENDATIONS

- 6.1 We consider that the in-depth scrutiny project was undertaken within the context of the Council's 2050 ambition and priorities and that the proposed outcomes for the project have generally been achieved.
- 6.2 It will be a challenge to balance competing demands for on-street, car park and destination charging to ensure that provision matches uptake at different locations. Ongoing community engagement and careful strategy development can reduce the risk.
- 6.3 Moving forward the Council should look to continue to assess charging volume requirements at the different car parks and other Council facilities and begin discussions with companies that could install 'destination' charging options as well as fast and rapid charging at car parks and selected third-party destinations. It should also investigate further the potential for on-street charging options particularly in densely urbanised areas where there is no off-street residential parking and areas of high parking stress.
- 6.4 Throughout this report, we have highlighted support of the Council's ambitions to improve its electric vehicle charging infrastructure in terms of aspects of the work programme for the in-depth scrutiny project, alongside the following substantive recommendations to strengthen its preparations for the EV revolution.
- 6.5 We therefore recommend as follows:
- (1) That options be developed for pilot schemes to be mobilised within the current civic year of 2023/24 in appropriate areas as identified by the suggested maps, for pilot schemes for both options including feeder pillars with dedicated charging bays and lamppost and street furniture charging units.
 - (2) That the Council continue to assess charging volume requirements at the different car parks and other Council facilities and begin discussions with companies that could install 'destination' charging options as well as fast and rapid charging at car parks and selected third-party destinations.
 - (3) That ambitious bids be submitted for any available sources of funding to support the increase of the EV charging network.
 - (4) That the success of the pilot schemes be monitored and reported to a future meeting of the Place Scrutiny Committee after the first 12 months of implementation of 1 above for consideration.
 - (5) That the Council installs sufficient numbers of destination or other appropriate EV chargers at all sites where the Council has any form of fleet vehicle operations, to facilitate the transition of its own fleet to EV's.



On-Street EV Charging

January 2023

- The vast majority of EV charging will take place in domestic and workplace settings
- In towns and cities across the UK a significant proportion of residents will not have access to low-cost, affordable home charging – that will include private hire drivers
- ⌘ • Residential on-street charging is an essential piece of the overall council EV charging strategy jigsaw – especially for professional drivers without off-street parking
- The “best” on-street solution will be the most convenient, highest value for money, least disruptive and most environmentally friendly solution
- ChargeLight offers a fully financed lamppost charging solution

- Ensure best value for money (upfront and ongoing costs)
- Deliver customer choice through avoiding single provider monopoly
- Scalability and Interoperability
- End of concession: redundancy and ownership
- Minimise disruption
- Avoid parking controversy
- Embodied carbon



UK Lampposts ready to go

>300,000 lampposts on UK residential streets ready to become EV chargers



Most convenient location

EV drivers prefer to charge outside their home



30 mins to install

Simple swap of the column door, no planning, no groundworks, no DNO



Best value for money

More charge points for residents for every £ invested



1/6 of the carbon footprint

The lowest embodied carbon solution by far



Smart-grid enabled

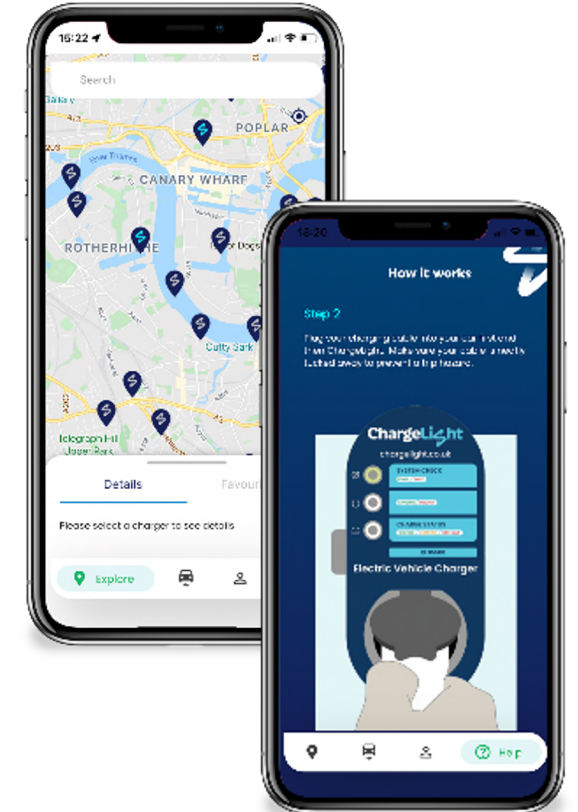
Unlike rapids or charging hubs, lampposts enable city-wide smart charging

- By end of 2022, more than 7,000 lamppost chargers were already installed in the UK
- Lamppost chargers already notably in London, Brighton, Coventry, Portsmouth, Hampshire, Wirral, Reading and many more!
- In most London boroughs, lampposts make up >80% of public charging



ChargeLight Offering

- **Hardware:**
 - Made in the UK by City EV
 - >1,000 units installed across the UK
 - No drilling into the lamppost
 - No ancillary equipment inside lamppost
 - <30 minutes installation time
 - Satellite bollard option
- **Software:**
 - Easy to use customer App
 - Simple payment system
 - Account functionality
 - Charging history
 - Smart tariff capable





71

Dedicated team with:

- Decades of EV and EV charging industry experience
- Experience from day 1 in the lamppost charging space - Ubitricity and Joju
- Multiple customer facing businesses
- Established track record in finance sector

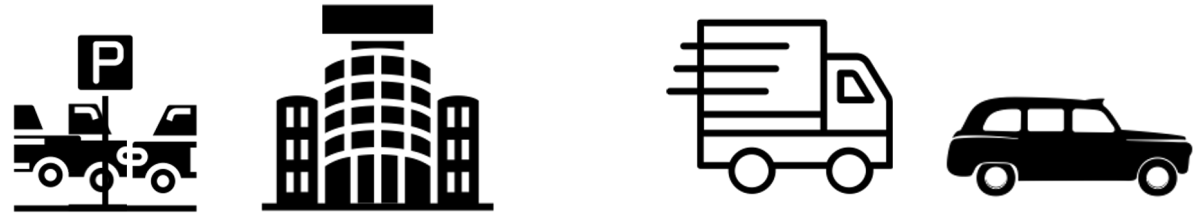
- Southend's lighting contractor
- Have been introduced to CityEV technology and installation process
- Engineers and installation technicians have no concerns about installing ChargeLight chargers into Southend columns.

- Proven and mature lamppost charger technology
- Over 1,000 installed in UK alone
- Indoor unit with no in-column equipment
- Only lamppost charger with contactless option
- Safevolt™ technology to improve safety and reduce costs

We believe in installing the appropriate charging solution for each use case in the right location. If required, ChargeLight can coordinate a one-stop-shop solution, thereby reducing complexity and delivering an efficient and effective charging strategy.



On-Street Residential



Car Parks & Rapid hubs



- Dedicated lamppost charging specialist
- Lowest cost, lowest carbon, least clutter solution for urban environments



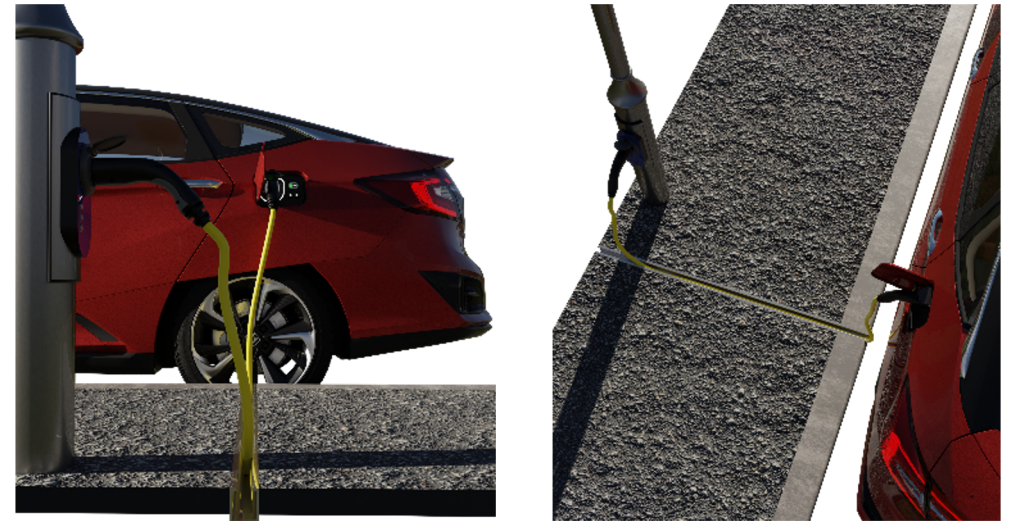
- Focused on destination and workplace charging
- Dedicated design and connection team
- Industry leading UK chargepoint manufacturer
- City centre or hub architecture

Satellite Bollards



- Provides simple to access, easily identifiable kerbside socket
- Only one additional piece of street furniture (no feeder pillar)
- Wide range of design aesthetics to suit every street scene
- Use of NAL socket provides 'plug & play' flexibility

Gulley to Kerb



- No additional street furniture – useful for narrow pavements
- Lowest cost option
- Limited street works and no cabling requirement

- Fully financed turnkey solution
- Zero cost to the council - all upfront and ongoing costs covered
- Co-ownership model available

74 **Pilot Roll-out** → **Assessment** → **Phased Scale**

- Surveys and OZEV grant application
- Billing and Customer Support
- Maintenance and Repair



Revenue share

- Effectively a tax on less well-off residents
- CPOs will add on to their retail price (plus VAT)
- Simple to understand and calculate
- May reduce usage / EV uptake due to higher pricing

75

Profit share

- Increased alignment with CPO
- Requires clear documentation
- Unlikely to deliver cash flow immediately
- Will deliver a more competitive price to residents

Guaranteed revenue

- Equally a tax on less well-off residents
- CPOs will include in their pricing model (plus VAT)
- Simple
- Impact on EV uptake

Co-ownership

- Complete alignment with CPO
- Simple design
- Provides income and potential capital gain
- Could be combined with an advance to provide income in earlier years

Planning

- LA inputs such as preferred ward distribution and existing known demand
- Desktop surveying and selection
- OZEV grant application

76

Smart Platform

- Network uptime
- KPI reporting & data sharing
- Remote diagnostics and fault detection
- Load balancing

Installation

- Physical site surveying
- Installation by preferred contractor
- 8-12 weeks from commitment to commissioning

Repair and Maintenance

- Twice yearly inspections and planned maintenance
- 2 hour resolution on safety critical issues
- Vandalism

Charge Light

A charger on every street

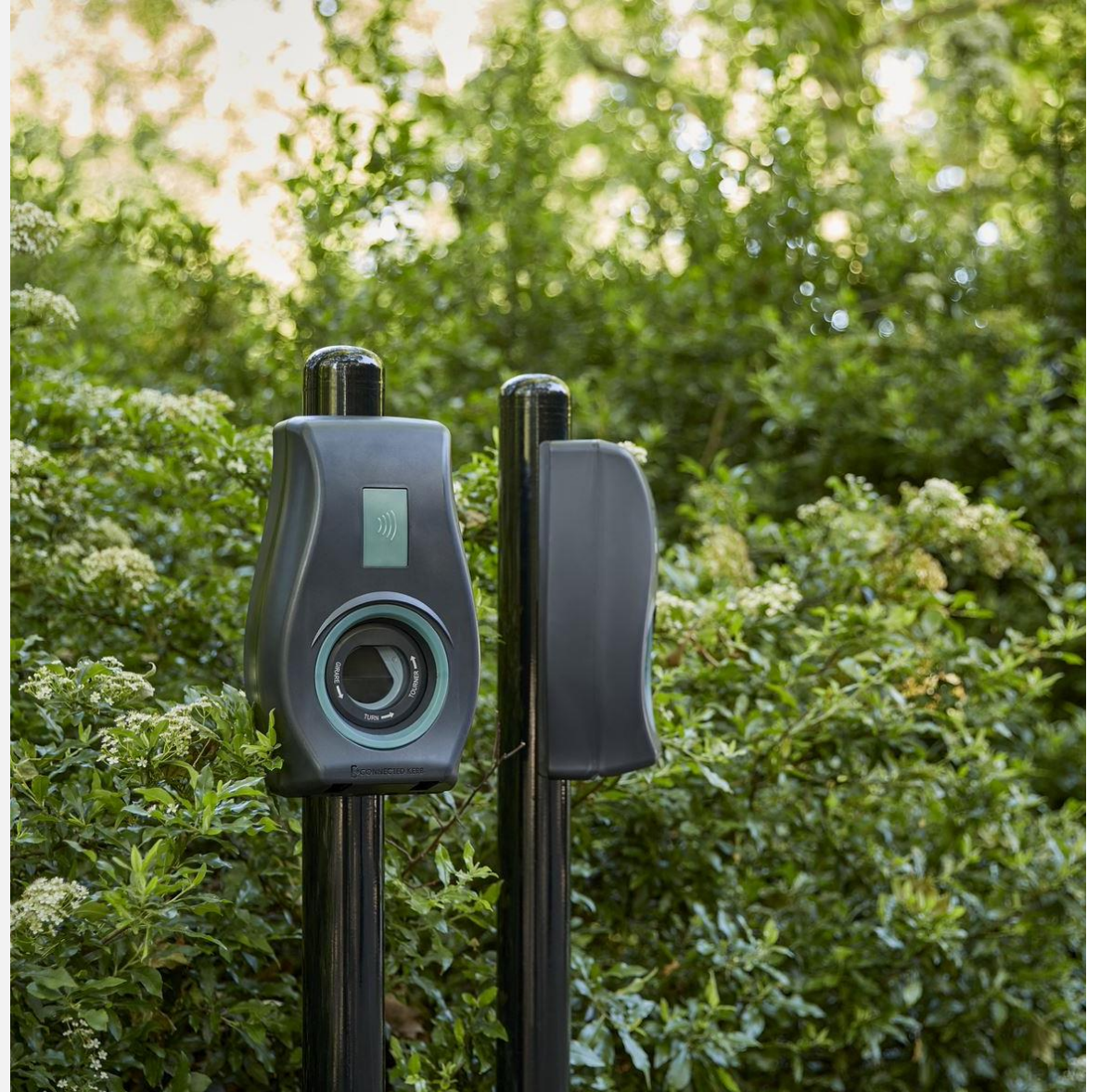
E: info@chargelight.co.uk

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EMPOWERING TOMORROW'S JOURNEY FOR ALL

January 2023



5 years old with rapid growth trajectory in UK and overseas.

Fastest growing UK charging network: c.3000 public chargers installed in 12 months.

INTRODUCTION TO CONNECTED KERB

c.14,000 public chargers contracted in past 6 months.

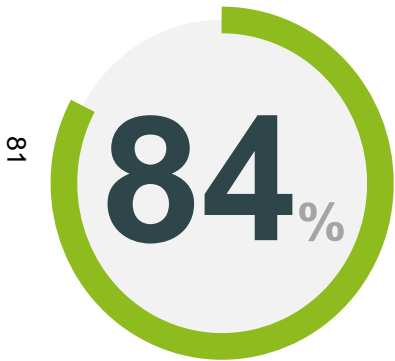
8,000 public chargers planned for installation in 2023.

Focused on Long Dwell Charging - Intelligence over charging speed.

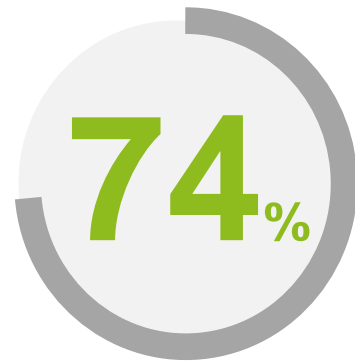
Convenience, Affordability & Reliability

EV ADOPTION

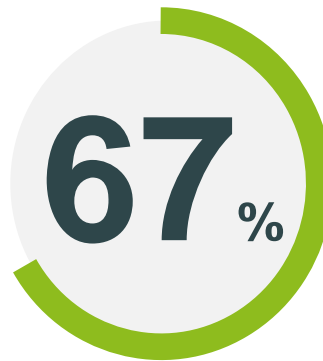
VOICE OF THE CONSUMER (2021)



said they **thought the government should install more public charging infra.**



Believed the government should do **more to educate people about the transition**



of existing EV drivers **would not have bought an EV** if they did not have access to overnight charging



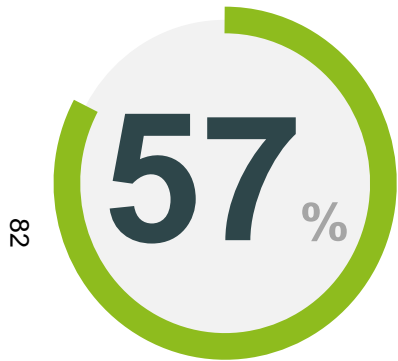
62% of the population cant home charge...made up of 34% who don't have a driveway and then 28% who have a dedicated space, but away from a suitable power source.



said they would be encouraged to make their next car an EV if they were **offered access to a parking space** where they could charge their EV while it is parked

EV ADOPTION

VOICE OF THE CONSUMER (2022)



respondents were not satisfied with a single charging option. 57% of respondents said charging availability whilst parked at work was essential or very important.



80% of drivers said reliable, affordable charging where their car is parked at home was essential or very important



said they would only ever park outside their home to charge...



said they would be prepared to walk more than 2 and up to 5 minutes...



only 10% said they would walk up to 10 minutes.



THE CONNECTED KERB SYSTEM

- 01 Fast Charging:**
Easy to use, universal access, 3-22kWh smart charging.
- 02 Interchangeable Sockets:**
Post, bollard and wall mounted solutions - Ideal for crowded streets and carparks.
- 03 Smart and Connected:**
Dynamic load balancing, connected, secure and uniquely paired with IoT, WiFi and 5G technology.
- 04 Environmentally Sensitive:**
Long life, recycled materials and minimal visual impact.
- 05 Future-Proofed:**
Flexible modular design with induction capability built in.
- 06 Safe & Secure:**
Full compliance to (or above) regulations, tested and CE marked, with mid meters for accurate power records.
- 07 Efficient O&M:**
Designed for fast, efficient installation, high reliability (+99% uptime) and rapid repairs/maintenance.

OUR AWARDS

- 01 SEAL Sustainability Global Award**
Environmental Initiative
- 02 Mayor of London Civic Innovation Award**
Electric Vehicles
- 03 Green Apple Environmental Award**
Environmental Best Practice
- 04 Edies Sustainability Award**
Technological Innovation
- 05 Placetech Prize**
Startup of the Year
- 06 EVIES & EV World Congress Awards**
Best Product & Best Onstreet Charging
- 07 UN's 75th Anniversary Sustainable Engineering**
- 08 Cambridge Wireless**
Most Innovative Start-Up of the Year
- 09 Frost & Sullivan**
Best EV Charging Solution



A WINNING SYSTEM



FLEXIBLE PRODUCTS, CONSISTENT **PERFORMANCE**



Chameleon

Post-mounted dual sockets, replicating existing street furniture (parking posts, bollards etc.) and directly on top of below ground charging unit. Designed to minimise visual impact/street clutter.

- Networked system able to load manage across chargers
- Extremely hardwearing and secure, but with easy opening to aid repair and maintenance.

 **On-street & surface car parks**



FLEXIBLE PRODUCTS, CONSISTENT **PERFORMANCE**



Gecko

Post-mounted socket connecting into existing street furniture (parking posts, bollards etc.) and directly on top of below ground charging unit. Designed to minimise visual impact/street clutter.

- Networked system able to load manage across chargers
- Multiple colour options to blend to local environment
- Hardwearing and secure with double-skin, but easy opening to aid repair and maintenance
- Lighting ring for low lighting conditions.

 **On-street & surface car parks**



FLEXIBLE PRODUCTS, CONSISTENT **PERFORMANCE**



Limpet

Wall mounted socket connected to a master charging box. Made from recycled vehicle tyres to be robust and environmentally sensitive.

- Networked system able to load manage across chargers
- Designed for intensive use in car parks
- Wall mounting means that no excavation is required
- Lighting ring for low lighting conditions.

 **Multistorey car parks & car park perimeter walls**



FLEXIBLE PRODUCTS, CONSISTENT **PERFORMANCE**

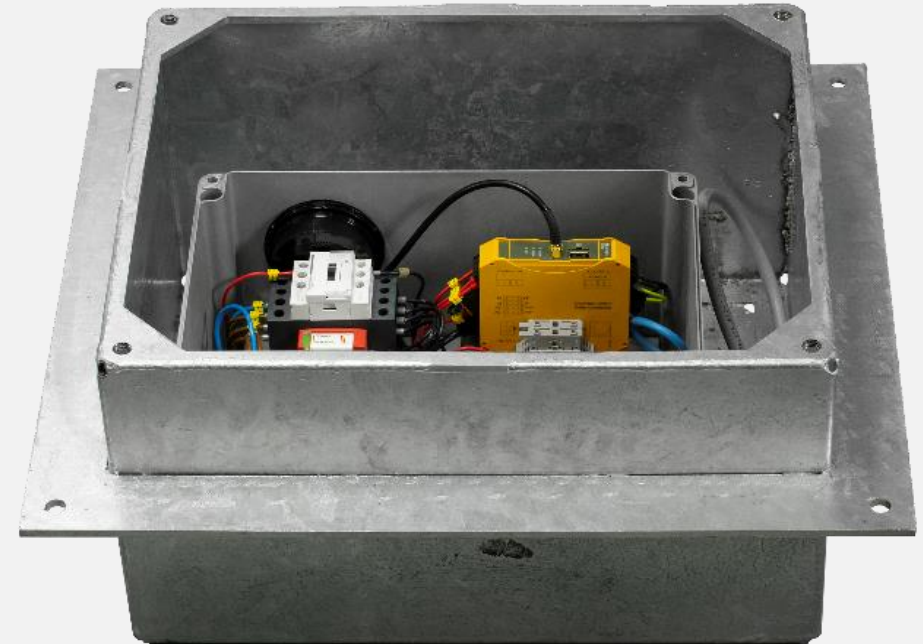


Power & Data Pack

Charge-point controller, power componentry and telecoms access (for connectivity and IoT) situated beneath the ground or wall mounted in the case of the Limpet. Able to be configured for 7kW or 22kW scenarios.

- Passive and active options for future proofed deployments
- Easy to access for repair/maintenance and upgrading
- Self levelling for simple installation
- Modular build and induction/wireless charging ready

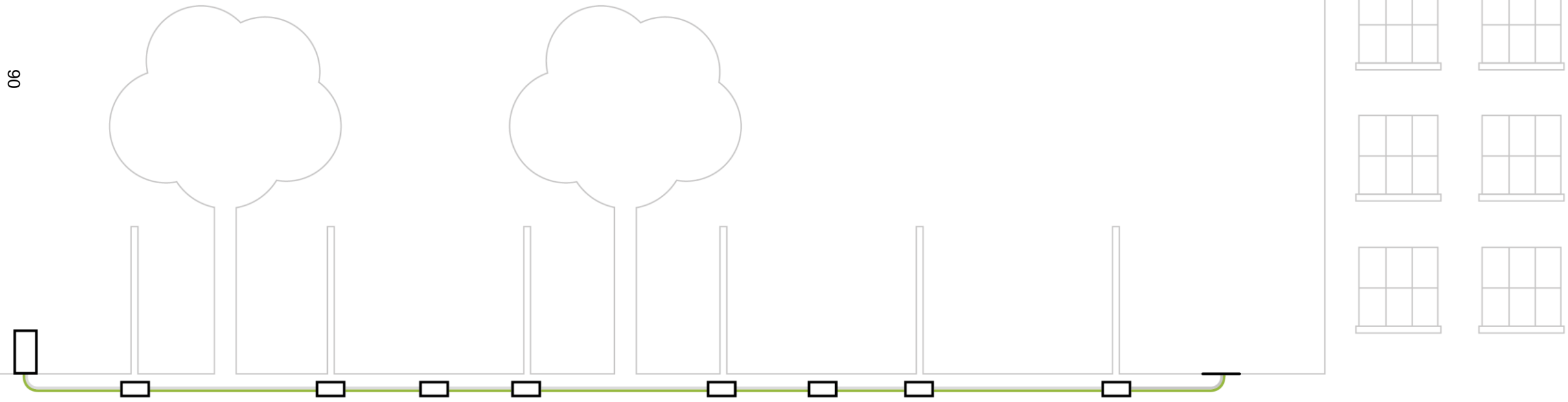
 ***Deployed in all scenarios except with the Compact charger***



FLEXIBLE PRODUCTS, CONSISTENT PERFORMANCE

Separation of the socket from the charger unit and base infrastructure delivers unparalleled flexibility:

- **Enabling:** *Installing Base Infrastructure Solution*

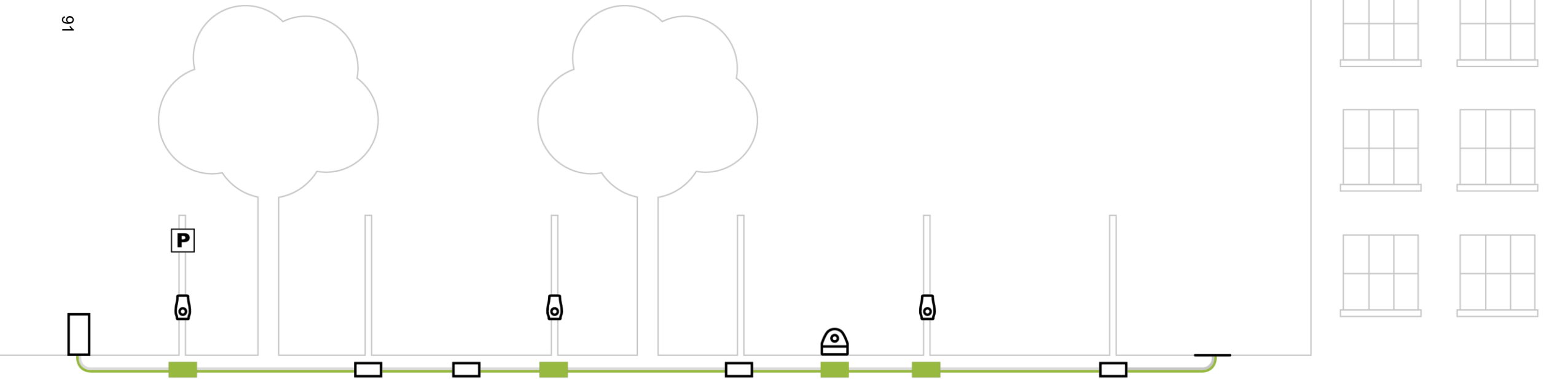


FLEXIBLE PRODUCTS, CONSISTENT PERFORMANCE

Separation of the socket from the charger unit and base infrastructure delivers unparalleled flexibility:

- Enabling: Installing Base Infrastructure Solution
- **Activating chargers:** *Phasing smart charger deployment over time*

91

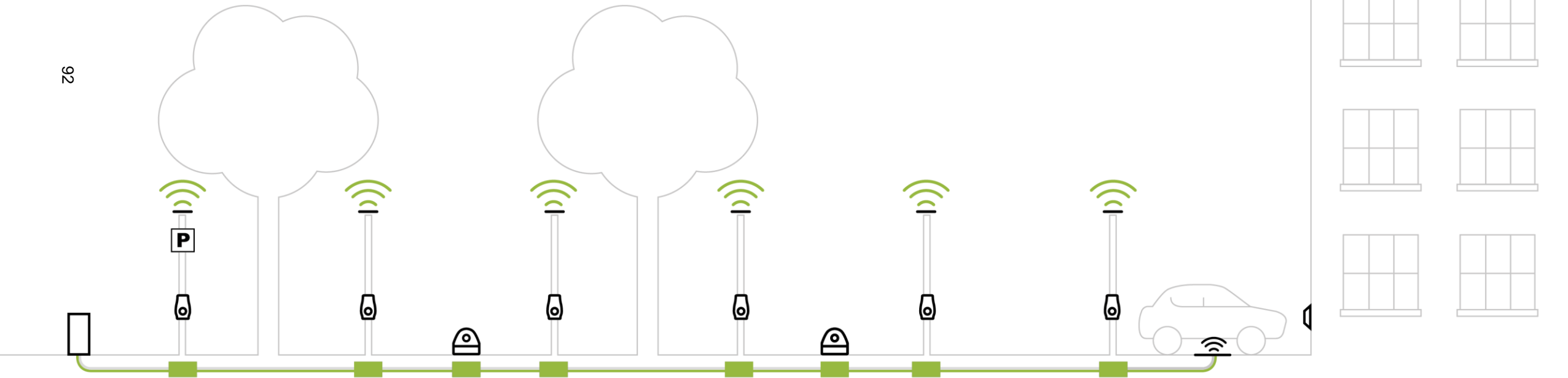


FLEXIBLE PRODUCTS, CONSISTENT PERFORMANCE

Separation of the socket from the charger unit and base infrastructure delivers unparalleled flexibility:

- Enabling: Installing Base Infrastructure Solution
- Activating chargers: Phasing smart charger deployment over time
- **Connecting the city:** *Adding connectivity and sensors*

92

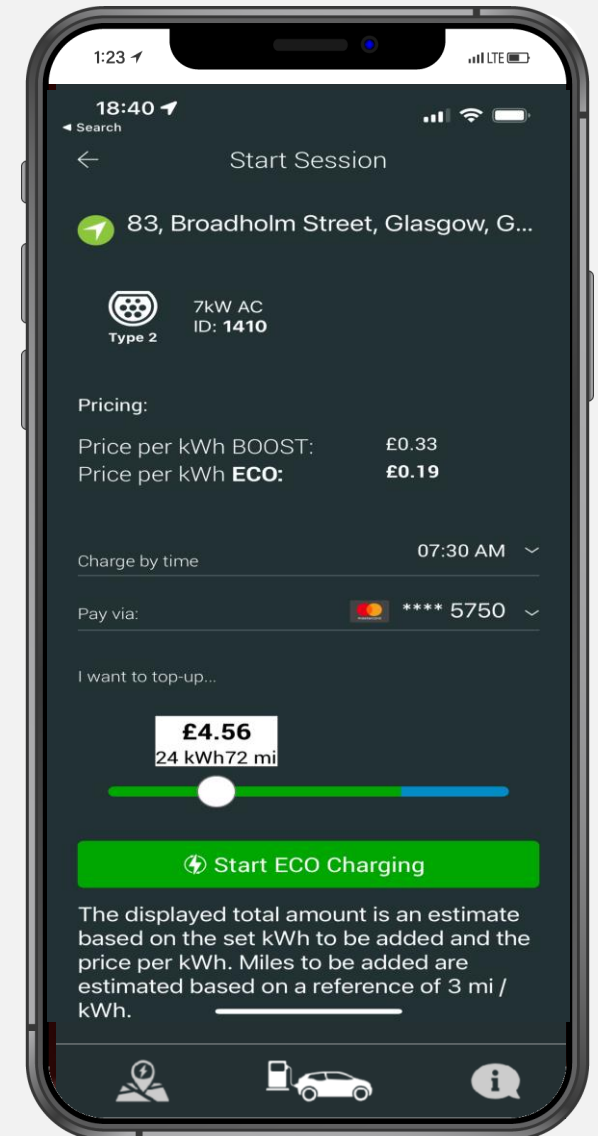


A MARKET LEADING SOFTWARE SOLUTION

Our operating platform uses Open Charge Point Interface 1.6 Open Charge Point Protocol 2.01 (OCPI 1.6 / OCPP2.01) compliant intelligent software and features:

- A mobile phone app for both apple and android devices
- Advanced energy management functionality
- Smart tariff, charging and booking functionality
- Contactless payment options with RFID, mobile web payments
- 24/7 customer service with remote problem solving
- A comprehensive maintenance and repair network supporting 99% uptime performance

 *Deployed in all scenarios*





WE ARE **CONNECTED** 

Meeting: Cabinet
Date: 18 September 2023
Classification: Part 1
Key Decision: No
Title of Report: **Corporate Risk Register July 2023**

Executive Director: Joe Chesterton (Finance & Resources)
Report Author: Andrew Barnes (Head of Internal Audit)
Executive Councillor: Cllr John Lamb (Regulatory Services)

1. Executive Summary

- 1.1. Risk is defined as uncertainty, whether positive or negative, that will affect the outcome of an activity or intervention. The term 'management of risk' incorporates the activities required to identify and control the exposure to risk that may have an impact on the achievement of the Council's priorities.
- 1.2. The Council's Corporate Risk Register sets out the key risks to the successful delivery of the Council's Corporate Plan and outlines the key management arrangements in place to mitigate and reduce the likelihood of the risks crystallising or maximise the likelihood of the opportunities being fulfilled.

2. Recommendations

It is recommended that Cabinet notes the updated summary Corporate Risk Register and the position at July 2023 outlined in Appendix 1 and supports the actions being taken to manage the risks.

3. Background

- 3.1. The Council's Corporate Risk Register sets out the key risks to the successful delivery of the Council's Corporate Plan and outlines the key management arrangements in place to mitigate and reduce risks or maximise opportunities.
- 3.2. Updates to the Corporate Risk Register are discussed with Executive Directors, Directors, Heads of Service and Managers, reported to Corporate Leadership Team (CLT) and the summary position is reported to Cabinet twice a year in July and January. The updated position on each risk or

opportunity and management arrangements to mitigate these are included in Appendix 1.

- 3.3. The presentation of the risks is aligned to the current Corporate Plan overarching priorities that as a Council we want to achieve for the City. Appendix 1 reports the key risks to the achievement of those priorities and the management actions being taken to mitigate the risks, or maximise the opportunity. It includes the lead officers and relevant Cabinet Member for each risk. The differing roles of Members, in determining priorities and policies, and Officers in managing delivery of those priorities and implementing those policies should be remembered.
- 3.4. The re-introduction of a Corporate Plan has provided the opportunity for a review of the Council's governance framework that underpins the delivery of the expectations of the Corporate Plan, and a new framework of officer boards covering Strategy, Policy and Legislation, Performance, Governance, and Transformation have been introduced to implement the Council's aim of simple and effective governance.
- 3.5. Effective risk management is a key element of the governance framework and will therefore provide a key element of the updated governance framework. Work is being undertaken on updating the risk management policy statement and strategy as part of the review of governance arrangements, with the aim of ensuring that risk awareness and horizon scanning is business as usual for all teams.
- 3.6. In the period since the last report to Cabinet there have been further changes to the context that the Council is operating within that continues to increase the pressure on the local government sector. This includes the significant impact of inflation and cost of living pressures, with the impact on both costs of and demand for services. These issues have the potential to cause far reaching consequences and impacts across the whole of the Council's activities, the ways that services and officers are required to operate, and the support that needs to be provided to the City.
- 3.7. The priorities contained in the Corporate Plan 2022-2026, as agreed by Members, are:
 - A city that is strong and prosperous
 - A city with a good quality of life
 - A city rising to the climate challenge
 - A city delivering genuinely affordable housing.
- 3.8. To achieve these priorities it is recognised that the Council needs to change what it does in respect of:
 - Delivering the right quality services
 - How we work
 - Digital as an enabler.

- 3.9. The Corporate Plan is being refreshed to reflect the new Administration's priorities, feedback from the LGA Corporate Peer Challenge and the current challenges and opportunities facing the organisation. The draft Corporate Plan will be taken to the Leaders Working Party ahead of Pre-Cabinet Scrutiny and then the November Cabinet. Following adoption of the new refreshed Corporate Plan, the Corporate Risk Register will be refreshed to reflect the updated priorities.
- 3.10. Changing and improving in the priority areas will enable the council to unlock the potential of employees, develop and deliver more accessible services and achieve the best possible outcomes for our residents and communities. The Council has been working with external support to identify how the Council compares to other similar authorities and identify ideas and opportunities to do things differently that underpins a transformation blueprint setting out the programme and organises these opportunities into workstreams to create order and sequence to activities.
- 3.11. The next phase of the programme is about to get underway with a transformation partner to undertake a review of all service areas to identify the current 'As Is' situation and identify the desired 'To Be' situation that will support the Council to be modernised and financially sustainable.
- 3.12. Within this context CLT and other Directors have identified the following risks to be managed, monitored and reviewed as part of the Corporate Risk Register. Changes since the last report to Cabinet are also highlighted below:
1. Covid-19 pandemic – risk de-escalated from the CRR, as a result of improvements in the pandemic situation (meaning there is no CRR1 in Appendix 1.)
 2. Financial sustainability – management actions revised
 3. Inflation and cost of living pressure – Risk updated to Economic operating environment – risk updated, management actions revised
 4. Public services landscape - management actions and scoring revised
 5. Workforce - management actions and lead officer revised
 - 6a. Cyber security event - risk updated and management actions revised
 - 6b. Data protection – management actions revised
 7. Capital investment delivery programme – risk updated and management actions revised
 8. Transformation programme delivery – new risk added
 9. Mitigating for and adapting to climate change - management actions updated
 10. Waste management service – risk updated and management actions revised
 11. Safeguarding responsibilities and child welfare – management actions and lead officer revised
 12. Other safeguarding responsibilities – revised risk to focus on safeguarding of adults
 13. Health inequalities – management actions updated
 14. Staffing vacancies impacting on the delivery of statutory responsibilities – risk description, management actions and lead officer revised
 15. Adult social care – management actions revised
 16. Social cohesion – management actions revised
 17. Housing – risk, management actions and lead officer revised

- 18. House building programme – risk, score, management actions and lead officer revised
 - 19. Local plan – management actions revised
 - 20. Regeneration and major projects – management actions and lead officer revised
 - 21. Southend as a visitor destination - management actions and lead officer revised
 - 22. Economic recovery and income inequalities – management actions and lead officer revised.
- 3.13. The risk register heat map on page 4 of appendix 1 plots the current risk score for each risk using the Council’s scale, as shown on page 2 of appendix 1. This shows that the risks that have been escalated to the Corporate Risk Register are those with the potential to be the most detrimental to achieving the Corporate Plan priorities for the City, which is why the risk scores are all relatively high and consequently the risks appear on the Corporate Risk Register.
- 3.14. A growing catalogue of recent incidents have occurred at other Councils where examples of the risks that we are facing and working to manage have crystallised, resulting in significant detrimental effects on the operations and provision of services at those Councils. These incidents demonstrate the importance of the effectiveness of management arrangements in respect of, and the governance arrangements overseeing that management of, the risks that are being faced by the Council, and the need to remain vigilant to the potential for things to go wrong.
- 3.15. As a reminder it is worth noting that the underlying risk management arrangements currently follows a 3-stage process:
- 1st stage:** An ‘inherent risk’ with the risk assessed with no controls, assurance or actions in place, resulting in an inherent risk score.
 - 2nd stage:** The ‘current risk’ where the risk is assessed with controls, assurances and identified management actions and arrangements. It is this position that is being reported within the summary corporate risk register at Appendix 1.
 - 3rd stage:** The ‘target risk’ which is the risk with the controls, assurances and actions, as if they have been completed, resulting in a target risk score.
- 3.16. Appendix 1 provides a summary of the risks and opportunities currently on the corporate risk register and the arrangements in place to manage those, along with the ‘current score’ position for each risk as assessed by management, based on the risk or opportunity itself and the management of the issue that is in place to ensure that it progresses as the Council would want.
- 3.17. The risks as documented are effectively the worst-case scenario of what could happen if the Council is not appropriately managing the risk that it is facing. This does not mean that it will happen, as the purpose of the

arrangements being put in place to manage the risk, or deliver the opportunity, is to ensure that the issue works out in the way that the Council wants it to.

- 3.18. Executive and other Directors ensure service specific risks are managed within their departments, within service management and in accordance with the risk management strategy and processes. 'Red' rated risks with corporate implications can be escalated to CLT via those Directors. Actions for managing these risks are updated and reviewed by Departmental Leadership Teams.
- 3.19. Operational risks, managed within departments, are also assessed as part of reviews undertaken by Internal Audit and project risks are monitored by CLT where applicable.

4. Reasons for Decisions

- 4.1. The Accounts and Audit Regulations 2015 require that a relevant authority must ensure it has a sound system of internal control which facilitates the effective exercise of its function and the achievement of its aims and objectives, ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.
- 4.2. Cabinet noting the summary Corporate Risk Register contributes to the assurance that this requirement is being met.

5. Other Options

- 5.1. None.

6. Financial Implications

- 6.1. Any financial implications arising from identifying and managing risk will be considered through the normal financial management processes. Proactively managing risk can result in reduced costs to the Council by reducing exposure to potential loss.

7. Legal Implications

- 7.1. The Accounts and Audit Regulations 2015 require that:
- 7.2. *'A relevant authority must ensure it has a sound system of internal control which facilitates the effective exercise of its function and the achievement of its aims and objectives, ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.'*

7.3. Cabinet reviewing and endorsing this report contributes to the delivery of effective arrangements for the management of risk.

8. Policy Context

8.1. None.

9. Carbon Impact

9.1. Climate change risk is included in the Summary Corporate Risk Register at Appendix 1.

10. Equalities

10.1. Corporate equalities considerations have been considered in the drafting of the register and any specific equality related risks have been identified for the Council.

11. Consultation

11.1. Consultation has taken place with key stakeholders of the corporate risk register.

12. Appendices

12.1. Appendix 1: Summary Corporate Risk Register as at July 2023



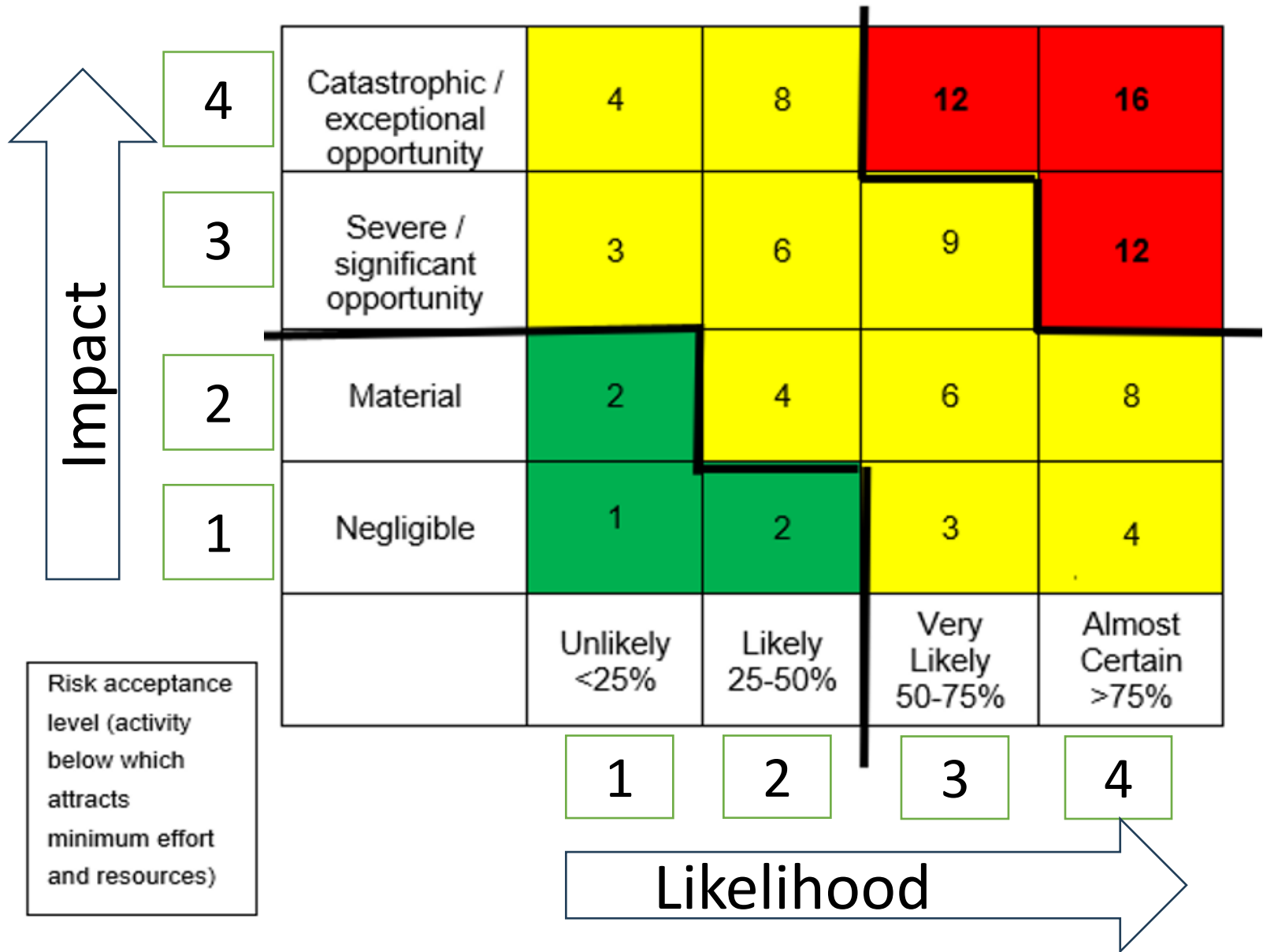
Southend-on-Sea
City Council

Corporate Risk Register July 2023



Southend CC Risk Matrix

Risk tolerance level – Risks above this level will need particular resources and focus

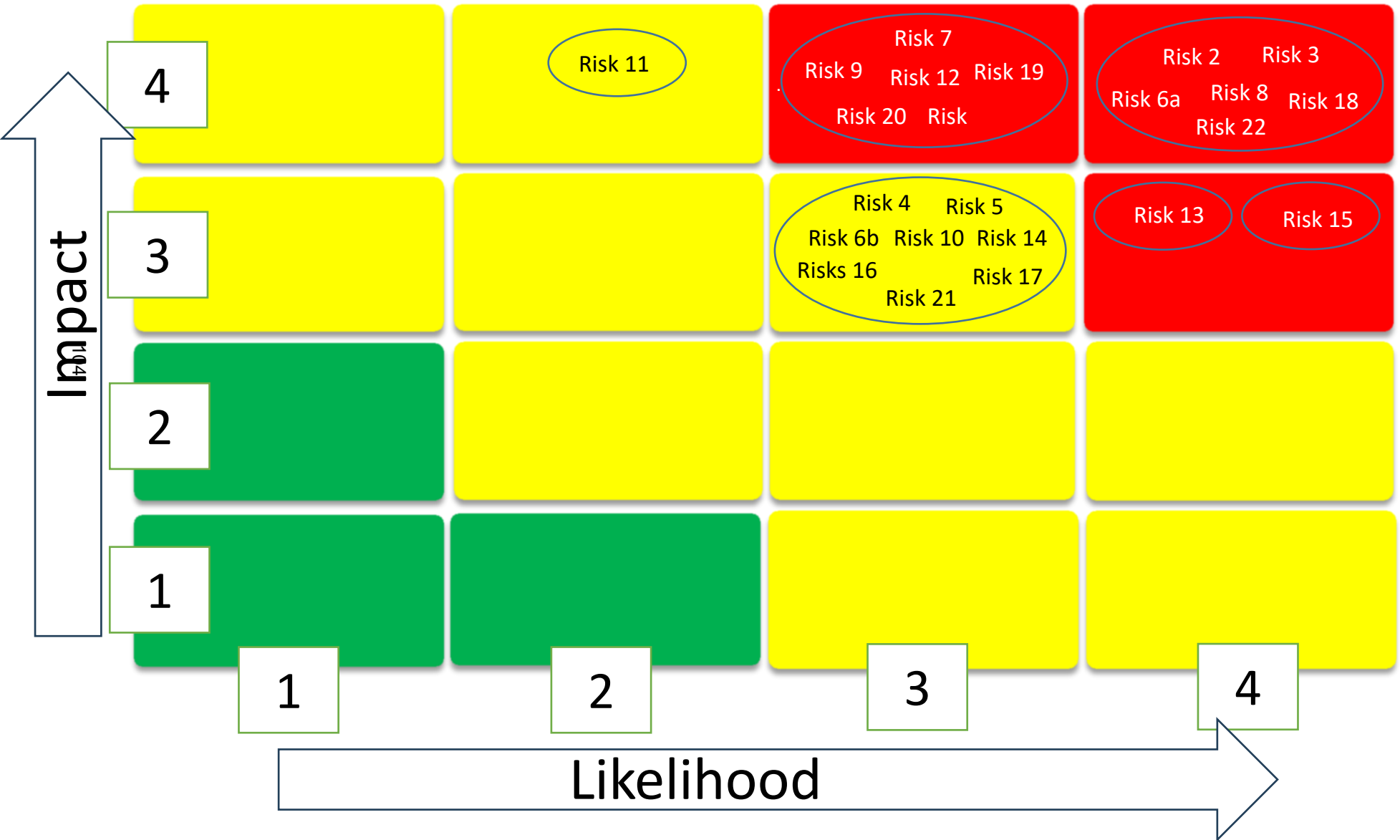


Risk acceptance level (activity below which attracts minimum effort and resources)

Risk Register Heat Map: Risk numbers

Risk	Score	Risk	Score
2 – Financial sustainability	16	12 – Other safeguarding responsibilities	12
3 – Inflation and cost of living pressures	16	13 – Health inequalities	12
4 – Public services landscape	9	14 – Staffing vacancies impacting on the delivery of statutory responsibilities	9
5 - Workforce	9	15 – Adult social care	12
6 – a) Cyber security	16	16 – Social cohesion	9
6 - b) Data protection	9	17 – Housing	9
7 - Capital investment programme delivery	12	18 – House building programme	16
8 – Transformation programme	16	19 – Local plan	12
9 – Mitigating for and adapting to climate change	12	20 – Regeneration and major projects	12
10 – Waste management	9	21 – Visitor destination and major events	9
11 – Safeguarding responsibilities and child welfare	8	22 - Economic recovery and income inequalities	16

Risk Register Heat Map: Current risk score



Risk Register abbreviations

Officer abbreviations	Member abbreviations
ED = Executive Director	CM = Cabinet Member
D = Director	L = Leader (CM for Special Educational Needs and Disability)
AD = Assistant Director	E = Environment
H = Head	ACH & T = Arts, Culture, Heritage and Leisure
GM = Group Manager	HT & P = Highways, Transport & Parking
SFL = Senior Finance Lead	CE & L = Children's Service, Education & Learning
	EG & I = Economic Growth & Investment
	CS & PP = Community Safety & Public Protection
	H & P = Housing & Planning
	PH, ASC & CA = Public Health, Adult Social Care & Constitutional Affairs
	RS = Regulatory Services

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (Lxl)	Leads
			Likelihood	Impact		
2	<p>Financial sustainability</p> <p>Risk that failure to address the financial challenges by effectively managing the growing demand for services, managing the costs of the impact of energy, inflation and the cost of living, while enhancing local income streams as part of recovery will threaten the medium to long term financial sustainability of the Council, leading to a significant adverse impact on Council services and the ability to deliver the Corporate Plan priorities, in order to address the financial position.</p>	<ol style="list-style-type: none"> 1. Budget setting for 2024/25 being programmed to identify required investment and efficiencies to deliver a robust budget and agreement to a robust programme of ongoing activity to deliver budget sustainability into the medium term. 2. Budget included in service plans for the year increasing transparency for the service manager, monitoring of revenue, capital and a medium term programme of reviews to ensure the overall budget is effectively managed through the year. 3. Management oversight of budget setting process for 2024/25 will include challenge provided by Cabinet, CLT and Director to Director challenge to each other and services on proposed savings and resultant proposed budgets. Increased budget monitoring and reporting and strengthened savings tracking reports and monitoring to CLT and Cabinet. 4. Financial Sustainability Strategy 2022-2032 in place to influence the Medium Term Financial Strategy (MTFS), that includes budget pressures and regularly considers the financial impact of inflation, cost of living and Government policy. Reported to CLT, Cabinet and Council to provide assurance, with reports to and minutes of meetings. This includes close attention to information from the Government despite no Comprehensive Spending Review and the uncertainty surrounding the Local Government Settlement along with a watch alert on the Government's finance reform plans. 5. Increased focus on transformation as part of the budget setting through the refreshed roadmap for the short to medium term with impact of forthcoming enhancements to Business World, My Southend and Digital Transformation key inputs to sustainability in the medium term. 6. Transformation programme to challenge the operating model of all services during 2023/24, enhancing the Know Your Business workstream developed as part of the Council Change Programme to ensure that appropriate focus on achieving value for money and the optimum approach to the delivery of the Corporate Plan priorities is being made by all services. 	4	4	16	D of Financial Services / Leader and CM for RS

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
3	<p>Economic operating environment</p> <p>Risk that failure to address the pressures caused by energy prices, inflation and the cost of living cause budgetary control difficulties and growing demand for services, that the Council is unable to address, increasing the use of reserves to fund budget gaps, threatening the financial sustainability of the Council.</p> <p>Risk that impact on the supply chain (including labour shortages, cost increases in materials, labour and fuel and difficulty in sourcing plant and vehicles) and finance to deliver the increased costs of the capital programme, lead to a significant adverse impact on Council services and the ability to deliver the outcomes desired by the Council.</p>	<p>1. On-going budget reviews; better linking of business planning and budgeting to service outcomes; effective and creative management of service demand; review of major contractual arrangements; further implementation of the Commissioning Framework; exploring new commercial opportunities; evaluating a range of income generation initiatives.</p> <p>2. Medium Term Financial Strategy (MTFS), including budget pressures to regularly consider financial impact of inflation and cost of living reported to CLT, Cabinet and Council to provide assurance, with reports to and minutes of meetings.</p> <p>3. Assisting many local households through providing access to a range of Government grants and schemes such as rent and deposits for qualifying people in housing need and targeted hardship support for South Essex Homes tenants.</p> <p>4. A new local Tackling Poverty Strategy approved in February 2023, includes themes and advice around debt and welfare, fuel poverty, digital exclusion, housing poverty and food poverty. Key elements of this new strategy have been co-produced with local people throughout last summer.</p> <p>5. A Just About Managing page on the Council's website signposting people to advice, guidance, and opportunities. The Council, where it can, will try to provide an additional package of local support / mitigation / advice for the most vulnerable.</p>	4	4	16	D of Financial Services / Leader and CM for RS

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
4	<p>Public services landscape</p> <p>Risk that failure to address and engage with the different models and public service governance arrangements being discussed will result in the organisation and the City being left behind and ultimately unable to deliver the Council's ambition and outcomes.</p>	<ol style="list-style-type: none"> 1. Actively engaged in the Association of South Essex Local Authorities (ASELA) and as a member of the Joint Committee support the management of outcomes desired for the economic corridor. Minutes of the JC are received by P&R Scrutiny Committee alongside a cover note on the implications for Southend. 2. Officers continue to be connected with the devolution work. However, Southend has restated its position that an L3 deal is not supported. 3. Mid and South Essex Integrated Care System, spanning more fully health and local government, in place from 1 July 2022. The Council has a seat on the Board and will continue to champion population health and community-based approaches for health and wellbeing through this partnership. The Council also has representatives from Adults, Public Health and the Chair of the Health and Wellbeing Board. The ICS's Strategy was developed to reflect the Health and Wellbeing Board priorities and was signed off in March 2023. 4. The South East Essex Alliance has relationships across the SEE system, with shared immediate priorities and long term themes. The Council plays an active role in the development of agreed plans, priorities and longer term themes for the Alliance to deliver. The DASS, DCS and DPH all are core members of this partnership. 5. Development of the Council's Corporate Plan articulating the council's focus for the next four years, The corporate plan details for our employees and councillors how we will work with residents and partners to co-create our new city and deliver strategic priorities. 	3	3	9	H of Corporate Strategy/ Policy Manager / Leader

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
5	<p>Workforce</p> <p>Risk that the Council will not have the appropriate staffing resources, with the right skills, doing the right things, working in the right places through collaborative teams.</p> <p>Cross-council specific pressures relating to attracting talent in a competitive market, or straining existing resources, due to significant staffing changes and operational pressures, leading to reduced workforce capacity causing a failure to effectively address the challenges posed by the post-pandemic issues, inflation and financial pressures in the short term, and achieve the Council's desired outcomes in the longer term.</p> <p>Further risk caused by the number of changes to CLT, that may impact on the capacity to progress with delivery of desired outcomes.</p>	<ol style="list-style-type: none"> 1. The council has a Corporate Plan, that focusses the priorities of the council over the next 4 years. 2. The updated transformation programme is being established and will involve co-designed service redesign of all services centred around future proofing our ways of working to deliver quality services, within a financially sustainable context. 3. Workforce is managed as a key strategic issue, from attraction, pay, reward and retention, to the way the workforce works in a modern, flexible and agile way. 4. Workforce outcomes Plan are part of the Corporate Plan, to be delivered through the People Vision working alongside the Corporate Plan and Transformation Programme, with governance through the Transformation Board. 5. Appropriate governance and oversight to challenge all proposed recruitment, redeployment, learning & development and redundancies to ensure that the Council is making the best use of its human resource and enabling all employees to reach their full potential. 6. Managing the capacity of CLT by realigning the staff reporting to those acting up as they lead the organisation through this transitional period and 'double teaming' so that they are able to cover for each other. 	3	3	9	H of HR and Payroll / Leader

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
6a	<p>Cyber security event</p> <p>Risk of a cyber security event causing significant operational, financial and reputational damage to the Council, caused by:</p> <p>a) failure to ensure the Council has a coherent and comprehensive approach to cyber security and data protection, including strategy, tools and processes</p> <p>b) a data breach (see CRR 6b)</p> <p>c) remote working creating a wider footprint for attack</p> <p>d) clicking on an attachment by a colleague</p> <p>e) single point of connectivity failure</p> <p>f) risk of loss or leakage of resident data from personal devices.</p> <p>Opportunity to build resilience by ensuring that staff have the necessary digital skills.</p>	<ol style="list-style-type: none"> 1. New ICT operating model being embedded with a specific Head of Security focussed on enhancing cyber security arrangements and enhanced structure to deliver improved digital arrangements. 2. Cyber security strategy in place and being embedded. 3. Rollout of new secured hardware, including for Councillors. 4. Cyber Incident Planning and Response with key members of ICT team having attended CESH accredited training and role-based training. 5. Implementation of security tools including: Multi-Factor Authentication, Conditional Access, Modern Authentication, Microsoft Level E5 security and a Ransomware protection tool. 6. Membership and use of threat intelligence networks to enable quicker response to emerging threats. 7. Compulsory Me-learning training sets for all staff, Phishing simulation test exercises and vulnerability testing taken place. Specific cyber-security briefings held for Councillors. 8. Monitoring and response processes in place, with regular reporting to the Governance Board. 9. Resilience and Business Continuity plans in place. 10. Phishing exercises and focused learning for those who 'click'. 11. Alternative key connectivity suppliers. 12. Participation in government cyber assessments and received funding for further cyber security measures and tools. 13. Cyber Security Service Provider appointed to provide added support and guidance when required. 14. Device management solution applied to lock down personal data when council systems accessed on personal devices. 15. Upskill programme for digital champions, starting with cyber awareness. 	4	4	16	D of Digital and ICT / Leader

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
6b 111	<p>Data Protection</p> <p>Risk that a failure to comply with responsibilities as a Data Controller (under DPA 2018 / UK GDPR) leads to personal data being compromised, resulting in harm to individuals, loss of trust from residents, businesses and others, regulatory action, financial penalty and reputational damage.</p>	<ol style="list-style-type: none"> 1. Processing of personal data including new processing, risk assured in line with the Data Protection by Design and Default Policy and Procedure. 2. Annual Information Governance Toolkit assessment undertaken with a report prepared from the independent assessment and any actions to improve acted upon. 3. Mandatory annual Data Protection refresher training programme. 4. Senior Information Risk Owner in place, monitoring information usage, and producing an annual SIRO report on data protection to Audit Committee. 5. Caldicott Guardian in place, ensuring Caldicott Principles are respected. 6. Regular reporting to Governance Board and Corporate Leadership Team with reports to and minutes of meetings. 	3	3	9	AD Legal Services / Leader

Cross cutting



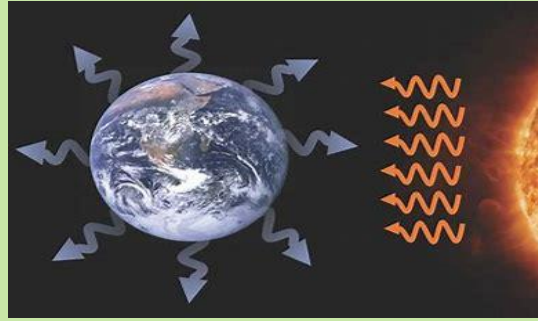
CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
7	<p>Capital Investment Programme Delivery</p> <p>Risk that a failure to deliver the agreed Capital Investment Programme leads to a lack of progress on the intended improvements to infrastructure and facilities for the City anticipated to support the Corporate Plan priorities, resulting in reduced inward investment from businesses, missed employment opportunities for residents and reputational damage for the Council.</p> <p>Risk that the combination of the ongoing inflationary pressures and supply chain issues (causing increased costs and difficulty sourcing materials, labour, fuel, plant and vehicles) will lead to delays in the delivery of the agreed Capital Investment Programme, or that less will be delivered for the approved budgets.</p>	<ol style="list-style-type: none"> 1. Member input to budget and programme creation to ensure focus on the key priorities and deliverables. 2. Appropriate level of committed resources, both human and financial to deliver the programme. 3. Project plans and managers in place for all projects upon entry to the programme, as presented to and agreed by Investment Board, for onward presentation to and approval by Cabinet and Council. 4. Capital Programme Delivery Board (CPDB) overseeing and monitoring progress to ensure that plans are delivered with Terms of Reference on the specific roles of the Investment Board and the CPDB in place. 5. Capital Challenge sessions chaired by the Leader or Cabinet member for Regulatory Services to support the final proposed capital investment programme budget for 2023/24 to 2027/28. 6. Reprioritisation review undertaken by the Departmental Leadership Teams and overseen by the CPDB to assess the resources in place to deliver the programme and ensure focus of resources on the right priorities. 7. Reporting to CLT / Cabinet to provide overall oversight and scrutiny. 	4	3	12	SFL – Strategy, Sustainability and Governance / CLT / Leader / CM for EG & I

Cross cutting



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
8	<p>Transformation Programme Delivery</p> <p>Risk that:</p> <ul style="list-style-type: none"> • there is inadequate leadership, engagement and support for the Transformation Programme • the programme will place demand on the ICT, Data and Corporate Programme Office teams, that they are unable to respond to • inappropriate choices are made in what and how to transform • the transformation partner is unable to deliver what has been agreed • the likely high number of projects to effect change are inadequately sequenced and aligned. <p>resulting in the programme not achieving the anticipated benefits to service delivery and the financial position that are required for the Council to become a modern and financially sustainable Council.</p>	<ol style="list-style-type: none"> 1. Transformation Board of officers has been established to provide a strategic framework to oversee delivery of outcomes and bring together a comprehensive view of all transformation activities and manage the governance of these, while providing oversight of delivery of the programme, drive accountability, manage risk and opportunity and ensure appropriate governance of the programme of work 2. A procurement exercise to find a partner with the most appropriate methodology to challenge the status quo, assist with forming the As-Is and To-Be views and outlining projects to close the gaps at the optimum costs has recently been concluded. Proven experience in delivering such outcomes at other Local Authorities was a key criteria in the selection. 3. CLT have agreed that the corporate programme management office will support the projects, using best practice guidance and tools. 4. A set of principles has been established to drive forward the transformation objectives and guide the activity to ensure any change initiatives align across services and are working in a consistent direction of travel. 5. Delivery model established to provide rigour around the assessment of business cases, ensuring that all aspects are covered, as well as tracking the proposed deliverables and ensuring both the programme office, and services have the ability to manage and deliver the programme. 	4	4	16	D of Transformation / Leader

A city rising to the climate change challenge



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
9 114	<p>Mitigating for and adapting to climate change</p> <p>Risk that failing to implement changes needed to reduce the City's carbon footprint will cause an inadequate contribution to the reduction in carbon emissions required. This will result in significant adverse impact on the City, and if the climate adaptation measures being implemented are also inadequate, including sea defences, there will be further implications for the Council in needing to respond to climate events in the City.</p>	<ol style="list-style-type: none"> 1. Council declaration of a climate emergency providing initiatives to be pursued. 2. Green City Action Plan approved by Cabinet detailing the actions to be taken to become a Green City. Update reported to Cabinet in January 2023 reporting progress and next steps, including a Net Zero Carbon Energy strategy to be developed. 3. Additional capital resources proposed as part of the budget for 2023/24. 4. Updated governance structure to manage the delivery of Climate Change response, to ensure full consideration of all issues. 6. Oversight of Green City priorities that includes carbon reduction activity through: reports to Theme leads, CLT and Cabinet with challenge at and minutes of meetings. 7. Member Environmental Working Party with reports to and minutes of meetings. 	3	4	12	H of Waste & Climate Change / CM for E

A city rising to the climate change challenge



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (Lxl)	Leads
			Likelihood	Impact		
10 115	<p>Waste management</p> <p>Risk of contractor failing to meet contractual requirements to effectively manage waste arrangements results in a loss of service quality and additional financial liability for the Council.</p> <p>Further risk that the enhanced service being sought from the revised future arrangements will not provide a solution that will deliver the outcomes in respect of adaptation to climate change and recycling that is being sought by the Council.</p>	<ol style="list-style-type: none"> 1. Regular contract performance undertaken, formal contract management meetings in place with reports and minutes as appropriate. 2. Data set monitored by DMT / performance board and senior managers with reports to and minutes of meetings. 3. Cabinet and Scrutiny overview with reports to and minutes of meetings, including an in-depth scrutiny project on barriers to recycling that is complete, with Environment Working Group report completed. Waste Steering Board and Waste Technical Group introduced to support the procurement process. 4. Market engagement undertaken to understand broad concepts of service delivery against council aims and objectives. 5. Two stage procurement being undertaken: Stage 1 to submit two outline proposals: one being a full weekly collection service and the second being the bidders' proposals to meet the Council's aims and objectives. Stage 2 to submit full proposals against the service model determined by stage 1. 6. Timetable in place to complete stage 1 and determine a service model by July 2023, stage 2 to award contract by February 2024 and then mobilise service for commencement in October 2024. 7. Existing service with current provider extended beyond October 2023 to allow the procurement process to take place and mitigate for delays. 	3	3	9	H of Waste & Climate Change / CM for E

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
11	<p>Safeguarding responsibilities and child welfare</p> <p>Risk that the Council fails to deliver its statutory safeguarding duties and responsibilities given that the Children's Social Work, Early Help and Youth Support was judged to be requiring improvement by Ofsted in 2019.</p> <p>Risk heightened by the challenges caused by inflation and the cost of living through food and fuel, increasing vulnerable people that are in need of support.</p>	<ol style="list-style-type: none"> 1. The Safeguarding Partnership provides independent scrutiny of children's safeguarding arrangements in the city and holds SCC and partner agencies to account. 2. The Children's services Improvement Board has been strengthened by the appointment of an independent chair who provides support, challenge and scrutiny to the Children's Services senior management team. 3. Revised and more robust improvement plan which is closely monitored by the Director of Children's Social Work, Early Help and Youth Support. Direct reports provide monthly monitoring reports. 4. Introduction of a monthly Practice and Performance board with Children's Services management team focussing on intelligent use of management information to track the journey of the child. 5. DfE funding has been utilised to support the improvement journey to support the remodelling of the front door, thresholds and support in improving partnership working. 6. Offer for fostering in-house service implemented from April 2023 to improve placements in the City, with additional resources identified in the budget for 2023/24. 7. Annual Safeguarding Report taken to Cabinet in November. 	2	4	8	D of Children's Social Work, Early Help & Youth Support / CM for CS, E&L and CM for PH, ASC & CA

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
12	<p>Other safeguarding responsibilities</p> <p>Risk that the Council will not be able to effectively deliver its statutory safeguarding responsibilities as a result of a lack of understanding, resources and the additional challenges posed by inflation and the cost of living through food and fuel, and that this causes a failure to deliver the outcomes anticipated for vulnerable people that are in need of support.</p>	<ol style="list-style-type: none"> 1. Local Safeguarding Partnerships in place to complement and oversee the work of the Children's and Adult's services. 2. Principal Social Worker – lead role in assuring quality of policy and practice and ensuring adherence to key frameworks eg. safeguarding. 3. Review mechanisms in response to serious incidents – ensuring learning from Serious Case Reviews / Safeguarding Adults Reviews is embedded to minimise future risk. 4. Care Quality Arrangements – working alongside key partners eg. NHS/CQC to identify additional resources and ensure safe, good quality care provision. 5. Establishment of a new Adult Quality Assurance Framework to assure social work practice and regular audits introduced in 2022, now becoming embedded. 6. Annual Safeguarding Report taken to Cabinet in November. 	3	4	12	ED Adults & Communities / CM for CS, E&L and CM for PH, ASC & CA

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (Lxl)	Leads
			Likelihood	Impact		
13 118	<p>Health inequalities</p> <p>Risk that the health inequalities, particularly the physical and emotional health and wellbeing of residents, will increase due to the ongoing impact of covid-19, inflation and the cost of living pressures.</p> <p>In the longer term the changes resulting from the Health and Care Bill creating an Integrated Care System for Mid and South Essex, impacts on the implementation of the Localities Model, that does not result in effective health and social care outcomes for residents, resulting in increased health inequalities, worsening health outcomes and significant cost increases.</p>	<ol style="list-style-type: none"> 1. Mid and South Essex Integrated Care System, spanning more fully both health and local government, in place. ICS to provide a joint funded post to focus on addressing health inequalities. The draft 5 Year Strategy and Delivery Plan aims to identify any health inequalities emerging and to identify strategies to prevent needs escalating. 2. South East Essex Alliance who alongside the Council provide a leadership role in understanding need and providing oversight and challenge of arrangements and delivery. Additional Health Inequalities funds have been allocated to the system via the ICB to support further mitigations. 3. Health and Wellbeing Board that receive the Joint Strategic Needs Assessment (JSNA) providing the intelligence needed to determine the targeted action required, with reports to and minutes of meetings. 4. Core population health management datasets identify the problems to be addressed. New locality/neighbourhood profiles being finalised to support with targeted interventions. Developing a strategy to deal with premature mortality in respect of Cancer, Respiratory and COPD. 5. Annual Public Health Report helps to focus our efforts on tackling health inequalities. 	4	3	12	D of Public Health / CM for PH, ASC & CA

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
14 119	<p>Risk of staffing vacancies impacting on the delivery of statutory responsibilities including:-</p> <p>Education Psychologists (EPs): National Shortage of EPs reflected in current 70% vacancy rate and significant retention issues, with 50% of the Southend EP service leaving in last 3 months due to market pressures. Locum psychologists are also in short supply and significantly more expensive.</p> <p>EPs must provide Statutory Assessment advice, without which EHCPs cannot be issued. Statutory timescales are significantly compromised.</p> <p>Qualified Social workers: Recruitment of permanent social workers continues to be a challenge nationally and for Southend, exacerbated by a lack of good quality agency qualified social workers to fill current vacancies, especially on the Family Support and Protection teams.</p>	<ol style="list-style-type: none"> 1. Implementation of revised salary, recruitment and retention package August 2023 with attractive CPD and applied psychology opportunities. 2. Continued use of locums to provide statutory advice capacity. 3. Review of EPs structure to realign with Inclusion, EY and Education activities more broadly, to attract EPs. 4. Recovery programme to be implemented once EP / locums secured. 5. 3 year recruitment and retention scheme for the Children's Social work early help and youth support service introduced in April 2022 being closely monitored to see if it is having a positive impact. 6. HR undertaking another benchmarking exercise to compare Southend rates of pay for permanent qualified social workers with other Councils across the Eastern region. 7. Recruitment and retention is a standing item on the Assurance Board chaired by the ED Children and unblock Health and the Children's Service Improvement Board. Head of Service with responsibility for HR is now a permanent member of the Children's Service Improvement Board. 	3	3	9	<p>D of Children's Social Work, Early Help & Youth Support / D of Education Inclusion& Early Years / HNB Project lead / HoS SEND</p> <p>Leader and CM for CS, E & L</p>

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
15 120	<p>Adult social care</p> <p>Risk that difficulties being experienced in the adult social care market will cause provider failure and further difficulty in meeting increasing demand for support, resulting in worsening outcomes for those in need of that support. Cost inflation has heightened these risks in the short term, causing providers to require higher fees from a low level, increasing the pressure on capacity in the market</p>	<ol style="list-style-type: none"> 1. The Council influences the market for care by signalling the future expectation of requirements through: <ul style="list-style-type: none"> • Market Position Statement • Commissioning Strategies. 2. The Care Governance Process provides quality assurance arrangements, oversight and support for the local market, including external assessment of services through the Care Quality Commission. 3. Provider Failure Policy in place to direct action in the event of provider difficulty. 4. Cost of Care Exercise and development of a Sustainability Plan, supporting strategic focus as well as sustainability of future care provision. 5. Additional resources identified in the budget for 2023/24. 6. Short term options to provide additional short term capacity being explored. 7. Revised model of care for ASC is being developed for implementation, focusing on citizenship, prevention and enablement. 	4	3	12	D of Commissioning A&C / CM for PH, ASC & CA

A city with a good quality of life



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
16	<p>Social cohesion</p> <p>Risk that the impact of the cost of living pressures on both young people and those living in challenging circumstances, cause them to be particularly worried about the future and experience mental health issues, isolation and fears, resulting in a reduction in social cohesion and an increase in undesirable behaviour.</p> <p>Increased footfall to beach and public spaces with increased unmanaged drinking leading to anti-social behaviour and an increased need to manage the public spaces.</p> <p>Refugees perceived as utilising resources causing additional tensions.</p> <p>These impact on the ability of the City to deliver the priorities specified in the Corporate Plan and damage the reputation of the City.</p> <p>Opportunity for the celebration of City status to re-set and re-focus direction galvanising the community.</p>	<ol style="list-style-type: none"> 1. Support for young people including promotion of apprenticeship opportunities and Kickstart schemes. 2. LGA peer remote peer project on support for younger people aged 18 -25 with funding secured to implement the action plan. 3. Tackling Poverty Strategy approved at Cabinet in February 2023. 4. Mapping mental health services across the City and innovative routes to access mental health support, including ChatHealth, is being led by EPUT. 5. Multi-agency Southend Community Safety Partnership (CSP) work together to tackle crime, disorder and anti-social behaviour. 6. Community Safety Unit (CSU) in place with CCTV and officers providing a visual presence and enforcement activity. 7. OpUnion tactical coordination group to ensure a partnership Police / Council response to increased demand in key areas. 8. Public Spaces Protection Orders put in place to help manage problematic areas. 9. Daily Partner briefings to share information and intelligence across the City. 10. Enforcement Review of the Council's functions involving enforcement activity to optimise the effectiveness of that resource at addressing the various enforcement roles required by the Council. 	3	3	9	H of Communities / Lead Commissioner for Adults / GM Community Safety & Crime Reduction / CM for CS & PP

121

A city delivering genuinely affordable housing



CGI from Better Queensway transformation consultation

CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
17 122	<p>Housing</p> <p>Risk that a failure to implement plans to address rising homelessness and failure to implement the Housing, Homelessness and Rough Sleeping Strategy will lead to further homelessness, increased use of temporary accommodation (TA) & an inability to meet rising housing demand over the next 20 years, leading to worse outcomes for residents.</p> <p>Risk is increased by the impact of the cost of living pressures on those just about managing leading to more housing precarity and risk of homelessness.</p> <p>Other pressures on the local housing market such as other councils placing households in Southend, and government contracted asylum and refugee housing needs being sought in the city also make it harder for SCC to source suitable accommodation for its own purposes.</p>	<ol style="list-style-type: none"> Housing, Homelessness and Rough Sleeping strategy is being delivered. Core Strategy and Local Development Plan in place with reports to and minutes of meetings. Regular briefings with Portfolio Holder, Working Party, capital challenges and key aspects of the programme, as well as regular updates to DMT, CLT and Cabinet as required. Effective team structures and strong focus on professional development across the service to ensure timely and effective responses. Cost of living work includes targeting households at risk through and offering assistance where feasible. New software to better target those at risk being procured. 	3	3	9	D of Housing / CM for H & P

A city delivering genuinely affordable housing



Proposed Roots Hall development

CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
18 123	<p>House building programme</p> <p>Risk that not achieving the development and delivery of the house building pipeline through effective engagement and arrangements with the market and developers that have been impacted by Covid-19, inflation and supply chain issues, will result in an inability to deliver the anticipated housing supply, causing additional pressure on the housing market and an impact on the delivery of the desired outcomes of the Council, with an impact on Local Plan housing targets (see also CRR19).</p>	<p>1. House building pipeline in place and being managed with Cabinet agreement to specifically focus on five key workstreams:</p> <ul style="list-style-type: none"> a) Council acquisitions programme b) HRA infill development programme c) Local Authority Housing Fund d) Major Schemes (Better Queensway / Roots Hall & Fossetts Farm) e) Broader pipeline of sites being developed, with Cabinet agreement in place to progress first phase <p>2. Methodology for working with developers in place, to ensure that the right considerations are made about potential developers.</p> <p>3. Updated partnership arrangements with developers to address economic challenges.</p> <p>4. Regular reporting to CLT, Portfolio Holder and Cabinet.</p>	4	4	16	D of Housing / CMs for H & P / EG & I

A city delivering genuinely affordable housing



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
19 124	<p>Local plan</p> <p>Risk that failure to meet Government requirements and make sufficient progress will lead to reputational damage to the Council and the potential imposition of unwanted development and the loss of plan making powers, causing an inability to manage development effectively and deliver upon the Council's outcome priorities.</p> <p>(Nationally the Government is currently considering changes to national policy, which could have significant impacts on the Local Plan process. However, until we are clearer on what the detail of these changes are and when they will come forward it is difficult to establish what impact they may have on timescales.)</p>	<ol style="list-style-type: none"> 1. Local Plan delivery project arrangements in place with appropriate milestones and timelines to deliver the Local Plan. Consultation on 2 stages, issues and options and refining the options documents, completed. Next milestone will be consulting on a Preferred Approach. 2. Local Plan being prepared in the context of ASELA and other key Council strategies (including Corporate Plan, Housing, Homelessness and Rough Sleeping Strategy, Climate Change Emergency Declaration). 3. Engagement with Planning and Housing Working Party to develop policy as appropriate. 4. Joint working with partners being managed to address the current duty to cooperate, including on infrastructure and housing. 5. Ensure Strategic Planning Service delivering this work continues to be appropriately resourced. 	3	4	12	D of Planning / CM for H & P

A city that is strong and prosperous



CRR ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
20	<p>Regeneration and major projects</p> <p>Risk that failure of partners to progress major infrastructure developments (e.g. Queensway, Seaways, Fossett Farm and Airport Business Park) will result in not achieving delivery of the plans and necessary sequencing of developments, resulting in the dependencies for the chain of regeneration not being delivered and the opportunities for improvement of the City and delivery of anticipated outcomes not being achieved (jobs & skills, housing, linked spend, economic growth, housing delivery etc), as well as significant financial and reputational damage to the Council.</p>	<ol style="list-style-type: none"> 1. Strategic planning for the City in place and being managed. 2. Methodology for working with developers in place, to ensure that the right considerations are made about potential developers. 3. Queensway and Airport Business Park Project Board arrangements in place to govern progress with delivery, with reports to and minutes of meetings and updates as part of the Corporate Performance reporting. 4. Regular and formal monitoring / reporting arrangements in place with key funders, such as the Local Enterprise Partnership (SELEP) and Homes England (HE). 5. Regular reporting to Corporate Management Team and Cabinet, with reports to and minutes of meetings. 6. Progress on delivery of key projects including: planning approval for Better Queensway met first HIF funding delivery milestone, exchange of the contracts and agreements for lease on Roots Hall and Fossetts Farm, and SELEP funding for the Launchpad that was completed in October 2022, concluding the primary Council funded works for Airport Business Park. 	3	4	12	D of Regeneration & Growth / CM for EG & I

A city that is strong and prosperous



CR R ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (LxI)	Leads
			Likelihood	Impact		
21	<p>Visitor destination and major events</p> <p>Risk that the competing demands and needs of residents and visitors will impact on the City’s ability to meet the needs of residents or provide a suitable destination for visitors, and that cost of living pressures impact on the ability of the City to provide an attractive proposition for visitors, with a resultant impact on the economic strength of the City and employment opportunities for school leavers.</p> <p>Opportunities arising from City Status and people holidaying in the UK, but with potential increase in visitor numbers needing to be enabled to be done safely and ensure the offer made by businesses is sustainable.</p> <p>Risk of major events hosted in the City not being adequately managed to secure participant safety resulting in adverse outcomes for participants and reputational and financial damage for the Council.</p>	<ol style="list-style-type: none"> 1. Refreshed tourism strategy ‘Destination Southend’ developed in partnership with key stakeholders on the Southend Tourism Partnership built on feedback from stakeholders including residents and visitors. 2. Cultural Vision refreshed built on feedback from key stakeholders including residents and visitors that will inform investment decisions and actions to be progressed. 3. Culture led regeneration of High Street working with stakeholders and partners towards a new Masterplan to shape the offer of the City Centre. 4. Effective investment in and management of local attractions including engagement with key stakeholders. 5. ‘Visit Southend’ website to promote events and attractions available to visitors. 6. Event application process for events on Council land, requiring an event management plan to be provided by the organiser. 7. Significant events with potential safety risks meet with the Safety Advisory Group (includes Regulatory Services / H&S, Police, Health, Coastguard, Garons Park) that reviews event management plan and discusses with the event organisers if necessary. SAG prohibit events where necessary (but limited scope to actually stop events on private property). 	3	3	9	D of Culture & Tourism / CM for ACH & L

A city that is strong and prosperous



CR R ref	Risk / Opportunity	Management (key controls and action to mitigate the risk / deliver the opportunity)	Risk Assessment (current score)		Risk rating (Lxl)	Leads
			Likelihood	Impact		
22	<p>Economic recovery and income inequalities</p> <p>Risk that the impact of covid-19, inflation and cost of living pressures result in reducing economic activity causing a reduction in employment opportunities for 18-25 year olds and an increase in unemployment across the City. The impact is likely to be experienced unevenly across sectors with the retail, hospitality, leisure and tourism sectors adversely affected causing further risk to traditional shopping centres and the town centre, as well as a further increase in income inequalities and disparity between different parts of the City.</p> <p>However, the move to City status provides the opportunity to attract new businesses and employers into the City, providing new and additional employment that can contribute to the delivery of the ambition and outcomes for the City led by the major regeneration schemes driven by the Council.</p>	<ol style="list-style-type: none"> 1. Focus on economic recovery led by the economic crisis and recovery group, includes representatives from businesses, DwP, Citizens Advice, UoE & Police, provides governance for the UK Shared Prosperity Fund bids that have been made, reporting via the Economic Recovery Working Party. 2. Using a data driven approach to target and support key businesses and providers of jobs to help offset the decline of smaller businesses and lost jobs. Engagement with funders of employment and skills projects to refocus delivery on job and business retention including changes to how projects are delivered to suit a virtual environment (eg. SEBB, SECTA, A Better Start Southend Work, Skills, 60 Minute Mentor). 3. Updated Southend Skills strategy will give us a current appraisal of sector specific challenges and employment demographics to inform creation of solutions with partners. 4. Engagement with businesses, including the Southend Business Partnership, to understand the ongoing impacts of the pandemic and wider economic pressures to provide specific interventions that will support recovery, including the use of Multiply funding to build numeracy skills. 5. Tackling Poverty Strategy approved by Cabinet in February 2023. 6. Development of 3 Levelling Up Funding bids with colleagues across the organisation and partners, focussed on Visitor Economy and Town Centres (awarded £19.9m for bid 1), Culture Led Regeneration of the City Centre and Highways (decision on funding delayed by Government) available to support recovery. 7. Development of ASELA proposition for inward investment offer for South Essex which initially focuses on retention and support for businesses. 	4	4	16	H of Communities / H of Economic Inclusion / CM for EG & I

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Meeting: Cabinet
Date: 18 September 2023
Classification: Part 1
Key Decision: No
Title of Report: **Economic Growth Strategy Development**

Executive Director: Alan Richards – Executive Director Environment and Place
Report Authors: Nick Brown (Head of Economic Inclusion) and Kevin Waters (Director of Growth and Planning)
Executive Councillor: Councillor Daniel Nelson, Cabinet Member for Economic Growth and Investment

1. Executive Summary

- 1.1. In the current economic context, locally, regionally, and nationally, it is important that Southend-on-Sea City Council has an up-to-date Economic Growth Strategy. Whilst any strategy must remain flexible and able to adjust to changing economic pressures, it is important that it can direct the efforts of the Council on all aspects of economic growth, in particular to secure good growth and inward investment, provision for skills development and new jobs, the of support business growth and guiding the work of the Economic Inclusion Service and its work with funders, businesses, partners, business networks government etc.
- 1.2. A well-grounded Economic Growth Strategy will also provide the opportunity to bring together the wider policy context relating to the economy of the area, building on the strengths, and identifying any gaps and areas that require updating.
- 1.3. Engagement with a range of stakeholders will be important throughout its development to ensure that any new Economic Growth Strategy is complementary to, and supportive of, the business community as well as the wider regional policy framework - serving to further good growth across the city and the region.
- 1.4. This report seeks to agree the principle of preparing an up-to-date Economic Growth Strategy. It sets out the likely timescales for creating such a document, touches on resourcing and, while the outcome of the engagement should not be pre-determined, it also proposes elements of the structure of the strategy.

2. Recommendations

It is recommended that Cabinet:

- 2.1. Agree to the development of an Economic Growth Strategy.
- 2.2. Note that councillors and wider stakeholders will be engaged during the process and that a draft Economic Growth Strategy will be presented to Cabinet for adoption in due course.

3. Background

- 3.1. Southend's most recent Economic Growth Strategy¹ covered the period up to 2022. In the current economic context, locally, regionally and nationally, it is important that Southend-on-Sea City Council has an up-to-date Economic Growth Strategy reflecting the current ambitions for the City.
- 3.2. The updated strategy will need to be an adaptable document which can weather the changing economic context around it and will also need to incorporate an action plan setting out the short, medium and long-term outcomes, which will be determined through stakeholder engagement. It will help to focus and direct efforts to realise the council's, and the city's economic growth objectives while also recognising the financial framework within which it must now operate and the need to contribute to meeting climate change commitments which have been agreed.
- 3.3. Wide ranging engagement with stakeholders and a focused review of related policy, strategies and data which currently exist is key to developing a strategy which identifies and addresses the relevant issues and maximises the opportunities for Southend, its residents, businesses, investors, and the wider economic area. It will be equally important that the strategy is coherent and consistent with the council's wider agenda around other matters, for example climate change, transport, and community safety.
- 3.4. An indication of the likely steps involved in the preparation of the strategy is provided in **Appendix 1** of this report. Although the Economic Growth Strategy has a broader remit both geographically and in terms of the matters it is addressing, it will also build on the recently adopted Town Centre Strategy and Investment Plan.

4. Reasons for Decisions

- 4.1. Supporting economic growth in the city is key to achieving a wide range of the council's objectives, as recognised in its current body of strategies. Delivering this through the development of an overarching, up to date strategy which can adapt to changing economic contexts is an effective way of progressing this both in terms of delivering positive outcomes and making best use of resources.

¹ [economic growth strategy 2017 – 2022](#)

- 4.2. Appropriate engagement with stakeholders at an early stage is key to informing the development of a strategy which addresses the relevant issues, maximises the benefits presented by opportunities and is deliverable.

5. Other Options

- 5.1. The council could choose to not develop an Economic Growth Strategy (there is no statutory requirement). However, it is considered that supporting economic growth in its widest sense is a key priority for the council, as reflected in the Corporate Plan and the council's wider suite of strategies.

6. Financial Implications

- 6.1. There is no provision for this within the Economic Inclusion Service budget for 2023/24. The development of the new strategy will need to be resourced as far as possible within existing resources, noting that these are already stretched. It may be necessary to bring in external support around some elements of the development work. Any resources will be agreed with finance in advance of commitment.
- 6.2. While it is challenging to place figures on the anticipated financial impacts, the intention and purpose is that the Economic Growth Strategy would support the economic growth and skills base of the city. The resultant impacts would include elements such as inward investment, growth in business rate income and reduced dependence on the council's resources from businesses and residents. Such benefits suggest that the development of this strategy would be an appropriate use of Council resources and there is certainly a significant degree of value to be derived from the engagement work which would be a key part of the strategy development.

7. Legal Implications

- 7.1. There are no legal requirement to produce an Economic Growth Strategy. There are no significant anticipated legal implications arising from the development of an Economic Growth Strategy although it should be noted that this is not a statutory requirement and therefore the council has discretion with regard to this work and might appropriately decide that resources might be deployed differently – this will be a matter for Cabinet to consider in a wider context.
- 7.2. Procurement of any support on preparing the strategy would take place in accordance with the relevant legislative requirements and the council's constitution and procurement rules.

8. Policy Context

- 8.1. The preparation of an Economic Growth Strategy links into the objectives and outcomes sought from a wide range of policy documents including the council's Corporate Plan 2022-2026 and any subsequent updates to this.
- 8.2. Other key Council documents include:

- Economic Growth Strategy 2017-2022
- Draft Southend Skills Strategy 2023-2028
- Tackling Poverty Strategy and Action Plan (2022)
- Southend Adult Community College Strategic Plan (expected 2023)
- Emerging updated Corporate Plan 2023-2026

8.3. Relevant wider partnership documents include:

- SELEP Economic Recovery and Renewal (2021) - Economic Recovery and Renewal Strategy - The South East Local Enterprise Partnership (southeastlep.com)
- SELEP Skills Report and Evidence Base - Resources and Support – South East Skills
- Essex Chambers of Commerce’s Local Skills Improvement Plan (2022) - Essex Chambers of Commerce and Industry Ltd – (yet to be published July 23)
- Thames Estuary – The Green Blue Workplan (2021) - The Thames estuary Growth Board

9. Carbon Impact

9.1. In line with the council’s adopted policies the project will be progressed based on:

- Seeking to always minimise waste as far as possible.
- Minimising the use of printing, paper, and other consumables.
- Making use of online meetings where possible to reduce the need to travel.
- Promoting the use of public transport wherever possible.
- Always promoting reuse and recycling.

9.2. More broadly the strategy will subsequently seek to explore how economic growth can be promoted in ways which reduce carbon impact and address climate change. As an area of substantial economic growth in its own right the opportunities presented by expanding and enabling growth in green skills provision are likely to be a key area of focus in any strategy.

10. Equalities

10.1. The Economic Growth Strategy will be the subject of an Equalities Impact Assessment. In advance of this, the promotion of economic growth in a manner which promotes equalities, diversity and inclusion will be a key objective of the strategy.

11. Consultation

11.1. Following a review of the existing policies and strategies relevant to economic growth, the next step will be engagement with a range of stakeholders. This will include a range of council services, organisations within Southend and stakeholders outside the City.

12. Appendices and Background Papers

12.1. **Appendix 1:** Indicative stages for preparing Economic Growth Strategy

12.2. **Background Papers:**

[City Centre Strategy and Investment Plan 2022](#)

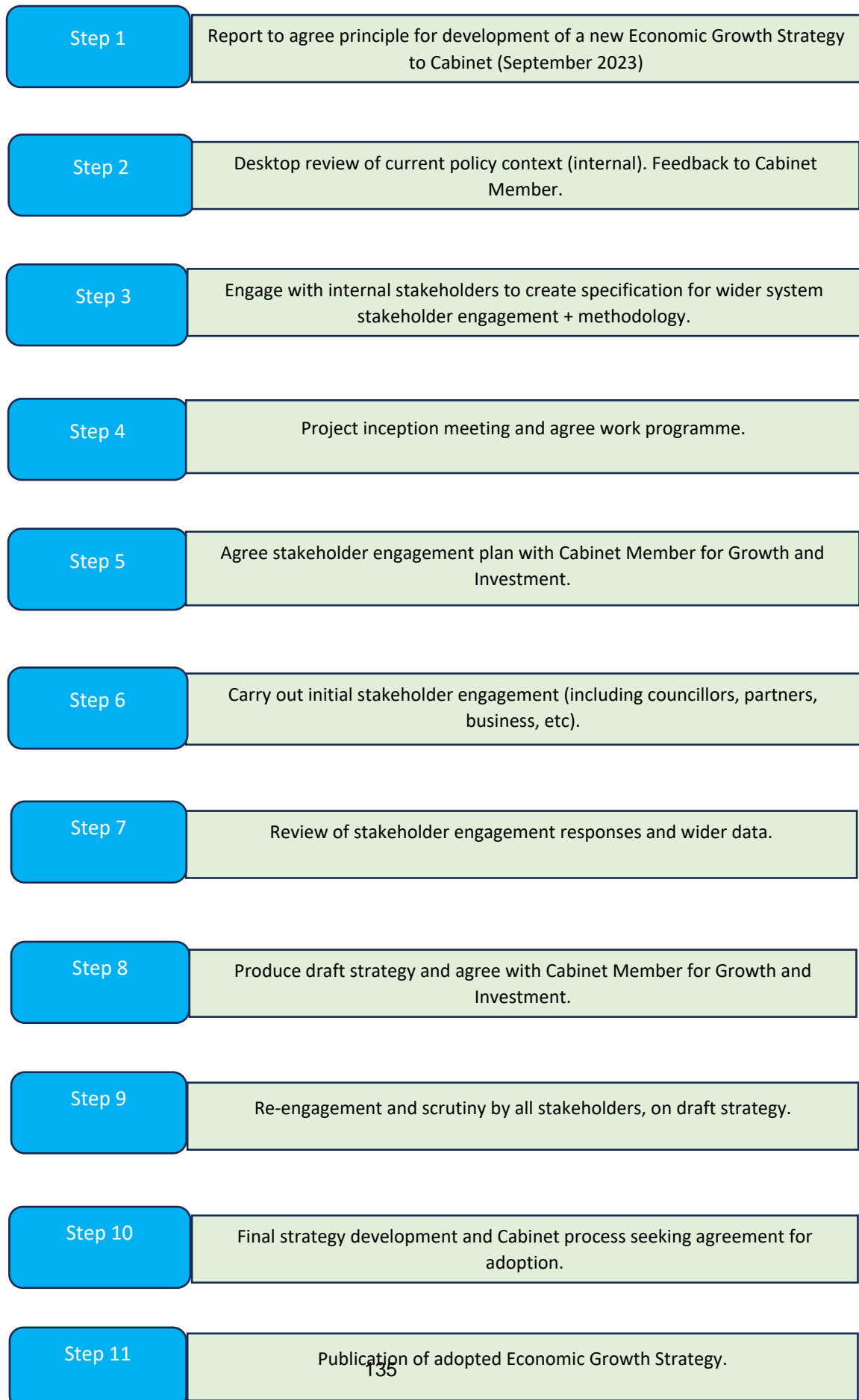
Economic Growth Strategy 2017-2022 - [economic-development-and-tourism-strategy-2017---22 \(southend.gov.uk\)](#)

Southend City Corporate Plan - [Introduction – Corporate Plan – Southend-on-Sea City Council](#)

Tackling Poverty Strategy 2022 - [Introduction – Tackling Poverty Strategy 2023 to 2026 – Southend-on-Sea City Council](#)

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Appendix 1: Economic Growth Strategy – Indicative stages and key milestones



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Meeting: Cabinet
Date: 18 September 2023
Classification: Part 1
Key Decision: Yes / No
Title of Report: Domestic Abuse Strategy Update

Executive Director: Mark Harvey
Report Author: Danielle Davis
Executive Councillor: Cllr Moyies & Cllr Courtenay

1. Executive Summary

- 1.1. The Domestic Abuse Act 2021 introduced several changes as part of the Government's ambition to tackle the significant harms that are caused to people because of domestic abuse. These include introducing a broader definition of Domestic Abuse, improvements to the criminal justice processes and a range of new duties (Part iv), for Tier 1 Local Authorities (in this case Southend City Council), requiring the Authority to provide safe accommodation and support services for victims of Domestic Abuse and their families.
- 1.2. Under Part iv of the Act, there were additional duties which included the need for Local Authorities set up a multi-agency Domestic Abuse Partnership Board (DAPB) to oversee the responsibilities under the Act and which it has to consult in relation to various specified functions. These functions include assessment of need for safe accommodation and support, publishing an associated strategy, and commissioning the accommodation and services.
- 1.3. Southend has now established the Southend Domestic Abuse Partnership Board (SDAPB), which is Chaired by the Director of Operation for South Essex Homes, with the CEO of Southend's Association of the Community and Voluntary Sector (SAVS) Anthony Quinn which highlights our ambition for the Board to collaborate as a true multi-agency forum.
- 1.4. The SDAPB collaborates with the Greater Essex footprint through the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB) which is Chaired by the Deputy Police, Fire and Crime Commissioner for Essex. In June 2022, SETDAB (including a contribution from SCC) commissioned TONIC to conduct a domestic abuse discovery exercise to explore the domestic abuse landscape across Greater Essex. The final report and learning from this exercise concluded in January 2023 followed by a number of workshops and a system design process has started to explore the future commissioning arrangements across Greater Essex.

- 1.5. Following this initial progress and the SETDAB discovery exercise a refresh of the Southend needs assessment has been undertaken, including a public survey hearing from victims and survivors of domestic abuse in Southend. The learning from the needs assessment has enabled us to develop a new forward strategy to tackle domestic abuse across Southend and develop our longer-term commissioning intentions. This paper sets out Southend’s proposed new strategy to tackle domestic abuse across the City.

2. Recommendations

It is recommended that Cabinet:

A) **Agree in principle the proposed strategy** identified for the next Southend Domestic Abuse Strategy (2023 – 2026) to enable the strategy to be finalised.

3. Background

- 3.1. The Act placed several new duties on tier one local authorities including i) to conduct a needs assessment to understand the safe accommodation needs of victims and survivors, **ii) to develop and publish a strategy**, iii) to provide support to victims of domestic abuse, in refuges and other safe accommodation and iiiii) to convene a Local Partnership Board. Southend City Council has responded to each of these duties.
- 3.2. The Act has created, for the first time, a cross-government statutory definition of domestic abuse, to ensure that domestic abuse is properly understood, considered unacceptable and actively challenged across statutory agencies and in public attitudes. The definition of domestic abuse is in two parts. The first part deals with the relationship between the abuser and the abused. The second part defines what constitutes abusive behaviour.
- 3.3. The definition is:

Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if:

- *A and B are each aged 16 or over and are personally connected to each other, and*
- *the behaviour is abusive.*

Behaviour is “abusive” if it consists of any of the following:

- *physical or sexual abuse;*
- *violent or threatening behaviour;*
- *controlling or coercive behaviour;*
- *economic abuse (see subsection (4));*
- psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to:

- *acquire, use or maintain money or other property, or*

- *obtain goods or services.*

For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

The Act considered two people are “personally connected” to each other if any of the following applies:

- *they are, or have been, married to each other;*
- *they are, or have been, civil partners of each other;*
- *they have agreed to marry one another (whether or not the agreement has been terminated);*
- *they have entered into a civil partnership agreement (whether or not the agreement has been terminated);*
- *they are, or have been, in an intimate personal relationship with each other;*
- *they each have, or there has been a time when they each have had, a parental relationship in relation to the same child*
- *they are relatives.*

3.4. The Act places a duty on Tier 1 Local Authorities to commission support within safe accommodation for victims and their children. The definition of safe accommodation and support under the Act is provided below:

Defining safe accommodation	Defining support
<p>Safe accommodation includes;</p> <ul style="list-style-type: none"> • Refuge accommodation • Specialist safe accommodation • Dispersed accommodation • Sanctuary Schemes • Move-on and / or second stage accommodation • Other forms of domestic abuse emergency accommodation <p>Temporary accommodation such as homelessness hostels, hotels and bed and breakfast accommodation is not considered under this definition.</p>	<ul style="list-style-type: none"> • Overall management of services within relevant accommodation • Support with the day-to-day running of the service • Advocacy support • Domestic abuse prevention advice • Specialist support for victims • Children’s support • Housing-related support • Advice service • Counselling and therapy

Developing Southend’s Domestic Abuse Strategy

3.5. **Needs assessment:** A needs assessment was completed in 2021 in line with the statutory timeframe. Although the needs assessment was able to adhere to the regulation requirements, the deadline imposed by Central Government created a challenge for local partners to fully engage in the process and the Southend Domestic Abuse Partnership Board (SDAPB) agreed to conduct a more comprehensive needs

assessment ahead of the 2023-2026 strategy development. This needs assessment has been completed.

Key learning from Southend's Domestic Abuse Needs Assessment

- Based on national prevalence rates applied to the population (Census 2021) of Southend we can estimate that there are 146,412 individuals aged 16 or over in Southend of which we can estimate around 25,500 will have experienced domestic abuse over their lifetime. On an annual basis, this equates to 7,690 individuals likely to have experienced domestic abuse (both familial and intimate partner violence).
- Southend in particular sees high levels of domestic abuse, in comparison to the local neighbouring areas as well as comparable areas. There is an underutilisation of preventative measures, such as the DVDS, which can help to enable victims to continue engaging with the criminal justice system. A more successful engagement of victims with Essex Police could help to reduce repeat victimisation, which Southend sees very high levels of.
- The low engagement of victims of domestic abuse with the police is also evidenced by the low levels of victims supporting prosecution. There are many reasons why victims often do not want to pursue a criminal justice route in response to their experience of abuse. It is the role of the police to engage with the victim in a way that gives them confidence in the criminal justice system enabling them to be safe. Feedback from victims in this project as well as the TONIC research shows that there continues to be a disconnect between the police and victims of domestic abuse.
- At present the council is successful at preventing homelessness from DA victims/survivors. It was also identified that cases that have approached as fleeing domestic in abuse in 2022 sometimes withdrew their application or had their application closed due to contact being lost. The data shows that only 4% of homelessness applications were due to domestic abuse in Southend, which is much lower than the national average of 12%. It is difficult to draw conclusions as to why this is taking place but will need to be explored through our future strategy to ensure the right housing options are available for victims.
- There are some learnings in regards to gender and ethnicity from the dataset we analysed from the health sector in Southend. We know that men are underrepresented in domestic abuse services in Southend, and generally less identified by professionals. We found a particularly high proportion of male victims of domestic abuse accessing the Forward Trust, with 42% of the victims identified being male.
- There is also a gap in the identification of victims from minoritised ethnic groups in the substance misuse service. Specialist training should be provided to professionals to help them understand the additional barriers faced by non-White British victims and how to respond in a culturally sensitive way. Local domestic abuse services should also consider the inclusion of Black and Minoritised Ethnic IDVA to provide specialist support to people from those communities as well as engage and raise awareness of the support available in Southend.
- We have also noted the high numbers of victims and perpetrators of domestic abuse experiencing the 'toxic trio' of domestic abuse, mental health and substance misuse. Over four-in-five victims and perpetrators in Southend accessing

substance misuse support also experience mental health issues. Access to services for that cohort is especially difficult, due to substance use services not accepting service users with diagnosed mental health issues, and mental health services not accepting services users with substance misuse issues. This leads to the revolving-door scenario, where the patient is unable to access neither of the services.

- We found a lot of positive responses to domestic abuse when looking at children and family data in Southend. One of the key findings was the increase in referrals into Children Social Care from various sectors since 2019/20, suggesting an improved understanding of domestic abuse and the appropriate response. It suggests that the coordinated community approach is being implemented across the whole Southend system, which should be complemented.

3.6. **Coproduction with victims and survivors:** As part of the needs assessment, we launched an online survey to hear from any residents in Southend with experience of domestic abuse. We asked victims about their experiences of abuse, but also what worked well for them in terms of seeking help and what barriers they encountered. Overall we had 97 responses. As part of the survey, we invited victims with the opportunity to work with us to continue to shape our response in Southend through the development of our next strategy. As part of this several victims have joined a coproduction board who are working alongside Council officers and the Domestic Abuse Partnership Board to develop and deliver the proposed strategy.

Key learning from Southend’s Victim and Survivor survey

Theme	What we found	Voices of survivors in Southend
Types of abuse	<p>Based on our online survey of victims in Southend The most commonly experienced forms of non-physical abuse were;</p> <ul style="list-style-type: none"> • Shouting: 97% of the respondents had experienced a perpetrator shouting at them, and it was also the most frequently experienced form of abuse with 90% experiencing this behaviour more than 10 times. • Humiliation: 85% of respondents experienced being humiliated by their perpetrator, with 58% stating this happened more than 10 times. • Keep track of where they went: 83% of respondents stated their perpetrator kept track of where they went or 	<p><i>“I have only recently started to tell people. After 14 years of an abusive marriage I have left. I continue to be abused and controlled”</i></p> <p><i>“The police took the financial abuse seriously enough to arrest my ex husband, but the judge threw the case out because I</i></p>

	<p>how they spent time. This can make seeking support particularly difficult.</p> <p>Many survivors also experienced physical and sexual abuse too with the most common being:</p> <ul style="list-style-type: none"> • Grabbing (86%) • Pushing (84%) <p>In addition to this there was a high prevalence of perpetrators hitting,, punching or slapping victims with 71% experiencing it and 21% frequently experiencing it more than 10 times. Worryingly, almost half the respondents experienced being choked or strangled (both actual and attempted). Strangling is often a significant predictor of future lethal violence.</p>	<p><i>was married and was told it was a matter for the divorce court to deal with”</i></p>
<p>Experiences of help seeking</p>	<ul style="list-style-type: none"> • 34% of victims in Southend never told any professionals about their experience of abuse. • 51% of victims responding reported the abuse to the police however most did not report all of the incidents. In fact only 6% reported all of the incidents. • Survivors told us the three most common organisations they might disclose to were; GPs (28%), Children’s social care (22%) and/or their employer (20%). • Victims in Southend were most likely to seek help within the community, with the majority telling a friend about the abuse they were experiencing (63%). They also sought support from family members (45%). Almost as many sought support from a colleague (18%). 	<p><i>“My GP offered to help me run away to a hostel but I was too afraid to leave”</i></p> <p><i>“My school was able to leave a picture of my ex-partner in the office so if they were to ever turn up on site staff members would know what they look like”.</i></p> <p><i>“I didn’t feel many of them took it seriously, I felt they judged me for telling them, like somehow I was responsible for what had happened to me, or that I caused it”</i></p>

Needs of victims	<ul style="list-style-type: none"> • The most common factors that were important to victims in Southend from a support service were; confidentiality (98%), a flexible service (79%) and/or a 24 hour service (66%). • The most common support need by a considerable margin was the need for mental health related support with 80% stating this was what they needed. • Aside from this the next most common needs were; support for their children’s wellbeing (49%), legal support/advice (47%) and/or something to help them to be physically safe within their own home such as target hardening (43%) 	<p><i>“Good support would be flexible as in phone calls, home visits and also availability at the weekends and after school hours”.</i></p> <p><i>“Not having to wait. Getting immediate advice”.</i></p> <p><i>“Unfortunately, opportunities to escape in these types of relationships only arise by chance. Having a point of contact with someone who you know will answer no matter the time, is extremely imperative”.</i></p>
Gaps and barriers	<ul style="list-style-type: none"> • The three biggest barriers victims and survivors in Southend experienced in seeking support were; fear of what the perpetrator would do if they found out (45%), feeling too embarrassed or ashamed (43%) and/or fearing they would not be believed (40%). 	<p><i>“Police were unsupportive, didn’t believe me when I called stating he was breaking restraining order”.</i></p>

3.7. **Consultation on the draft strategy:** The Domestic Abuse Partnership Board has worked together to develop the initial draft strategy. This strategy has been consulted on via an online survey which was a follow up to the initial learning survey. The survey is open to both the public as well as stakeholder across Southend.

Proposal for the domestic abuse strategy priorities

- 3.8. As noted in previous sections, the next Southend Domestic Abuse Strategy must go further than delivering the minimum expectations of the Act which only relate to those within safe accommodation. We would like our next strategy to transform the lives of residents and strengthen our whole system response to domestic abuse to ensure all residents can live free from harm and abuse. As such we would like to develop a whole system strategy to launch on International Day for the Elimination of Violence Against Women (IDEVAW) on 25th November 2023.
- 3.9. We have identified key priorities we would like to build the strategy around. Following approval of these priorities in principle, a strategy will be drafted alongside and equality impact assessment and full consultation process. Underpinning our strategic priorities we have developed a set of values and principles which articulate the way we will work.

Our proposed values and principles

Prevention is better than cure

Together we will address the balance from a crisis-based response to incorporate preventative measures and a whole-family approach. We will also ensure that perpetrators are identified, pursued, challenged, held to account and supported to change.

A gender-based approach

The strategy recognises that domestic abuse disproportionately affects females and that our holistic approach will respond to this fact while not excluding male victims. The strategy will support Southend's Community Safety Partnership's Violence Against Women and Girls (VAWG) priority.

A needs led, intersectional approach

We also commit to not just view domestic abuse on its own, as all too often there are other factors present which may have the potential to increase vulnerability to abuse and further isolate victims. We recognise that victims and survivors don't live single issue lives and may experience multiple forms of violence, abuse and other forms of oppression. We will recognise that protected characteristics and marginalised groups may experience domestic abuse in different ways and the way services and structures operate must enable them to be accessible to all residents, recognising their experiences. A truly holistic approach will take into consideration how substance misuse, mental health, homelessness, coercion and control (as well as other factors) may need addressing at the same time. We will focus on how our strategy can help and support victims and survivors where there may be unmet need.

Collaborate across all agencies

To do this we will co-operate with partners signed up to this strategy who recognise their role in tackling these issues holistically and create a system whereby people can at any point seek help safely and without fear, shame or judgement. Every organisation in Southend has a role to play, and we want to be clear that working together means working collaboratively and creatively. As part of this we will aspire to deliver a coordinated community response in line with the In Search of Excellence (2021) guidance from Standing Together.

3.10. The four strategic priorities we propose are the focus of the next strategy are:

Proposed strategic priorities

Priority 1: Coproduction: Empowering people with experience of domestic abuse to shape and inspire our response, keeping them at the heart of everything we do.

Priority 2: Prevention and partnership: Galvanise all people and communities to prevent domestic abuse by changing cultures that condone or are conducive to abuse.

Priority 3: Victims and children: Collaborate across all agencies to ensure those experiencing abuse can access the right support, at the right time.

Priority 4: Perpetrators: Hold those using harmful behaviour accountable for changing their behaviour.

3.11. The Domestic Abuse Strategy 2023-2026 will have an accompanying action plan which will articulate specific actions for partners to deliver in line with the objectives. The strategy and action plans will be monitored by the SDAPB and reported in to the CSP. The action plans will be updated annually and a full evaluation of the impact of the strategy will be conducted and finalised in 2026 in preparation for the next strategy.

4. Reasons for Decisions

4.1. Our current interim strategy requires an update. Although the interim strategy satisfied our statutory duties, it is far from providing a robust, whole system response to domestic abuse. The proposed priorities will enable us to strengthen our response substantially.

5. Other Options

5.1. There are wider options in terms of the proposed strategic priorities in this paper. However, we believe that these priorities best reflect the local need in Southend, whilst also enabling us to align to the national policy frameworks and Greater Essex SETDAB strategy.

6. Financial Implications

6.1. To deliver the next domestic abuse strategy, there must be continued support for the resource required internally within SCC as well as ongoing discussions with wider partners to ensure a multi-agency budget.

6.2. Overall, the total annual resource Southend City Council contribute to delivery of the domestic abuse strategy is £853,610 which includes internal departmental budgets, central Government grants and contributions from partner agencies.

6.3. Internal funding from departmental budgets

6.4. This section provides an overview of Southend City Council departmental contributions to the domestic abuse response.

Department	Annual funding	Description	Funding end date
Public Health	£25,000	Contribution to Essex-wide IDVA service.	Initial contract end date of March 2024 with the option to extend by 2x 1-year increments up to end-March 2026.
Communities (via Supporting People)	£255,078.00	Safe Steps core contract including: <ol style="list-style-type: none"> 1. Refuge 2. Floating support and outreach 3. Children and Young People Support 	No end date. The current commissioned contract ends 31 st March 2025 however the budget will remain to contribute towards recommissioning.
Children Services	£120,863	MARAT including: <ol style="list-style-type: none"> 1. MARAC social worker post 2. 2 MARAT administrator posts (jointly funded with PFCC) 3. MARAT manager post (jointly funded with PFCC and ICB) 	Continuous rolling funding with an MOU which is reviewed annually.
Total domestic abuse resource		£400,941	

6.5 External resource into Southend City Council

6.6 This section provides an overview of the funding Southend City Council receive from external sources into our domestic abuse response.

Source	Annual funding	Description	Funding end date
Department for Levelling Up, Housing and Communities (DLUHC)	£380,583 (variable ¹)	An annual allocation to support Local Authorities to meet our duties under the DA Act (2021) around <i>support within safe accommodation only</i> in line with the Act's definitions. This can include administrative costs to deliver the functions of the Act including commissioning, needs assessments and strategy development. We have used our funding for: <ul style="list-style-type: none"> • Domestic abuse consultancy support 	From 2025 onwards this funding will no longer be in grant form but rather form part of the Local Government settlement. Discussion will be required to ringfence an allocation from this settlement for Southend City Council to deliver our statutory

¹ This annual fund has been varied (although a similar amount) year on year since we started to receive it in 2021/22. This is our 2023/24 allocation; our 2024/5 allocation increases slightly to £387,764.

Source	Annual funding	Description	Funding end date
		<ul style="list-style-type: none"> Increasing capacity within Safe Steps (therapeutic service and additional posts) Housing navigator pilot service Increased capacity of DA support within South Essex Homes Discovery research project 	duties under the DA Act (2021).
Department for Levelling Up, Housing and Communities (DLUHC)	£55,000	<p>This was a lump sum that every Local Authority across the country received in 2021 to prepare for the Domestic Abuse Act. It was not ringfenced and Local Authorities were able to use this in any way they saw fit. In Southend we allocated this funding to our reserves to use as a flexible fund where required. To date this has been allocated to:</p> <ul style="list-style-type: none"> Safe Steps children and young people IDVA 3 month top up (£16,318.08) Essex wide perpetrator pilot (£18,000 per annum for 2 years) 	This was a one-off grant.
Mid and South Essex Integrated Care Board	£22,983	Funding towards the Southend MARAT manager post.	Continuous rolling funding with an MOU which is reviewed annually.
Police, Fire and Crime Commissioner for Essex	£49,103	Funding towards the Southend MARAT manager and 2 administrator posts.	Continuous rolling funding with an MOU which is reviewed annually.
Total		£452,669	

6.7 In addition to our annual funding, we have a rolling underspend from our annual DLUHC grants which has been agreed to contribute towards our recommissioning budget for provision from April 2025 onwards. This underspend is forecast to be £444,699.11 however it is notable that additional pilots in line with the whole housing approach are currently being scoped (such as the flexible funding model) so the actual underspend is likely to be less than this by March 2025. Due to the source of this funding it is notable that it can be spent on our support within safe accommodation and whole housing approach only and not wider community based services.

7. Legal Implications

- 7.1. Southend City Council is required to meet its new specified duties under the Domestic Abuse Act 2021. This means we must at all times have a published strategy we are working towards, and must have commissioned appropriate support within safe accommodation. The proposals within this report will satisfy these legal duties.

8. Policy Context

- 8.1 Central Government have increasingly recognised that domestic abuse is a pressing social and public health concern. The alarming prevalence of domestic abuse has prompted the Domestic Abuse Act (2021) to come in to force and placed a requirement for all Local Authorities to develop relevant strategies to respond to victims including children within safe accommodation.

9. Carbon Impact

- 9.1. Not applicable.

10. Equalities

- 10.1. Domestic abuse is a widespread issue which can impact any individual or family across Southend. Although it is recognised that domestic abuse disproportionately affects women and girls, Southend's strategy and response will be inclusive of any individual.
- 10.2. A full equality impact assessment will be undertaken following the drafting of the strategy to ensure it is inclusive of all protective characteristic groups.

11. Consultation

- 11.1. Following approval in principle of the proposed approach and strategic priorities, a draft strategy will be drafted and will go through extensive consultation through the SDAPB. This will include an online public consultation.

12. Appendices

12.1. **Appendix 1: Southend's Interim Domestic Abuse Strategy**



Southend Borough
Council Domestic Abu

12.2. **Appendix 2: Southend's Proposed Domestic Abuse Strategy**



Southend domestic
abuse strategy.v16.pdf

12.3. **Appendix 3: Southend Domestic Abuse Needs Assessment**



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Domestic Abuse Strat

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Southend



DOMESTIC ABUSE
PARTNERSHIP

Southend Domestic Abuse Strategy

2023 – 2026

DRAFT

Foreword

[To be confirmed who will sign this? Needs to be partnership – an Exec Member, Safeguarding Partnership and Chair of DA Board jointly?]

On behalf of *[all Southend Domestic Abuse Partnership Board members]*, I am proud to present the Southend Domestic Abuse Strategy 2023-26.

The Strategy is anchored in our shared belief that domestic abuse is unacceptable in all its forms. It is everyone's duty to help preventing people experiencing it.

As a Board, we are listening to those who are experiencing or have experienced domestic abuse. We are clear that our learning from people with experience of domestic abuse will drive what we do, how we do it and how we measure success. With this strategy we are committing to a coproduced approach to all we do.

With this first of its kind strategy for Southend, the Board decided to go beyond the statutory ask and consider all impacting aspects of domestic abuse. By working together in partnership and joining our collective aims and priorities we will deliver a holistic local response for our city and effectively target Domestic Abuse.

This Strategy forms part of our wider work to tackle violence against women and girls in collaboration with the Community Safety Partnership Board.

Sarah Lander, Chair of Southend Domestic Abuse Partnership Board

[Insert signature]

The impact of domestic abuse can result in a range of negative and harmful effects on health, wellbeing and outcomes in life. Domestic abuse impacts upon future generations and their ability, capacity and attitude towards relationships, parenting, self-esteem and mental health. Domestic abuse affects individuals, families and communities, and both prevention and responses must recognise both the immediate impacts which domestic abuse may have on an individual or family, and also its long-term consequences.

No person should experience domestic abuse, and through this strategy and its clear commitments, we will work together as a system and with those who have experienced abuse to prevent abuse from happening, to strengthen our service provision and to make sure we are learning from the latest research and understanding of what works best to continually improve the effectiveness of how our services tackle domestic abuse across Southend.

Southend's vision is to reduce the harm caused by domestic abuse by tackling the root causes. We want to help and support victims but we also want to change the behaviour of those who inflict the abuse and reduce the likelihood of further incidents, either within an existing relationship or with a new partner.

Councillor James Moyies, Cabinet member for Public Health, Adult Social Care & Constitutional Affairs

[Insert signature]

“The thing I have felt most challenging about accessing services is how disjointed they all are. For example, I have had to deal with the police, family court, criminal court, CPS, housing, local authorities, charities etc and have had to retell my story so many times to multiple people from each organisation. It is exhausting and makes you want to give up. It would be useful for services to work together more effectively”.

- Victim/survivor in Southend

Introduction

About this strategy

Domestic abuse has an impact on many residents in our city, yet it is often one of the most under reported crimes. The impact of domestic abuse on victims and survivors¹, including children can be traumatic and the consequences are long-lasting, far-reaching, and often misunderstood.

On average victims at high risk of serious harm or murder live with domestic abuse for 2-3 years before getting help², though many victims suffer from abuse for much longer. Children and unborn babies living in households of domestic abuse are at increased risk of short, medium and long-term impacts including poor health outcomes and increased vulnerability. Young people under 16³ can experience abuse within their own relationships, and we are committed to delivering an all-age approach. This also means ensuring older people who experience abuse are supported. We know that in 2021-22 41% of the domestic abuse related enquiries to adult social care were in relation to adults aged 65 and over.

To tackle these complex issues, the Southend Domestic Abuse Partnership Board was formed in 2022 to bring together partners from the City Council, police, NHS, housing groups and voluntary community groups. Through this wide-ranging membership, all aspects of domestic abuse can be holistically addressed.

With this strategy, the partnership incorporates and goes beyond its statutory duty under the Domestic Abuse Act (2021) to deliver support within safe accommodation to victims and survivors, including children. With the ambition to make a lasting positive change, the Southend Domestic Abuse Partnership is also committed to a clear approach to hold those who use harmful and abusive behaviours to account and to change their behaviour.

Because domestic abuse disproportionately affects women and girls our approach strongly reflects the [Government's Violence Against Women and Girls Strategy](#). However, we recognise that men can also be victims and the approach set out in this strategy will benefit all victims and survivors.

The Domestic Abuse Act (2021) has stipulated that children living in households of domestic abuse are direct victims in their own right. As such we are referring to both, adult and child victims, when using the term 'victim'.

¹ A note on terminology: throughout this strategy we use the terms victim, survivor and people that have experienced domestic abuse interchangeably to recognise that there is no consensus on which term individuals who have experienced it identify with.

² SafeLives (2015), Insights Idva National Dataset 2013-14. Bristol: SafeLives.

³ The statutory definition of domestic abuse applied to those aged 16 and over. Although this is the definition we refer to in this strategy, we recognise abuse can happen to younger people too. Our strategy is an all-age strategy and includes young people who may experience abuse within their own dating relationships.

Defining domestic abuse

The Domestic Abuse Act (2021) characterises domestic abuse as coercive, controlling, threatening, or violent behaviours, including physical, psychological, financial, emotional, and sexual abuse that occur in marriages, civil partnerships, personal relationships, and in parental relationships.

Our vision

Domestic abuse is unacceptable and too often remains hidden. Only by mobilising all parts of our communities and working together in recognising, understanding, and responding, can we make fundamental changes to end domestic abuse. Tackling domestic abuse is everybody's responsibility.

Our partnership vision is:

To come together without judgement to prevent domestic abuse from happening and where it does, to support victims as all Southend's people deserve to flourish in a safe environment without fear and where they are free from harm.

We estimate that every year in Southend-on-Sea there will be **7,690** victims, this is much higher than what we see reported across services.

For example:

745 male victims living in Southend-on-Sea reported domestic abuse to Essex Police in **2021-22**. This is **38%** of the estimated prevalence of DA reported to police.

1,842 female victims living in Southend-on-Sea reported domestic abuse to Essex Police in **2021-22**. This is **40%** of the estimated prevalence of DA reported to police.

778 clients being supported though Safe Steps outreach in **21/22**.

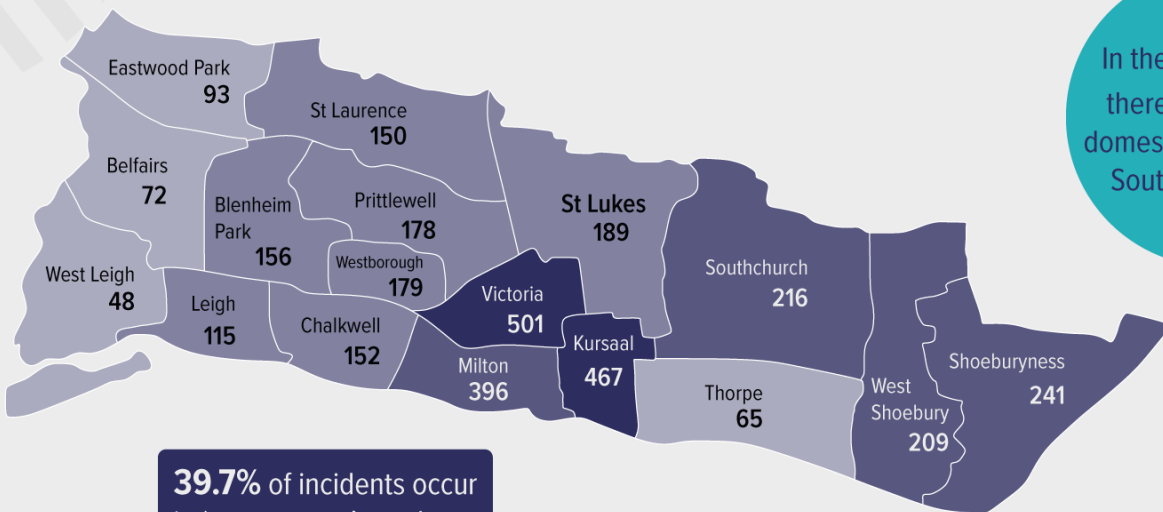
Safe Steps Break the Cycle received **101** referrals for young people experiencing DA.

21% of victims who accessed Safe Steps outreach identified as BAME.

14% of clients referred to Safe Steps outreach experienced mental health difficulties. The most common single need.

7% of referrals to Safe Steps outreach were for **LGBT** residents.

Number of DA incidents by ward in Southend-on-Sea.

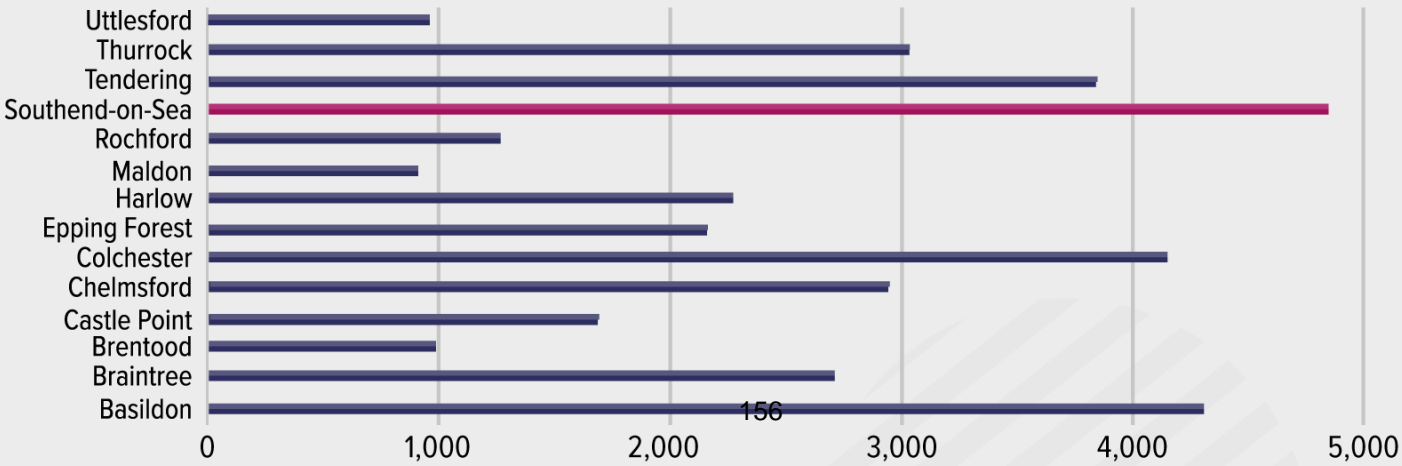


In the last **10** years there have been **7** domestic homicides in Southend-on-sea.

39.7% of incidents occur in 'town centre' wards.

Neighbourhoods in these wards are between **10-30%** most deprived across England.

Number of DA reports to police by location in 2021 - 2022



Southend's approach to tackling domestic abuse

To make our vision for Southend a reality, we will focus on four priority areas. To realise long-lasting changes, we recognise that **what we deliver is equally as important as how we deliver it**. For this reason, all work will be underpinned by the same principles to offer a response bespoke for Southend.

Principles

To deliver this strategy effectively our work needs to be responsive to the circumstances and requirements of victims, survivors and perpetrators of domestic abuse in Southend.

To achieve this our work will be:

• Evidence based

Using knowledge from local, national and international research and reviews about Domestic Abuse and about methods to successfully tackle domestic abuse. We will also ensure we utilise the evidence base to ensure our response is fit for all communities including those described as 'hidden'. This learning will inform the development of solutions for Southend.

• Trauma informed

Domestic Abuse can leave victims and their families traumatised. Recognising the impact of trauma is vital to ensure our responses are empathetic to the needs of victims and their families.

• Gender-based

The strategy recognises that domestic abuse disproportionately affects females. Our holistic approach will respond to this fact while not excluding male victims. The strategy supports Southend's Community Safety Partnership's Violence Against Women and Girls (VAWG) priority.

• Needs led & intersectional.

Different people experience domestic abuse in different ways. Further, domestic abuse is seldom an isolated issue. Additional factors and/or multiple forms of violence, abuse, and other forms of oppression may increase vulnerability to abuse and further isolate victims. In a holistic approach, factors like substance misuse, mental health homelessness, coercion and control, etc. may need addressing at the same time to achieve positive outcomes.

Our strategy recognises that victims and survivors don't live single issue lives and therefore focuses on offering help and support for victims and survivors with unmet needs including specific needs across all communities including those described as 'hidden'. Services must be accessible to all residents, recognising their individual experiences.

Priorities

Our priorities work across the spectrum of prevention focussing on how we can stop abuse happening in the first place (primary prevention), through to immediate support (secondary prevention) and long-term recovery (tertiary prevention).

Our priorities, as will be presented in the following sections, are:

Priority 1: Coproduction

Empowering people with experience of domestic abuse to shape and inspire our response, keeping them at the heart of everything we do.

Priority 2: Prevention and partnerships

Galvanise all people and communities to prevent domestic abuse by changing cultures that condone or are conducive to abuse.

Priority 3: Victim support, including children

Collaborate across all agencies to ensure those experiencing abuse can access the right support, at the right time.

Priority 4: Perpetrators

Hold those using harmful behaviour accountable for changing their behaviour.

Priority 1: Coproduction

Empowering people with experience of domestic abuse to shape and inspire our response, keeping them at the heart of everything we do.

What this means

This priority centres around **coproduction**, a vital approach that places individuals with experience of domestic abuse in positions of influence to inform decision-making.

What is coproduction?

Co-production gives people an opportunity to influence, co-plan, co-design, develop and help to shape services that are truly fit for purpose. Co-production brings people together, to explore lived and living experience, to share those experiences, knowledge and understanding. It's about working together, for residents and professionals to work in equal partnership for equal benefit, to create better outcomes for people. Listening the experts by experience, from different backgrounds allows us all to understand and appreciate any challenges or barriers people face.

We firmly believe that those who have personally encountered the challenges and traumas associated with domestic abuse possess invaluable insights that can inform and shape our response to this pervasive issue. By actively involving survivors in the implementation of our strategy and everything we do, we aim to not only honour their resilience but also create a more empathetic and effective support system. Coproduction ensures that the voices, needs, and ideas of survivors remain at the forefront of our efforts, guiding us towards comprehensive solutions that truly make a difference in their lives. This priority underscores our commitment to fostering a survivor-centered approach and recognising the expertise that only those with experience of domestic abuse can provide.

What we know

That coproduction activity is currently limited with victims of domestic abuse.

What we want to achieve

Our objectives:

1. **Develop a coproduction board:** Ensure the Southend Domestic Abuse Partnership structure incorporates mechanisms for the voice of victims and survivors and children to be heard across the structure.
2. **Embed the voices of those who have experienced domestic abuse across design and commissioning of services:** The commissioning and provision of services will be informed by the views of those who have been affected by domestic abuse or are at significant risk of it. This will include developing approaches to involve people with experience in monitoring.
3. **Integrate the voices of those with experience of domestic abuse in raising awareness and training:** Actively involve individuals with experience of domestic abuse in raising awareness and delivering training programs. This objective aims to

ensure that the voices and perspectives of survivors and those affected by domestic abuse are integrated into awareness campaigns, educational initiatives, and training programs. By incorporating their insights and stories, we can enhance the impact and relevance of these initiatives, fostering a deeper understanding and empathy within the wider community.

Priority 2: Prevention and Partnerships

Galvanise all people and communities to prevent domestic abuse by changing cultures that condone or are conducive to abuse.

What this means

Prevention in domestic abuse refers to a multifaceted approach aimed at stopping abusive behaviours and violence before they occur. It involves proactive measures at various levels **to address root causes and risk factors, with the goal of preventing domestic abuse from happening in the first place.** Prevention encompasses a tiered framework, including primary, secondary, and tertiary levels. At each level, **changing attitudes is a central feature, challenging societal norms and promoting healthy relationships, gender equality, and non-violence.** By working across these tiers and fostering a culture of respect, education, and awareness, we strive to create environments where domestic abuse is no longer tolerated, thus ensuring the safety and well-being of individuals and communities.

Creating lasting change in attitudes throughout the system and community is instrumental in preventing domestic abuse. It starts with transforming organisational responses to domestic abuse, driving a cultural shift that empowers individuals and promotes healthy relationships. As victims have bravely shared, until it became physical, they felt that no one understood or could help:

“Until it became physical no one said they were able to help. If someone had told me the financial control and verbal assaults counted and could offer me support and a way out, it wouldn't have become physical”.

- Victim/survivor in Southend

By breaking the silence and challenging preconceived notions, we can dismantle the barriers that victims face when seeking support. These first-hand experiences underscore the urgency to redefine what is socially acceptable and establish a safe space where victims can disclose their abuse with confidence, knowing they will be supported. **Early identification and intervention form the bedrock of prevention efforts.** By strengthening our initial responses throughout organisations, training all workers to identify domestic abuse, and establishing effective support pathways, we can intervene at the earliest opportunity. These proactive measures empower 'Trusted Professionals' to foster open dialogue, encouraging individuals to share their experiences and identify abuse early on. The powerful quotes from victims serve as a reminder of the complexities and the need for a coordinated approach across agencies to ensure a comprehensive response:

“I felt like other people made me feel like I wasn't intelligent because I had got myself into that situation, and as a woman it is my responsibility to not get into that situation with a man. I also felt there was a sense of social status around Domestic abuse, like I must be from a poor background or rough background or lower status background because this sort of thing doesn't happen to people who are not 'working class' or live on a council estate for example”.

- Victim/survivor in Southend

Equally important is educating children from an early age, as victims have highlighted the lack of understanding they faced Domestic Abuse due to societal misconceptions. **By fostering a culture of equality and respect, we equip young people with the tools to recognise the signs of abuse,** reject harmful social media content, and effectively address cyberbullying. The quotes from victims poignantly emphasize the need to eradicate stereotypes and social

status associations tied to domestic abuse. This means raising awareness among the broader community, enabling individuals experiencing abuse to understand their situation and access the necessary help and support.

“They didn’t understand why I would stay with that person and didn’t understand the complexities. Some friends stopped talking to me for a while because they didn’t understand why I’d “put up with” that behaviour”.

- Victim/survivor in Southend

With this strategy **we will actively challenge these harmful narratives and strive to create a community that prioritizes respect, equality, and support for all individuals.** Through education, awareness, and early intervention, we can dismantle the foundations that allow domestic abuse to persist, creating a safer and more nurturing environment for everyone.

What we know

1. **Domestic abuse in Southend is under-reported with residents describing multiple barriers that we need to address to increase their confidence in the system.** Overall, we estimate around 7,690 residents experience domestic abuse every year, however there were only 2,587 victims who reported abuse to the police between January and December 2022. Our survey found that only 6% of victims reported all incidents of abuse to the police and overall, 34% never disclosed to any professional about their experience.
2. **Agencies in Southend may not identify domestic abuse effectively.** Only 60% of professionals who responded to our survey said they had received domestic abuse training and only 33% felt that there is enough awareness raising of what professionals should do if they identify someone experiencing domestic abuse.

What we want to achieve

Our objectives:

- 4) **Promote societal change and community engagement:** We will challenge societal attitudes that condone domestic abuse and foster a culture where domestic abuse is not tolerated. To do so we will **develop awareness raising campaigns** to increase understanding, across agencies, services, and local communities. We will **work closely with the community and voluntary sector** collaborating with community leaders, organisations, and social hubs to engage diverse groups effectively.
- 5) **Promote healthy relationships in education:** Ensure that a comprehensive curriculum-based program on domestic abuse awareness and healthy relationships is available in all schools and educational settings. Collaborate with schools to address gender inequality, sexual stereotyping, and the normalisation of domestic abuse where it exists.
- 6) **Establish effective collaborative frameworks:** Develop policies, working procedures, and guidance that facilitate effective partnership working among organisations to ensure a coordinated community response to domestic abuse.
- 7) **Incorporate learning from research and reviews:** Identify and embed the insights gained from Domestic Homicide Reviews, Safeguarding Adults Reviews, and Child Practice Reviews that are relevant to domestic abuse, fostering a culture of continuous improvement and informed practice.

Use learning and research on Adverse Childhood Experiences to further understand the impact of domestic abuse on young people, and how to minimise harm experienced to build resilience.

- 8) **Support employees experiencing domestic abuse:** Implement supportive processes within organisations to assist and provide resources for staff members who disclose domestic abuse. Work with businesses to ensure they have access to information on supporting employees facing domestic abuse.

Priority 3: Victim support, including children

Collaborate across all agencies to ensure those experiencing abuse can access the right support, at the right time.

What this means

Effective safety and support means ensuring women who experience domestic abuse, and their children are safe and protected from harm and have access to the right **support** at the right time. Collaborating across all agencies is crucial to ensure that individuals experiencing domestic abuse can access the necessary support when they need it most. We know that getting the right support can be lifechanging:

“I spoke to a friend, and she explained I had and was experiencing domestic abuse and suggested Dove. They were wonderful. Non-judgmental, helpful, wise, and understanding. And they referred me to Fledglings who were equally fantastic. I feel so much stronger”.

- Victim/survivor in Southend

It is essential to recognise that the needs of victims are diverse and multifaceted, requiring a comprehensive and tailored approach. The support provided must go beyond a one-size-fits-all solution, acknowledging the unique circumstances and challenges faced by everyone. We will specifically consider how our services and responses are fit for purpose for all communities including those from ethnically minoritized communities and wider cohorts where additional barriers to help seeking may exist including LGBT, older people and male victims. This includes offering a range of options that cater to different needs, ensuring we have a range of provision including:

- community-based support (including outreach, high risk services and therapeutic support)
- accommodation based support (including refuge and wider safe accommodation)
- support for children, young people, and whole families

In ensuring victims can access the right support at the right time, we will collaborate across the partnership to deliver the Multi Agency Risk Assessment Conference (MARAC) and a whole housing approach. The latter is necessary to address the housing needs of victims, ensuring that accommodation-based support is readily available:

“From when I first made contact with Safe Steps I felt supported and believed 100%. My experience since being in refuge I have been supported in anything I needed to do”.

- Victim/survivor in Southend

Through a whole housing approach, we will recognise that whilst some survivors need to flee their home for safety, this is far from ideal and in some instance survivors would prefer the option to remain safe within their own home:

43% of victims wanted help and support to stay safe in their own home.

- **Southend victim and survivor survey**

By working collaboratively and adopting a victim-centred approach, we can ensure that all victims of domestic abuse receive the right support at the right time, empowering them to rebuild their lives and be free from abusive and harmful behaviour.

What we know

1. **There is a high complexity of need and risk for people experiencing domestic abuse in Southend.** This was evidenced in our professional's survey in which mental health was the highest perceived need of victims with 62% of professionals stating this was what they saw most commonly. This was mirrored by feedback from victims as 80% stated this was their biggest need.
2. **Victims note that their practical needs were often the most important to them.** Aside from mental health related support as noted above, victims most needed practical support which highlights the need for joining up with more universal and community-based services. In total 47% needed legal support and advice and 43% wanted something to help them to be physically safe within their own home through implementing physical safety measures such as alarms (for example).

What we want to achieve

- 9) **Collaborate across all agencies to ensure victims are not passed from pillar to post:** We will work to ensure all agencies sign up to our strategy and collaborate with partners who recognise their role in tackling these issues holistically and create a system whereby people can at any point seek help safely and without fear, shame, or judgement. We know that in some instances victims with additional vulnerabilities such as mental health or substance use needs find it difficult to access the right support at the right time. Every organisation in Southend on Sea has a role to play in combatting this, and we want to be clear that working together means working collaboratively and creatively to achieve the best outcomes for residents. As part of this we will aspire to deliver a coordinated community response in line with the [In Search of Excellence \(2021\) guidance](#) from Standing Together.
- 10) **Enhance accessibility and availability of community-based support services for all victims and survivors to ensure there is no wrong door for everyone:** Collaborate across agencies to ensure that individuals experiencing domestic abuse have access to a comprehensive range of community-based support services, including outreach, high-risk services, and therapeutic support when they need it, including long term support to recover from the impact of harm.
- 11) **Increase accommodation based and housing options for people experiencing abuse:** Develop and implement a **whole housing approach** that addresses the housing needs of victims and ensures the availability of safe accommodation options. This will include options for people who need to leave the City for their own safety to ensure they have access to support to return should they want to.
- 12) **Provide comprehensive support for children and young people:** Collaborate with agencies to ensure that children, young people, and whole families affected by domestic abuse receive tailored and holistic support.
- 13) **Work to safeguard victims at the highest risk of harm through the Multi-Agency Risk Assessment Conference (MARAC) processes:** Enhance the effectiveness and impact of MARAC, a multi-agency risk management meeting, to ensure timely and coordinated responses to high-risk cases of domestic abuse.

14) Evidence and needs based development of services: Partners will work collectively to bring together accurate and consistent data to improve our understanding of gaps, to inform service development and service delivery, and to ensure an effective quality monitoring of commissioned services. An agreed multiagency and joint commissioning approach will be developed and utilised to inform the commissioning and decommissioning of domestic abuse services.

We will continue to learn from latest research and best practice examples to effectively address harmful, violent, and abusive behaviour within different contexts.

Priority 4: Perpetrators

Hold those using harmful behaviour accountable for changing their behaviour.

What this means

We acknowledge that to effectively combat domestic abuse; it is necessary to balance punitive measures within the criminal justice system with a comprehensive approach that supports individuals who are motivated to change their behaviour. By centring on the principles of the Duluth Model, we aim to challenge the patterns of power and control that underpin abusive behaviour and create a culture of non-violence and respect. Holding **perpetrators** accountable requires a multifaceted approach that includes both, consequences for their actions as well as opportunities for intervention, rehabilitation, and support. Through this approach, we strive to foster behavioural change, creating safer communities for everyone involved.

Our feedback from victims and survivors in Southend to date has highlighted their desire for more focus to be held on holding those using harmful behaviour towards them:

“The police had been disappointing. My abusive ex breeches a non-molestation order over 7 times”.

- Victim/survivor in Southend

“[police] let him be bailed to our family home. I was then left homeless with the children as he refused to leave”.

- Victim/survivor in Southend

By offering support and interventions for individuals motivated to change their behaviour, we can break the patterns of violence and control, ultimately preventing future instances of domestic abuse. This comprehensive approach balances the need for accountability through the criminal justice system with the recognition that support is an essential component for long-term behavioural change.

What we know

1. **There are limited current support services for people using harmful behaviour in the city.** From our survey with professionals the biggest barriers they found in meeting the needs of perpetrators they worked with was a lack of an appropriate offer of support, including lack of behaviour change programmes and mental health support. Victims and survivors also told us they would like to see more support for those using harmful behaviour with 31% noting they would like healthy relationships support to make their relationships safer.
2. **Very few cases reported to Police result in a charge or summons.** There was a total of 3,718 recorded domestic abuse investigations in Southend in the 12 months between January and December 2022. Only 10% of all cases with recorded outcomes in 2022 were solved, with only 2% of all crimes with a recorded outcome in 2022 resulting in a charge or summons.

What we want to achieve

Our objectives:

- 15) Increase our offer of support services for people using harmful behaviour:** We will enhance the support services available for individuals who have engaged in harmful behaviour. By commissioning and developing comprehensive programs, we strive to address the underlying issues contributing to domestic abuse and promote sustainable behaviour change. This objective emphasises the importance of providing effective support to perpetrators to prevent future abuse.
- 16) Develop a preventative approach to the identification, risk assessment and risk management** of perpetrators to ensure we work proactively. This should include exploration of emerging research on using data linkages⁴ to identify those who are or may cause harm.
- 17) Enhance accountability and intervention through the Criminal Justice System:** By promoting timely and appropriate legal action, as well as implementing effective intervention programs, we aim to disrupt patterns of power and control and deter reoffending.

⁴ [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(23\)00126-3/fulltext](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(23)00126-3/fulltext)

Developing and implementing our strategy.

How we informed our strategy

The development of this partnership strategy is a culmination of efforts across Southend agencies. A number of methods were used to learn from peoples' experience, collate relevant evidence and by this inform this strategy:

- **Domestic abuse needs assessment (2023):** The needs assessment is a collation and analysis of data from across all agencies in Southend, including statutory safe accommodation needs assessment elements and a review of published and ongoing Domestic Homicide Reviews. This was conducted for the purpose of understanding the needs and support requirements for victims and survivors. Through the needs assessment we identified some of the unique challenges that victims and survivors in Southend face including a complexity of need including wider vulnerabilities such as mental health and substance use needs.
- **Domestic abuse discovery exercise:** Jointly with the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB) we commissioned TONIC to complete an in-depth research project to understand the pathways that exist across the greater Essex footprint. TONIC engaged with over 320 people, including those with experience of domestic abuse and stakeholders, through an online survey, workshops, and in-depth interviews.
- **An online survey for professionals across Southend:** In addition to the broader discovery exercise, we developed our own survey to hear specifically from our stakeholders and residents. We heard from 58 professionals from agencies across Southend who told us about their experience of working with domestic abuse. This included exploration of the level of knowledge and awareness of domestic abuse to inform our learning and development elements of the strategy.
- **Hearing from Southend victims and survivors:** This included a focus group and survey with people who had experienced domestic abuse. Overall, we had 97 responses from victims and survivors who told us about their needs and what they think a good service should look like
- **Workshop with stakeholders:** We facilitated a workshop with stakeholders from across all agencies in Southend. At this workshop we presented the draft survey for consultation.
- **Online consultation survey:** Following the development of the draft strategy we launched our 'You Said, We Heard' survey for anyone working or living in Southend. We sought their feedback on our proposed strategy.

Southend Domestic Abuse Partnership extend their gratitude to every individual that has contributed to the development of this strategy. The feedback from those with victims and survivors, residents and people who work in partner agencies across Southend has been invaluable and we hope their views are sufficiently reflected in this document.

Our commitment to multi-agency collaboration

In Southend, all local agencies have a vital part to play in delivering this strategy. Many of these agencies are already undertaking significant and valuable work to promote safety and provide effective interventions; however, we know there is still much more for us to do.

The Domestic Abuse Strategy has been produced to assist partnerships and agencies in delivering appropriate responses to those affected by domestic abuse across Southend, assisting people to live free from abuse. It takes account of the legal framework for protecting vulnerable children whereby children who witness abuse will be considered within a child protection framework as reflected in the [Working Together guidance](#). We will continue to work across Boards including the Children Safeguarding Partnership to ensure robust responses for children and families experiencing domestic abuse.

This Strategy is underpinned by commitment to partnership working so that agencies will be able to maximise the utilisation of existing resources and, where possible, seek to draw upon additional resources, to improve the response to domestic abuse across Southend. It is a call to action for us all over the next three years to work together to achieve our shared vision for Southend and send out a clear message that domestic abuse will not be tolerated.

Governance

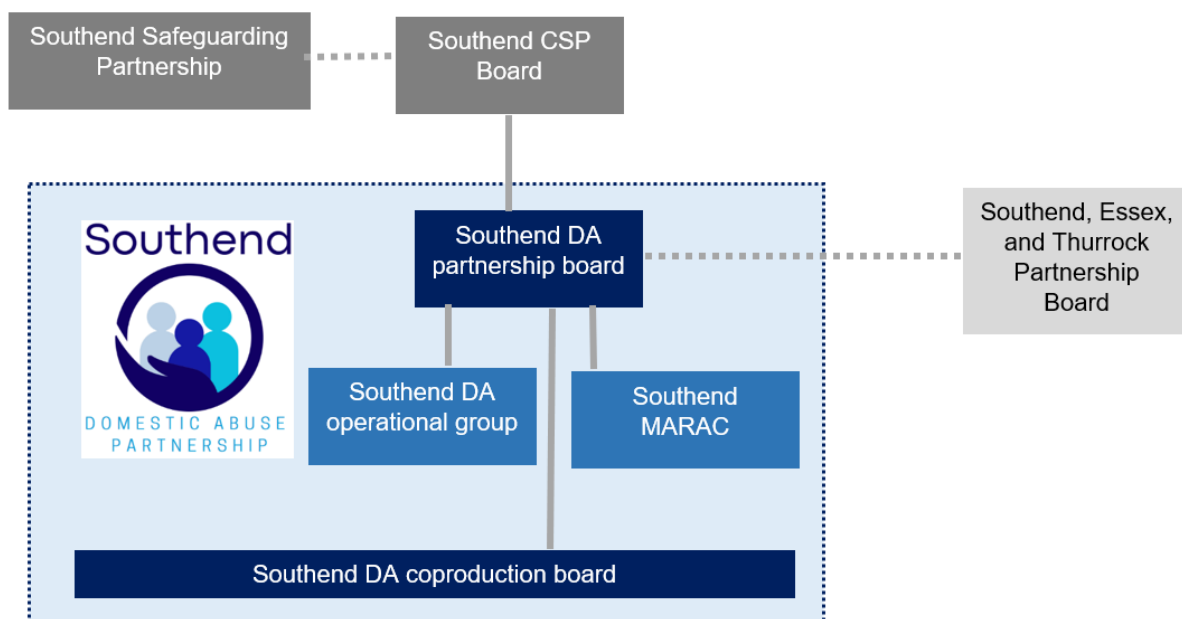
The Southend Domestic Abuse Partnership Board (DAPB) is a partnership group formed in line with requirements of Part 4 of the Domestic Abuse Act 2021. The Board will support Southend City Council in meeting its duty to improve outcomes for victims of domestic abuse, including their children, by setting a strategic approach for all partners.

The Southend DAPB will hold responsibility for delivering this strategy, including monitoring progress.

Members of the Board will work together to support, advise, and co-operate with Southend City Council to ensure victims of domestic abuse have access to adequate and appropriate support within relevant safe accommodation services.

The Board will establish an equitable partnership that reflects the needs of those impacted by domestic abuse in the local area and works to ensure victims of domestic abuse have access to appropriate and specialist support within appropriate safe accommodation services. The Board will ensure the membership adheres to the statutory regulations and includes a broad representation of statutory, community and voluntary sector partners and that can participate and actively contribute across the partnership structures.

In year one of our strategy, we will develop our governance mechanisms through the development of an operational group and a coproduction Board. The full governance for the DA partnership is illustrated below:



Working across the Greater Essex footprint

Effectively tackling domestic abuse requires a multi-agency response. As such our response models need to be aligned as far as possible across relevant local authority boundaries. We will work alongside colleagues in the Greater Essex area, through the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB) to ensure responses are coordinated and aligned. The current SETDAB strategy includes five outcomes, of which all link seamlessly with our local approach:

Southend's strategic priorities	Links to the SETDAB outcomes
<p>Priority 1 Coproduction: Empowering people with experience of domestic abuse to shape and inspire our response, keeping them at the heart of everything we do.</p>	<p>There is no specific SETDAB outcome for this, however there is a range of projects across Greater Essex which we will collaborate with.</p>
<p>Priority 2 Prevention and partnerships: Galvanise all people and communities to prevent domestic abuse by changing cultures that condone or are conducive to abuse.</p>	<p>Outcome 1: Children and young people can recognise and form healthy relationships.</p>
	<p>Outcome 5: Communities, professionals and employers are able to recognise domestic abuse at the earliest opportunity and have the confidence to take action.</p>
<p>Priority 3 Victims and survivors: Collaborate across all agencies to ensure those experiencing abuse can access the right support, at the right time.</p>	<p>Outcome 2: People experiencing and at risk of experiencing domestic abuse are supported to be and feel safe.</p>
	<p>Outcome 3: Everyone can rebuild their lives and live free from domestic abuse.</p>

Priority 4 Perpetrators: Hold those using harmful behaviour accountable for changing their behaviour.	Outcome 4: Supporting and disrupting perpetrators to change their behaviour and break the cycle of domestic abuse.
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Monitoring and evaluation

This strategy will be supplemented by:

- a) A delivery plan
- b) An evaluation plan

The timeframe for the development of the coproduced delivery plan will be by 25 November 2023 in line for the strategy launch events on the International Day for the Elimination of Violence Against Women (IDEVAW) and subsequent 16 days of action. The delivery plan will be reviewed each quarter by the Domestic Abuse Partnership Board.

The Board reports into the Community Safety Partnership on a quarterly basis. This will include an overview of activity in line with the delivery plan. Each year an annual report will be compiled in line with the evaluation plan. A full evaluation (alongside the needs assessment) in the final year will contribute to the development of future strategies.

Resources, budget, and funding

Southend City Council have committed an annual budget envelope of £255,078 over the course of this strategy to deliver domestic abuse services. This is in addition to the new burdens funding allocations from the Department for Levelling Up, Housing and Communities (DLUHC) up to 2025 and future allocations which will form part of the Local Authority settlement.

Council Department	Annual funding	Description
Public Health	£25,000	Contribution to Essex-wide IDVA service.
Communities (via Supporting People)	£255,078	Commissioning of Community support and refuge accommodation
Children Services	£120,863	MARAT including: <ol style="list-style-type: none"> 1. MARAC social worker post 2. 2 MARAT administrator posts (jointly funded with PFCC) 3. MARAT manager post (jointly funded with PFCC and ICB)
External Source	Annual Funding	Description
Department for Levelling Up,	£380,583 (variable ⁵)	An annual allocation to support Local Authorities to meet our duties under the DA Act (2021) around

⁵

Housing and Communities (DLUHC)		support within safe accommodation only in line with the Act's definitions.
Mid and South Essex Integrated Care Board	£22,983	Funding towards the Southend MARAT manager post.
Police, Fire and Crime Commissioner for Essex	£49,103	Funding towards the Southend MARAT manager and 2 administrator posts.

We will work together to avoid duplication, consolidate evidence, analyse how best outcomes are achieved, share information and evidence early and thus ensure value for money and the best use of available resources across the partnership including Greater Essex through SETDAB.

The partnership will continuously work to identify wider courses of funding to support the delivery of the strategy.

Our commitment:

- We will work together to seek and access external funding opportunities, working collectively to identify areas of need where funding can make the most impact.
- Identify options or pooling resources amongst agencies to deliver the best services for victims.

[1] This annual fund has been varied (although a similar amount) year on year since we started to receive it in 2021/22. This is our 2023/24 allocation; our 2024/5 allocation increases slightly to £387,764.

Appendix A: Hearing from victims and survivors

As well as understanding the prevalence of domestic abuse, it is vital we understand what abuse looks like for people living in Southend. We conducted a survey to hear from residents in Southend about their experience of domestic abuse and getting support. Overall, we **received 97 responses** from members of the public. The below table highlights what we found:

Theme	What we found	Voices of survivors in Southend
Types of abuse	<p>Based on our online survey of victims in Southend the most commonly experienced forms of non-physical abuse were;</p> <ul style="list-style-type: none"> • Shouting: 97% of the respondents had experienced a perpetrator shouting at them, and it was also the most frequently experienced form of abuse with 90% experiencing this behaviour more than 10 times. • Humiliation: 85% of respondents experienced being humiliated by their perpetrator, with 58% stating this happened more than 10 times. • Keep track of where they went: 83% of respondents stated their perpetrator kept track of where they went or how they spent time. This can make seeking support particularly difficult. <p>Many survivors also experienced physical and sexual abuse too with the most common being:</p> <ul style="list-style-type: none"> • Grabbing (86%) • Pushing (84%) <p>In addition to this there was a high prevalence of perpetrators hitting, punching, or slapping victims with 71% experiencing it and 21% frequently experiencing it more than 10 times. Worryingly, almost half the respondents experienced being choked or strangled (both actual and attempted). Strangling is often a significant predictor of future lethal violence.</p>	<p><i>“I have only recently started to tell people. After 14 years of an abusive marriage, I have left. I continue to be abused and controlled”.</i></p> <p><i>“The police took the financial abuse seriously enough to arrest my ex-husband, but the judge threw the case out because I was married and was told it was a matter for the divorce court to deal with”.</i></p>
Experiences of help seeking	<ul style="list-style-type: none"> • 34% of victims in Southend never told any professionals about their experience of abuse. • 51% of victims responding reported the abuse to the police however most did not report all the incidents. In fact, only 6% reported all the incidents. • Survivors told us the three most common organisations they might disclose to were GPs (28%), Children’s 	<p><i>“My GP offered to help me run away to a hostel, but I was too afraid to leave”.</i></p> <p><i>“My school was able to leave a picture of my ex-partner in the office so if they were to ever turn up on site staff members would know what they look like”.</i></p>

	<p>social care (22%) and/or their employer (20%).</p> <ul style="list-style-type: none"> Victims in Southend were most likely to seek help within the community, with the majority telling a friend about the abuse they were experiencing (63%). They also sought support from family members (45%). Almost as many sought supports from a colleague (18%). 	<p><i>“I didn’t feel many of them took it seriously, I felt they judged me for telling them, like somehow, I was responsible for what had happened to me, or that I caused it”.</i></p>
Needs of victims	<ul style="list-style-type: none"> The most common factors that were important to victims in Southend from a support service were confidentiality (98%), a flexible service (79%) and/or a 24-hour service (66%). The most common support need by a considerable margin was the need for mental health related support with 80% stating this was what they needed. Aside from this the next most common needs were; support for their children’s wellbeing (49%), legal support/advice (47%) and/or something to help them to be physically safe within their own home such as ‘target hardening’⁶ (43%) 	<p><i>“Good support would be flexible as in phone calls, home visits and also availability at the weekends and after school hours”.</i></p> <p><i>“Not having to wait. Getting immediate advice”.</i></p> <p><i>“Unfortunately, opportunities to escape in these types of relationships only arise by chance. Having a point of contact with someone who you know will answer no matter the time, is extremely imperative”.</i></p>
Gaps and barriers	<ul style="list-style-type: none"> The three biggest barriers victims and survivors in Southend experienced in seeking support were fear of what the perpetrator would do if they found out (45%), feeling too embarrassed or ashamed (43%) and/or fearing they would not be believed (40%). 	<p><i>“Police were unsupportive, didn’t believe me when I called stating he was breaking restraining order”.</i></p>

⁶ This is a criminal justice term referring to the target being the home, and hardening access to the home to keep victims safe through mechanisms such as alarms, fireproof letterboxes etc.

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Meeting: Cabinet
Date: 18 September 2023
Classification: Part 1
Key Decision: Yes
Title of Report: Statutory Nuisance Investigation and Progression Policy

Executive Director: Alan Richards
Report Author: Elizabeth Georgeou
Executive Councillor: John Lamb

1. Executive Summary

- 1.1 There is a high demand from service users to respond to requests for the council to resolve nuisance complaints. The policy provides transparency to those using the service by detailing how the Council responds to its duty to investigate statutory nuisance complaints. It sets out:
- The issues that the council can assist with;
 - How the council proactively reduces statutory nuisance complaints;
 - What is expected from service users to assist with an investigation;
 - Prioritises the service to maximise the support across Southend;
 - Provides for support where additional needs are identified;
 - Defines what it considers to be a reasonable investigation.
- 1.2 The policy was reviewed at the Public Protection Working Party. It has been amended in line with the cross-party recommendations of that Working Party to include and further explain how the service operates.

2. Recommendations

It is recommended that Cabinet:

- 2.1 Agree the document the Procedure for Statutory Nuisance Investigation and Progression the 'Nuisance Policy'.
- 2.2 Recommend to Full Council the adoption of the Procedure for Statutory Nuisance Investigation and Progression 'Nuisance Policy' attached as Appendix 1.
- 2.3 Agree that the Executive Director of Environment and Place, together with the Portfolio Holder for Regulatory Services, approve any minor changes required to

the Policy arising from changes in legislation and identified priorities for the Council.

3 Background

3.1 The Council is responsible for investigating statutory nuisance. The Environmental Protection Act 1990 (The Act) sets out in legislation what constitutes statutory nuisance. The Act provides specific powers for the Council to use to tackle nuisance and places a duty on the local authority in respect of these matters to:

- Inspect its area from time to time to detect any statutory nuisance which ought to be dealt with through this legislation; and
- Where a complaint of a statutory nuisance is made by a person living within this area, to take such steps as are reasonably practicable to investigate the complaint; and
- Where a local authority is satisfied that a statutory nuisance exists or is likely to occur or recur, requires that the local authority serve a notice to stop the nuisance.

3.2 It is for each authority to determine what steps they consider to be 'reasonable'. The Policy sets out what constitutes a reasonable investigation. It details the point at which the Council will suspend its activities, where it will recommend mediation and / or the use of Section 82 of the 'The Act' for individuals to take their own action.

3.3 This approach is required to enable all residents and businesses to have appropriate access to this service. The procedure sets out how the resources of the team will be used fairly and effectively. This is to ensure that issues raised are investigated and progressed in an appropriate way.

3.4 The Policy sets out where the team has powers to investigate, and when another agency has powers, it signposts complainants to that agency.

3.5 The process for the investigation is set out, and details what the complainant is required to do to support and evidence their complaint.

3.6 To provide transparency by detailing what must be taken into consideration when assessing nuisance.

3.7 It should be noted that there is no duty placed on the Council to deliver an out of hours service. The policy allows for an intelligence led approach, tailoring the out of hours investigations which are undertaken.

3.8 South Essex Homes (SEH) managed properties and Registered Social Landlords (RSL's) have their own processes and procedures in place to investigate complaints. These processes should be followed before the local authority involvement as:

- the Council is unable to serve a notice on itself, so cannot investigate SEH properties where SEH is responsible for nuisance.

- the Council expects the RSL's to have greater autonomy to manage their properties. They will accept complaints regarding nuisance from RSL tenants once the RSL's processes have been exhausted.
- Regulatory Services may collaborate on a case-by-case basis when requested to do so by the RPs to assist them in resolving statutory nuisance where able to do so.

3.9 The Council takes a proactive approach with respect to designing out nuisance for development activity, changes to the built environment, essential works and licenced activities. The Policy details this approach.

3.10 The proposed procedure and the processes within this document have been developed in line with the principles of enforcement referred to in the Environment and Regulatory Enforcement Policy 2021 (ERP 2021)

4 Reasons for Decisions

4.1 The policy provides a framework which is transparent and is compliant with the Regulators Code. It empowers communities and residents to proactively support and engage in the process through defining their role. It has been developed through the working party and has benefitted from member engagement and input.

5 Other Options

5.1 The local authority could choose to investigate all complaints raised by RSL tenants in the first instance. This would a less efficient use of resources as the RSL's have a greater control over their tenants and this would divert resource to an area which is already supported and reduce the resource available across other unsupported groups.

5.2 Not to adopt a policy on how it manages nuisance. This may lead to more complaints against the service, where there is no understanding of the council's duty and procedures with respect to nuisance investigation.

6 Financial Implications

6.1 There are no significant impacts associated with this policy. However, as with all enforcement activities undertaken by regulatory services legal challenge may result in legal expenses. Where the council takes legal action or defends legal challenge the council will seek to recover its costs through this process.

6.2 The policy will continue to be delivered within the current financial budget and has been reviewed by our financial lead.

7 Legal Implications

7.1 The Environmental Protection Act 1990 places a statutory duty on the local authority to inspect its areas from time to time to detect any statutory nuisance. Where a complaint of statutory nuisance is made, the local authority must take reasonably practicable steps to investigate the complaint.

7.2 The Act specifies what is a statutory nuisance but does not specify what constitutes reasonably practicable. This policy specifies what the local authority considers to be a reasonable investigation.

8 Policy Context

8.1 This policy contributes to a city with a good quality of life, which enables people to live well and care well through resolving matters which impact detrimentally on the wider determinants of health.

9 Carbon Impact

9.1 Where the statutory nuisance relates to smoke nuisance, the aim of the action is to regulate smoke from premises which are prejudicial to health or a nuisance. However, the application of this legislation does not apply to the following:

- Smoke emitted from a chimney of a private dwelling within a smoke control area (there are no smoke control areas in Southend).
- dark smoke emitted from a chimney of a building or a chimney serving the furnace of a boiler or industrial plant attached to a building or for the time being fixed to or installed on any land,
- smoke emitted from a railway locomotive steam engine, or
- dark smoke emitted otherwise than as mentioned above from industrial or trade premises.

9.2 Planning conditions are applied to control noise, dust and smoke nuisance in some instances.

9.3 There are no other environmental or sustainable implications. The Head of Climate has reviewed this report.

10 Equalities

10.1 An equalities assessment has been completed and did not identify any detriment to and protected group on implementing this policy.

11 Consultation

11.1 A consultation ran from 9 May 2023 and 27 June 2023 the results of which are detailed in **Appendix 2** together with responses to comments raised. The overall consensus from those responding was that they supported what was identified in the policy document and what the Council was trying to achieve.

12 Appendices

12.1 **Appendix 1**: Statutory Nuisance Investigation and Progression Policy.

12.2 **Appendix 2**: Consultation results.

Procedure for Statutory Nuisance Investigation and Progression ‘Nuisance Policy’

1. Introduction

Southend-on-Sea City Council (‘The Council’) is committed to protecting the environment, and the health of its residents, from the effects of statutory nuisances (SN). This procedure provides information on how the Council deal both proactively and reactively to complaints of SN. This procedure acts as a guide for those who have made or are considering making a request for this service.

The procedure and the processes within this document have been developed in line with the principles of enforcement referred to in the Environment and Regulatory Enforcement Policy 2021 (ERP 2021) It is delivered by Regulatory Services and relates to the Council’s duties under legislation including:

- The Environmental Protection Act 1990 (EPA)
- The Control of Pollution Act 1974 (COPA)
- The Licensing Act 2003 (LA)
- The Anti-social Behaviour, Crime and Policing Act 2014 (ASBCPA)
- The Noise Act 1996 (NA)

The purpose of this procedure is to describe how the Council fulfils its statutory obligations relating to SN and details the responses and investigation process.

2. What is Statutory Nuisance and what are the issues that the Council can assist residents with.

The term ‘statutory nuisance’ (SN) simply means those issues that are listed in legislation as being a nuisance. The list of SNs that the Council have powers to deal with can be found here:

<https://www.legislation.gov.uk/ukpga/1990/43/section/79>

The majority of complaints of statutory nuisance that are referred to the Council includes:

- artificial light
- bonfire smoke
- construction noise
- DIY noise (Do It Yourself work covers the modifying or repairing of a property – which is not part of a construction site)
- dog barking

- dust, steam, and smells from industrial or business premises.
- noise from amplified music (including pa systems)

but can deal with anything else declared by law to be a nuisance. The same general procedures and principles are applied when investigating other types of nuisances.

3. What the Council does not have any power to deal with

There are certain types of nuisances that are either not statutory nuisance, as defined in the Environmental Protection Act 1990, or the Council cannot assist because they do not meet the tests in common law that validates whether something can be a nuisance or not (see section 9).

This includes:

- Anonymous complaints (See Section 12)
- A nuisance that occurs on a MOD or Crown premises e.g., a Court or a prison)
- Aircraft noise
- Road traffic noise
- Sirens from emergency vehicles
- Noise from moving vehicles unless the noise is from loudspeakers or ice cream chimes.
- Children playing indoors during the daytime or early evening.
- Children playing in a playground (school or park).
- Children playing in their gardens.
- Babies crying, unless there is a safeguarding issue, in these cases the appropriate agency would be notified.
- Everyday living sounds caused by poor sound insulation.
- Noise from family members within the same home.
- Cooking smells from your neighbour.
- Smells or noise that occur in the common parts e.g., in the hallways of blocks of flats.
- Cigarette smells from your neighbours, including the smoking or smell of cannabis.
- General comings and goings of neighbours – people need to enter and leave their premises at various times of the day and night, for example shift workers may leave or return to their premises in the early hours of the morning, this is considered reasonable. However, if the complaint concerns unreasonable activities this should be reported to the anti-social behaviour team.

- Hypersensitive complainants – those who are unduly sensitive, more than the ordinary person, as case law does not allow enable us to do so. For example, this may be due to a low tolerance or a pre-existing medical condition.
- General crimes that are dealt with by the police.
- Those with Statutory responsibilities such as Network Rail, Street works, works on the Highways (e.g., gas and water companies). These bodies have a responsibility to take reasonable care, and where the noise is excessive, consideration can be given to the use of COPA (see section 7 and Appendix C).

4. Who should complaints be reported to:

- Statutory nuisance from domestic, trade and industrial premises – Southend City Council through [MySouthend](#). If you have registered on MySouthend you will automatically be provided with a case reference, if you have not registered your case reference will be included in the council's contact with you. Further details on how the case will be progressed will be provided to you.
- Statutory nuisance from business premises – Southend City Council through MySouthend - unless there are subjected to an Environmental Permit issued by the Environment Agency such as waste transfer stations. These should be reported by telephone to 0800 80 70 60 or by email to: incident_communication_service@environment-agency.gov.uk
- Noise from aircraft:
 - Civil aircraft landing and departing London Southend Airport should be reported through the online Webtrak system at <https://webtrak.emsbk.com/sen2>. For assistance with this contact LSA.NoiseManager@southendairport.com
 - Military aircraft can be reported to the Ministry of Defence at SWK-lowflying@mod.gov.uk, telephone: 01780 417558 Monday to Friday, 8:00am to 4:00pm or write to Low Flying Complaints and Enquiries Unit RAF Wittering Peterborough PE8 6HB
 - Helicopters and light aircraft – They are generally exempt from nuisance complaints providing they are abiding by the Rules of the Air Regulations 2015. Unsafe flying or what may be breaches of aviation law should be reported to the Civil Aviation Authority using the online form at: www.caa.co.uk/our-work/make-a-report-or-complaint/report-a-potential-breach-of-aviation-law/. Alternatively, if the source of the aerodrome can be identified complaints should be addressed to that place. If noise is from helicopters on private helipads planning permission is likely to be required if they are being used for more than 28 days per year.

- Fireworks – there are times when fireworks are permitted, however where they are causing a nuisance outside of these times it is not usually possible to link firework noise to a particular individual or premises. Advice on fireworks is contained on the Council's webpages [Fireworks – Noise pollution – Southend-on-Sea City Council](#)
- Noise from electrical substations – Noise from primary or secondary electrical substation or temporary generators should be reported to UK Power Networks at environment@ukpowernetworks.com
- odour from sewage treatment works by email to: SouthendWRCComplaint@anglianwater.co.uk, CustService@anglianwater.co.uk and telephone Customer Services at 0345 791 9155

5. [Nuisance from tenants of Social Housing \(RP's\) i.e., South Essex Homes, Estuary Housing Association, Sanctuary Housing, Guinness Trust, Notting Hill Genesis, etc.](#)

Regulatory Services may receive a complaint from a RP (Registered Providers of Social Housing) tenant concerning general nuisance from another RP tenant, or from a situation arising from an area in their control (e.g., the common grounds on estates, community areas etc.) The resident will be advised to report the issue directly to the RP in the first instance. This is to give the RP the opportunity to resolve the issue, as they have additional sanctions that they may be able to apply to resolve the complaint. They will have written arrangements for reporting problems of general nuisance, and these include clear response times for addressing these issues. In addition, they also have systems for registering any complaints about service failure. Contact should be made with the relevant Housing Association in the first instance and where they have followed the process and if there has still not been a resolution contact should be made with Regulatory Services. South Essex Homes tenants can contact South Essex Homes via their webpages <https://southessexhomes.co.uk/our-contact-details>

This enables Regulatory Services to focus on those residents (this includes tenants of privately rented properties) who do not have this additional resource, providing a fairer service for all residents across the city when investigating complaints of nuisance. RPs have dedicated teams to deal with tenancy issues and general nuisance and it is appropriate that the RP (in the first instance) should apply their own policies to resolve issues, without drawing unnecessarily on Council resources where they are able to do so. Regulatory Services will progress complaints from RP tenants, where it can be shown that:

- the problem in question has been properly reported to the RP,
- the RP have failed to take the appropriate action and
- the tenant has exhausted the RP complaint process and they still believe the issue is actionable.

At the point where the tenant can demonstrate that they have exhausted the procedure as described above, and where the investigating officer determines that there is an actionable case, the matter will be investigated by Regulatory Services.

The RP as a landlord can be held responsible (by default or sufferance, see section 13) and accountable for the actions and behaviours of their tenants if the landlord has been made aware of the issue. Where this is the case, and the landlord has failed to resolve the matter, the Council will consider enforcement action against the group or individual who has caused the problem, or if appropriate, the RP itself.

The Council is unable to take any action against South Essex Homes where they are found to be responsible, as they do not have the powers to do so. There are complaint procedures available to Residents which are detailed on the South Essex Homes website [Complaints | South Essex Homes](#).

However, as with RP tenants once their processes have been exhausted, or where the person causing the nuisance is not a SEH tenant then the matter can be investigated by Regulatory Services.

Regulatory Services may collaborate on a case-by-case basis when requested to do so by the RPs to assist them in resolving statutory nuisance where able to do so.

6. Proactive approach undertaken by the Council

Where the Council has an opportunity to do so it will try to design out nuisance for development activity, changes to the built environment, essential works, and licenced activities.

- Control of noise from construction sites through use of powers under the Control of Pollution Act 1974 to impose requirements on works by developers and statutory undertakers, such as works on railways sites.
- Consider the environmental impacts from development control applications, and condition through these developments to reduce their impact.
- Act as a statutory consultee to Licensing Act applications, consider the suitability of the application and activities in line with the licensing objectives, and subsequent enforcement of those conditions.

7. Reactive service for the Council's Duty Regarding Statutory Nuisance and the Council's Investigation

The law expects that a reasonable amount of tolerance from neighbours' activities, whether this be noise being caused by others as part of their normal daily activities, some smoke from a bonfire or occasional dog barking.

Activity or behaviour of a neighbour may become unreasonable due (for example) to its duration, the time of day, the frequency that it occurs or if it is not what would normally be expected. It is recommended that those affected talk to the person causing the problem as they may not know that they are causing a nuisance. Where individuals feel unsafe doing this, or if this approach has failed, a complaint can be made to Regulatory Services. Regulatory Services will assess whether the issue complained of amounts to one of the listed nuisances and determine what action can be taken by the Council.

Regulatory Services usually receives over one thousand service requests relating to nuisance every year. This means there are occasions when more service requests are received than can immediately be responded to. Each complaint received (regardless of whether it results in a site visit or not), takes time to record and investigate. To enable all residents and businesses to have appropriate access to this service, the procedure sets out how the resources of the team will be used fairly and effectively so that issues raised are investigated and progressed in an appropriate way.

Under the Environmental Protection Act 1990 (EPA) the Council has a duty to take reasonable steps to investigate complaints of statutory nuisances. It is for each authority to determine what steps they consider to be 'reasonable.' It should be noted that there is no duty placed on the Council to deliver an out of hours service.

Section 60(1) of the Control of Pollution Act 1974 (COPA) gives the Council powers to control the way in which certain works are conducted, namely:

- the erection, construction, alteration, repair or maintenance of buildings, structures, or roads
- breaking up, opening or boring under any road or adjacent land in connection with the construction, inspection, maintenance, or removal of works
- demolition or dredging work, and
- any work of engineering construction

which for the purposes of this procedure are referred to as Construction.

On receiving a nuisance complaint, the Council aims to discuss the issue with the complainant within 10 working days. This is to make sure there is understanding of whether the issue complained

of is one that can be dealt with by the Council, and to manage expectations with regards to next steps and time periods.

Once the complaint has been reviewed, (e.g., on face value it is actionable), the Council may send a letter to the person being complained about. This will tell them that a complaint has been made, and it will ask them to consider ways to prevent their actions from being a nuisance. **This letter will not reveal who has made the complaint (Section 11).**

If the complaint is about noise, see Appendix 1.

8. The Central Complaint

When a complaint from a resident is received (e.g., about tv noise from a neighbour) that is the 'central complaint.' If a resident alleges an additional issue (e.g., that the neighbour also has a dog that barks incessantly), that complaint will be recorded separately, as the issues are separate, and may require different methods to resolve. Each issue will be considered as a separate 'central complaint,' and each element will be investigated to a conclusion, and progressed or closed accordingly (e.g., that a nuisance is actionable and progressed, or it has not been established and is closed). Consideration may also be given to the impact of the accumulation of different sources of statutory nuisance.

Should a resident have cause to keep making reports about the same issue initially reported, these will be considered as one service request under the central complaint (e.g. if you report loud tv from a neighbour, that is the complaint, and subsequent reports regarding the same matter are not dealt with separately, they are considered as a whole under the central complaint.

9. What is Considered in an Investigation?

The Council has various pieces of legislation available to it to assist in resolving issues. The main pieces of legislation used by the Council are the Environmental Protection Act 1990 (EPA) and the Control of Pollution Act 1974 (COPA).

The EPA gives the Council the power to investigate complaints of statutory nuisance and requires the Council to act if the Council is satisfied that a statutory nuisance exists (or is likely to occur or recur). However, as the EPA does not define what constitutes a nuisance, the definition that is found in common law is used. In general terms nuisance can be defined as:

'An unreasonable and significant emission of noise (or other matter listed as a nuisance) that arises from one property and that causes significant and inherently unreasonable interference with the use and enjoyment of your premises.'

For something to be considered a nuisance in law, it needs to be much more than just being able to hear a noise, see smoke, see a light or hear the occasional dog barking. All of these may be

annoying or irritating it must also be something that affects 'the ordinary person.' The case officer will investigate and determine whether the complaint reaches that threshold.

When the Council investigates, it undertakes a balancing act that weighs up the rights to complain, against the neighbour's rights to undertake the activity that is being complained about. This takes various factors into account including "common law" which have been developed in the courts over many years including:

- Location - where the nuisance is experienced. For example, a complaint about noise (from a premises or piece of machinery), where it can be heard in the street but is not at an unreasonable level in the home, is very unlikely to be an actionable nuisance. Consideration will also be given to how areas of the property are used and the impact this has on the reasonable enjoyment of the property.
- Character of the neighbourhood – where noise complained of is commensurate is with the area. For example, cockerels crowing in rural areas may be usual and more acceptable than a cockerel crowing in the garden in a city centre.
- Frequency - continuous or repetitive incidents compared to isolated incidents. One-off issues are unlikely to be considered a nuisance and it would be difficult to obtain any evidence to support statutory nuisance. This may apply to party's and occasional bonfires.
- Time the nuisance occurs. The threshold for noise tolerance decreases at night so this is a more sensitive time. For example, noisy construction and DIY and using domestic appliances at night is likely to be actionable.
- Undue Sensitivity – if you complain about an issue because you have a particular sensitivity to it (e.g., where a shift worker needs to sleep in the day. There may be an unusual sensitivity to high frequencies or vibration, or an illness that affects tolerance levels. These complaints are not lawfully actionable unless the officer is satisfied that the nuisance would have affected an 'ordinary person.'
- Convention – important for considering what a reasonable person would find objectionable. What is widespread and conventional e.g., lawnmower used in the daytime, a dog barking briefly, noise from children playing in a playground, are not deemed to be inherently unreasonable. Banging and drilling whilst doing DIY at night or loud amplified music occurring at night is inherently unreasonable.
- Importance: The importance of an activity in respect of the community is a key consideration. For example, major road improvements that will improve the air quality and noise environment for many may cause some disturbance to a few persons – this is a balance that should be considered. However, there is a point when even a socially beneficial activity

creates such an effect that it becomes unacceptable and hence a nuisance (Dennis v Ministry of Defence 2003). This needs to be considered together with whether the impact of the nuisance could be avoided, and the principle of best practicable means applied.

If there is evidence of statutory nuisance (for noise as detailed in Appendix 1 from the Noise App or diary/log sheets) and the evidence indicates that a nuisance is or likely to occur, the case officer will make a judgement about the next stage of the investigation. The officer may decide that a visit to conduct an assessment from within the property is required to support this evidence. If officers are unable to conduct an assessment, it is unlikely that any action can be taken.

An officer will usually visit when assessing breaches of abatement Notices (Section 13), as the burden of proof at this stage rises from the civil test (balance of probability) to the criminal test, that of 'beyond reasonable doubt'.

The quality of the evidence provided by recordings submitted using The Noise App (see Appendix 1) may be sufficient for the officer to serve an Abatement Notice (Section 13).

Licensed Premises

Nuisance from pubs and clubs will initially be investigated by officers from the Regulatory Services Licensing Team. Licensed premises have a general obligation to prevent public nuisance under the Licensing Act 2003 and may also have specific conditions on their premises licence relating to the complaint raised.

Officers from the Licensing team will try to resolve the matter using the investigation procedure above. Where the complaint cannot be resolved the complaint will be passed, or investigated jointly, with officers in the Regulatory Services Environmental Health team.

Where evidence of a breach of Licensing Conditions is found, this represents an offence under the Licensing Act 2003, and will be dealt with by the Licensing Team, contact should still be made via:

- Email to licact2003@southend.gov.uk
- MySouthend, the online form on the website www.southend.gov.uk
- Or in writing to:

The Licensing Authority
Regulatory Services
Southend-on-Sea City Council
Victoria Avenue
Southend
Essex SS2 6ER

Planning Conditions

Sometimes problems arise due to planning conditions not being complied with. For example, there may be conditions associated with the operation of plant or equipment or regulating the hours of an activity or construction project.

Where Regulatory Services find this the matter will be referred to, or investigated in parallel, with the Planning Enforcement Team. This will often control the behaviour or operation that is leading to the problem and therefore resolve the matter without the need for further investigation or enforcement.

10. When the Responsive and Reactive Services are available

The Council operates a responsive weekday service for the investigation of SN which have already been assessed by the team (as triaged by the Noise App or diary sheets for noise) Monday to Friday 9am-5pm excluding public holidays. The responsive service is only available by calling the call centre on 01702 215005 during the above hours.

Where an officer intervention is required and you are invited to make a request to our responsive weekday service, the investigating officer will conduct a review of your complaint and will aim to respond to you via telephone within 2 hours of the complaint being received, where it is an ongoing complaint.

The review will involve conducting background checks on our systems which will assist in deciding as to what level of response is appropriate.

You can also contact Regulatory Services by:

- By email to environmentalhealth@southend.gov.uk
- Via My Southend the online form on the website www.southend.gov.uk
- In writing to:

Regulatory Services
Southend-on-Sea City Council
Victoria Avenue
Southend
Essex SS2 6ER

Contacting the team via these routes will not result in the complaint or service request being dealt with on a reactive basis, where contact is via these routes the response will be ten working days.

11. Confidentiality

All complaints are dealt with in confidence, however, there may be occasions when the Council will be required to release information to third parties, especially when legal proceedings are being taken. If the Council need to do this, an opportunity to decline details being released will be given. If this is declined, the Council will explain any impact that this may have on legal proceedings.

The Council will never disclose personal information to those being complained about, or another third party without consent, unless required to by law. It is possible however that the person causing the alleged nuisance might guess where the report has come from. In these circumstances the Council should be advised of any concerns around the risk to the person making the complaint and other associated people. This will help the Council to collaborate with individuals to mitigate any risk factors if possible. Where there are safeguarding issues identified, or a matter of immediate concern referrals may be made to the Police or the Council's Access team. Disclosure of personal information to investigating partners such as the other council departments, Police and Environment Agency when investigating a crime which is permissible in law and may help resolve the matter. These other agencies will treat personal information with the same confidentiality.

12. The Role of the complainant

Anyone who lives or works in the city can send in details of a complaint to the Council. However, before the Council take action there must be sufficient evidence at each stage of an investigation to support decisions. This will require the person who has made the complaint to assist with the provision of evidence. When assessing noise this can be in real time (via The Noise App), written record sheets or other means as required. Officers may need to visit individual's homes to assess the nuisance and to install professional recording equipment when necessary- The Council does not usually assess noise nuisance from the street, because the assessment is the impact from within the complainant's property.

The following details are necessary with all contact:

- Name, address, and phone number (and if available email) of the complainant so that the Council can update progress. (See section 11 on confidentiality). The Council is unable to deal with complaints without these details.
- The exact address (or site) the noise (or other nuisance) is coming from and the type of nuisance (for example, obtrusive light, loud music, barking dogs).
- When the nuisance happens and how long it goes on.
- The way the nuisance affects the complainant (for example, prevents sleep).

- Where, when and in what circumstances the nuisance is experienced (for example, in the lounge over the sound of the TV).
- Any action taken to try to deal with the problem for example, talking to the person causing the problem).

It often takes time for the Council to gather and assess all the evidence needed. To prevent delays in the progress of a case, or the case being closed because there has been insufficient evidence provided, instructions given should be followed.

As part of the investigation, a set of diary/log sheets may be sent to the complainant to record when the nuisance is occurring. These diary / log sheets will usually need to be completed for a period of 21 days. This information helps to understand the impact of the nuisance on individuals, particularly where the nature of the alleged nuisance is more difficult to capture to show the true extent of the nuisance.

It is also important that instances of alleged nuisance continue to be reported, and individuals engage in using diary sheets, the Noise App or Noise Recorders, as requested by the investigating officer. This is necessary to demonstrate the frequency and the nature of what being experienced.

In most instances, a noise nuisance should be readily recordable by the Noise App, however, there may be occasions when an officer will determine that a visit is necessary to progress the matter in the first instance, to provide early engagement and prevention. In addition, there are those nuisances (e.g., accumulations, light or vibration) that cannot be captured by The Noise App or are not practicable to record on diary sheets. These will also require an officer to visit to assess the situation.

13. Enforcement Outcomes

If an officer establishes that a statutory nuisance exists, the officer will serve an Abatement Notice. There are no strict timelines because there are variables that can impact on the decision making.

Notices

Nuisance law is criminal law, and offenders (if found guilty) could be fined at Magistrates Court and have any potential noise making equipment taken away from them permanently.

Before the Council can take formal action (e.g., serve an Abatement Notice), the Council must gather enough evidence to prove 'on the balance of probabilities' (the civil test) that there is a nuisance, and that the steps we have taken to stop the noise are reasonable. This evidence may include the following:

- Noise App recordings
- Diary sheets

- Noise recordings
- Officer observations and statements

An Abatement Notice, in the first instance, is usually served on 'the person responsible' for the statutory nuisance, and this responsibility can arise by:

- Act – is straightforward as this is a deliberate action,
- Default- is the failure to perform a reasonable duty.
- Sufferance -is where either permission is granted leading to a nuisance, or a nuisance is allowed to continue where the occupier or owner had or should have had knowledge of its' existence.

An Abatement Notice can require the nuisance to be stopped immediately (for example where there is amplified music). It can also specify after a determined period of time, where significant works would be required and if it is considered that it would be unreasonable stop the source of the nuisance immediately (for example, machinery repairs or replacement). This would be balanced this against how the nuisance is affecting to complainant.

Where the nuisance is from noise, and the Council is confident that it can be resolved immediately without recurring the Council can defer the notice for a period of seven days. If the nuisance continues after that time the notice will be served (Appendix 1).

The person who is affected by the nuisance will be advised when a notice is served and the timescales that have been given for compliance and invited to contact Regulatory Services if the nuisance carries on.

Where an abatement notice is served, there is a legal right to appeal the notice at Magistrates Court, and it will be for the Council to defend that appeal.

Breaches of a Notice

If the nuisance persists once an Abatement Notice has been served the council, at its discretion, can perform whatever steps it deems appropriate to abate it. This may involve seizing the source of the noise and/or criminal prosecution under the Environmental Protection Act 1990.

Where there is a breach and a considerable period of time has elapsed since the notice was served, the Council may consider it appropriate to witness the nuisance again and serve another abatement notice.

The level of evidence to prove that the Abatement Notice has been breached changes from the civil test to the criminal test - that is 'beyond reasonable doubt.' Officers will rely on evidence that

they have gathered first hand to demonstrate that there is a nuisance and are categorically able to identify the source as they may be challenged in Court and will need to defend this position.

If the evidential threshold has been met the officer will consider the most appropriate action to take which can include

- Seeking a Warrant of Entry from Magistrates to enter the premises and seize the equipment that has / is causing the nuisance. In the case of noise, this means to generate the noise as well as ancillary items such as app-based devices.

Seizing equipment provides a quick response, however the Council can only keep seized equipment for 28 days, after which time the owner can collect them on payment of a fee. However, if an application has been made to the courts for a prosecution the items may be kept as evidence until this has been decided at Magistrates Courts.

- If a Notice has been breached without 'reasonable excuse,' or without a 'statutory defence,' and the Council considers that it is in the public interest, the Council's legal department would be instructed to proceed to the prosecution stage. The Environmental and Regulatory Enforcement Policy 2021 provides additional information on this. <https://democracy.southend.gov.uk/documents/s42571/17%20-%20Appendix%20-%20Corporate%20Enforcement%20Policy.doc.pdf> . Formal proceedings take a considerable amount of time because the Council is dependent on the availability of Court time.
- The Council seize the equipment and take a prosecution, where there is a conviction, an application may be made by the Council to the Courts to retain and destroy any equipment that has been seized. This is done by applying for a Forfeiture Order.

Those convicted of offences under the EPA may face an unlimited fine. In addition, where anti-social behaviour is either evidenced or substantiated / found by the Council they may apply for a Criminal Behaviour Order at the point of conviction to manage ongoing behaviour.

Those affected by the nuisance will be advised of the action that the Council intends to take.

14. Mediation

Mediation between parties is available at all stages during an investigation. The opportunity to try an informal resolution to a problem can be delivered through the services of Essex Restorative Justice. This service is free of charge.

Restorative processes use communication between people who have been harmed, and have caused harm, to allow them to work towards positive outcomes in a safe environment. The service is impartial and will work to achieve a positive way forward for everyone involved. As well as being

very experienced with working with criminal behaviour, the Restorative Justice service also work with anti-social behaviour and can arrange meetings involving entire communities where issues are affecting them.

The way that they operate is that trained facilitators contact everyone involved and talk to them about the impact of what is happening or has happened. They will ensure that a restorative or mediation approach is appropriate and safe and will work with those involved to find a suitable way forward. This is often a face-to-face meeting, but there are alternative solutions should they be deemed more appropriate.

They will undertake an initial risk assessment before the case is allocated to a volunteer facilitator. Facilitators meet with each party to explain the Restorative Justice process and to seek agreement to participate. A secondary risk assessment is also undertaken. An appropriate way forward (direct or indirect communication) is decided and agreed by parties and communication is facilitated.

Contact is via a referral form <https://restorativeessex.co.uk/make-a-referral/> or by emailing: restorativejustice@essex.police.uk or by calling 01245 291 621 during office hours.

During the time mediation is taking place between the parties involved, no enforcement action will be progressed. However, should mediation break down or not be completed then investigation of the case, as necessary, could be reopened.

15 When to contact the Police.

All criminal behaviour should be reported to the police including drug dealing, hate crime, threats of violence, harassment and intimidation and noise from possible domestic abuse. In an emergency or if someone is at imminent risk call 999. You can also report incidents online, on the non-emergency 101 number or contact Essex Police <https://www.essex.police.uk/ro/report/ocr/af/how-to-report-a-crime/>

As with the enforcement of any legislation, officers will always consider which powers best suit the situation and ensure it is a proportionate use to match the behaviour, and as with SN, the principles within the Environment and Regulatory Enforcement Policy will be followed in case progression and enforcement outcomes.

16. Vulnerable groups

The Council work closely with specialist agencies to gain support for vulnerable victims and perpetrators. The Council also make sure officers are clear about how they should deal with perpetrators who are classed as vulnerable. Examples include someone with mental health problems, a physical disability or a drug or alcohol dependency. Procedures will ensure that:

- Officers deal effectively with these types of cases and the offender's vulnerability does not stop them from resolving statutory nuisance complaints.
- Support may be requested from various agencies such as Social Services, Community Mental Health teams and Community Alcohol team at the beginning of the complaint.
- Officers will identify key workers supporting vulnerable perpetrators to resolve complaints.
- Officers have regard to the requirements of the Equalities Act 2010 and the Mental Capacity Act 2005 in respect of considering action against vulnerable perpetrators.

17. When does the Council Consider the Complaint to have been Investigated and Suspend the Responsive Service?

The law states that a local authority shall take such steps as are reasonably practicable to investigate. Therefore, it is not feasible for officers to conduct an unlimited number of visits, or to progress investigations indefinitely when considering the factors in (Section 9) statutory nuisance:

- has not been determined by the Noise App, and/or
- has not been determined by the noise recorder, and/or
- has not been determined by an officer during a visit.
- mediation has been declined.

When the evidence presented or witnessed does not support the existence or likely occurrence/recurrence of a statutory nuisance, it undermines a case. This is because all matters are disclosable should the case progress to Magistrates Court. The resources required also affects the service provision to other residents. As such, the reactive service for noise nuisance will usually be suspended for a minimum of 6 months if / where a central complaint:

- has received 10 or more Noise App submissions within a 3-week period where no nuisance has been substantiated, and/or
- has had a noise recorder in situ that did not substantiate nuisance, and/or
- has received 10 or more service requests in a 3-week period, and no nuisance established, and/or
- where there has been no engagement from the complainant within the three-week period, and/or
- the instructions provided by the officer have not been followed and/or
- has received 3 or more visits (including cancelled/refused visits by the resident) in a 3-week period and/or
- the officer has determined that it is not a statutory nuisance.

At the point where 1 or more of the above triggers has been met, then the central complaint as initially reported will be considered investigated and closed at that point, and:

- the proactive element of the service will be suspended for a minimum of 6 months, and
- residents will be advised that they have available to them Section 82 of the EPA (Section 18) so that they can consider taking their own action should they wish to do so.

The same approach, as highlighted for noise, will apply for those nuisances (for example, vibration, smoke, accumulation, light) where a physical visit is necessary in the first instance, whereby the reactive service for statutory nuisance will be withdrawn if or where a central complaint has:

- received 10 or more service requests in a 3-week period, and no nuisance established, and/or
- there has been no engagement from the complainant, and / or
- the instructions provided by the officer have not been followed and or
- has received 3 or more visits (including cancelled/refused visits by the resident) in a 3-week period and / or
- the officer has determined that it is not a statutory nuisance.

At the point where 1 or more of the above triggers has been met, then the central complaint as initially reported will be considered investigated and closed at that point, and:

- the proactive element of the service will be suspended for a minimum of 6 months, and
- residents will be advised that they have available to them Section 82 of the EPA (Section 18) so that they can consider taking their own action should they wish to do so.

The service will also be suspended if the officer has determined that the complaints made are vexatious in nature or where there has been unacceptable behaviour aimed at the investigating officer.

Once the responsive service has been suspended, any subsequent service requests received for the central complaint will be recorded on the management information system. The person complaining will be reminded of their option to take their own action (Section 18).

Every 6 months, a case review will take place for cases where the Responsive Service has been suspended, **and** where the resident wants to reopen the case again. The case review will need to determine whether there have been material changes to the circumstances of the central case as initially reported. In instances where the evidence supports a material change, the central complaint will be reopened. The investigation process will start afresh, and the ongoing case management process will still be applied. It is expected that additional evidence be provided before another letter

to the person alleged to be causing a nuisance is sent. If the evidence does not demonstrate that a material change in the central complaint has occurred, the complaint will be deemed as investigated and the central complaint will be closed again.

18. How Individuals Can Take their own Action

The EPA recognises that there may be occasions, despite all efforts, the Council will not be able to establish statutory nuisance, or the views of the investigating officer will be different to the complainants. In these instances, individuals can take their own action for nuisance via the Magistrates' Court under Section 82 of the Environmental Protection Act 1990.

Follow this link for details <https://www.legislation.gov.uk/ukpga/1990/43/section/82> . There is also guidance on how to do this on the Council's webpages <https://www.southend.gov.uk/downloads/download/136/noise-pollution>

19. General Myths around Construction and DIY Noise, General Noise and Bonfire Nuisances

There are myths that exist and include:

- **There is a decibel limit for noise** – there is no limit, and the assessment is made by a competent officer making a judgement based on the common law tests. However, the Council does sometimes monitor noise levels from plant and machinery and compare them against criteria in British Standards that provide indicative noise levels for the protection of public health.
- **Noise only becomes a nuisance between 11:00PM and 7AM** – noise can be a nuisance at any time of the day or night.
- **There should not be any noise heard from my neighbours** – audibility of a noise does not equate to a nuisance, the noise must be inherently unreasonable, and materially affect the occupant/s of the property.
- **If there is smoke from a bonfire, it must be a nuisance** – the presence of smoke does not equate to a nuisance, the smoke must be inherently unreasonable, and materially affect the use of the property. Information is provided on bonfires, both when writing to the concern and on the Council's website <https://www.southend.gov.uk/pollution-0/air-pollution>
- **Anything can be burnt on a bonfire** – it is illegal to burn controlled waste on a bonfire and action can be taken when anything is burned that is likely to give rise to odour and dark smoke.
- **Construction sites cannot be open before 8AM or past 6PM** – construction sites can operate beyond these hours if the work they undertake is not audible beyond their premises

boundary. There is no legislation that permit hours of construction works but best practice and case law indicates acceptable hours, and where a nuisance is likely to be caused if they are exceeded. Where enforcement action is taken times can be stipulated and can be controlled through planning conditions in some instances.

- **DIY can be done at any time** – DIY, depending on the time undertaken and the activities being carried out, can equate to a nuisance. Common sense and relationship with neighbours will largely dictate when DIY is reasonable and will be reflected in any decision the council makes over enforcement action.
- **The neighbours were told there was going to be a party so the music does not need to be turned down** – even if neighbours have been told that there is going to be a party it does not mean that statutory nuisance cannot be caused, and neighbours may still complain.
- **Nuisance has to affect more than one household to be actionable** – this is not the case, only one person needs to be affected by an unreasonable situation.

Appendix 1 - Noise Complaints

The Noise App

Where individuals are asked to submit recordings via the Noise App, which is a smart phone-based App, it can be used to report noise nuisance directly to the Council. The Noise App is especially useful if the noise occurs outside of office hours, is intermittent or occurs at a time when demand is high. Access to the Noise App will be provided once a request has been received and the complaint discussed with the officer. Noise App recordings will not be accepted until this has been done, or where the case has been previously closed until a review has been undertaken.

The Noise App is designed to demonstrate how individuals are being affected quickly and easily. It helps the officer to manage reports of noise nuisance, and to monitor noise remotely, allowing the Council to triage complaints that are received. It is important that instructions on how to use the Noise App are followed correctly, as failure to do so will delay the progression of the case or lead to no action being taken due to lack of evidence.

If the officer considers that the recordings do not demonstrate noise at an actionable nuisance level, the central complaint (Section 8) will be considered investigated and closed.

If the officer considers that the recordings do demonstrate noise at an actionable nuisance level, the Council has a statutory duty to serve a Notice on the person responsible for the noise. In some instances, where the officer feels it is appropriate, they may determine that a visit is necessary prior to serving a Notice, or they may defer the service of a Notice for a period of 7 days, in all instances the decisions will be based on the officer's opinion.

Deferral of a Notice is not an automatic right, and the relevant legislation that supports this option can be found here: www.legislation.gov.uk/ukpga/1990/43/section/80 (sections 2A to 2E) . Note the deferral of a notice can only be made where noise emitted from a premises is assessed as a nuisance.

The evidence from the Noise App and completed noise diaries are important. The Council may submit this information to support the case in Court. When a recording is submitted it is deemed that this is a true reflection of what is being experienced, so it is essential that individuals provide honest and accurate information. If an officer determines that the evidence is inaccurate, has been exaggerated or tampered with, no further action will be taken. Consideration may be given where complaints are considered as vexatious, and the service will be withdrawn (Section 17). If the case goes to court, and a Magistrates determines that the evidence has been exaggerated etc, they may not rule in the complainant's favour, and future action may be jeopardised.

Diary/Log Sheets

If the complainant does not have access to a smart phone, or the complaint is not noise related, the Council will send a set of diary/log sheets for individuals to complete to help to establish the frequency and times that the nuisance is being experienced. Diary / Log sheets will need to be filled in for a period of 21 days, providing detailed information as to how individuals are being affected, to provide adequate information to assess the alleged nuisance. Where the nature of the alleged nuisance is more difficult to capture to show the true extent of the nuisance, individuals may be asked to complete diary sheets alongside the Noise App recording submitted. The case officer will make it clear if this is required.

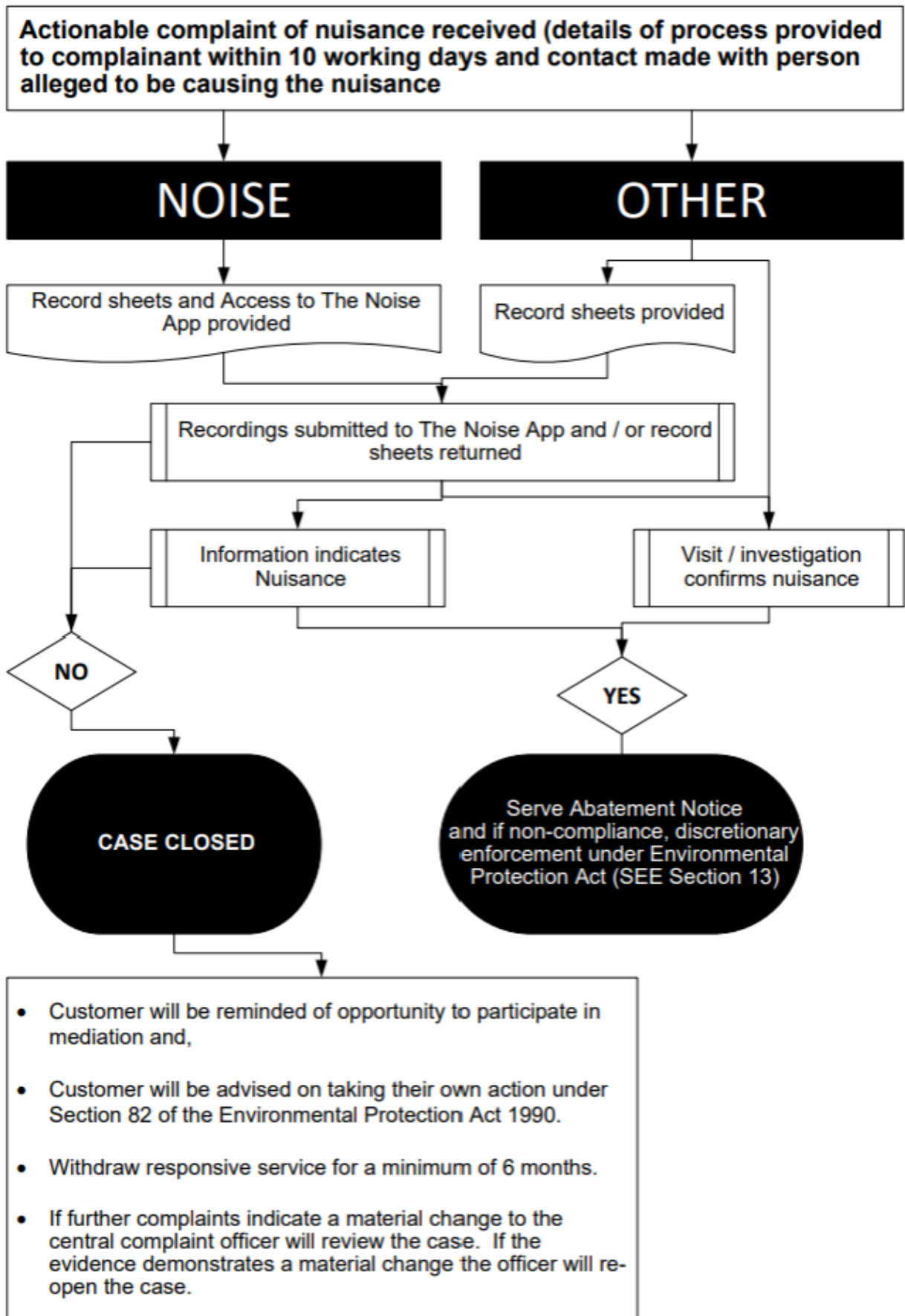
Noise Recorders

After the initial assessment has been completed, if the alleged nuisance happens during office hours, and an officer is available, a visit will be undertaken to assess the nuisance. In certain circumstances where the Noise App would not provide evidence (e.g., vibration cases) the Council may arrange a visit for regular nuisances that arise out of office hours, and depending on the circumstances, a locked recording device may be left at the premises for a period of monitoring. The device will need to be activated as and when the noise happens.

There is high demand for noise recorders, and there is a waiting list for installation; once installed, the device will be left in situ for a minimum of 1 week, and an officer will review the recordings once it is collected. Again, as with the Noise App and diary sheets, if the officer considers that the recordings do not demonstrate noise at an actionable nuisance level, the central complaint (Section 8) will be considered investigated and closed.

If the officer considers that the recordings do demonstrate noise at an actionable nuisance level, an Abatement Notice will be served (Section 13).

Appendix B – Flow Chart for Investigation of Nuisance



Appendix C Construction Sites using COPA.

Duty of Contractors and Developers at Construction Sites

Construction, demolition, engineering works, shopfitting etc activities will generally give rise to temporary excessive noise. However, developers and contractors must ensure that they are using the Best Practicable Means (BPM) to carry out the works. BPM is a term that interpreted as Section 72 of the Control of Pollution Act 1974 as:

1. In that expression “practicable” means reasonably practicable having regard among other things to locals and circumstances, to the current state of technical knowledge and to the financial implications.
2. The means to be employed include the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and acoustic structures.
3. The test of best practicable means is to apply only as far as compatible with any duty imposed by law, and in particular is to apply to statutory undertakers only so far as compatible with the duties imposed on them in their capacity of statutory undertakers.
4. The test is to apply only as far as it is compatible with safety and safe working conditions, and with the demands of any emergency or unforeseeable circumstances.
5. Subject to the preceding provisions of this section, regard shall be had, in construing references to “best practicable means,” to any relevant provision of a code of practice approved under the preceding section.

The Council’s Powers Regarding Noise from Construction Sites

The law expects that a reasonable amount of tolerance from residents and businesses towards noise from construction sites in as much as what would normally be expected. Whilst there is no duty under the Control of Pollution Act 1974 under section 60 the Council may use powers to impose requirement on any of the above works that are going to be or are being carried out on any premises. The Council uses this proactive and reactive approach by serving notices under section 60:

- a. Prior to or at the commencement of certain specified works
- b. When a noise issue is established, or it becomes apparent to the council that the manner in which the works are being conducted are likely to lead to one on any works.

Notice Imposing requirements.

Before or at the commencement of certain specified works

Proactively Regulatory Services serves section 60 notices on all new developments of a certain scale prior to or at commencement requiring setting out how it will operate. The types of projects covered are:

- Major development with 10 or more homes or 1,000sq m or more floorspace
- use of full-size piling rigs
- partial and full demolition and re-construction of a property
- basement excavation or extension
- internal commercial refurbishments
- domestic and commercial extensions
- loft conversions

This policy will be advertised on the Council's website and an informative which notifies applicants of this will be placed on any planning permission granted. Where applicants use the Council's Building Control Services, details of the COPA Notice will be placed on the Building Control validation letters as an Informative.

Sites may also become apparent through officer visits.

The Notice served under section 60 can:

- (a) specify the plant or machinery which is, or is not, to be used.
- (b) specify the hours during which the works may be carried out.
- (c) specify the level of noise which may be emitted from the premises in question or at any specified point on those premises or which may be so emitted during specified hours; and
- (d) provide for any change of circumstances.

[Nuisance from construction works.](#)

When we establish that noise nuisance exists or is likely to be caused as a result of any construction, the Council will serve a Notice under section 60 with requirements as stated above.

Prior Consent for Works

Under section 61 of the Control of Pollution Act developers and contractors can apply for a Prior Consent for Works. This is an agreement between the applicant and Southend-On-Sea City Council over how a project will be operated that provides protection from enforcement provided the terms of the consent are complied with. This is a voluntary process, but Regulatory Services encourages applications for works that are likely to cause a disturbance such as unavoidable works through the night or piling operations.

Application Process

To obtain a consent, the applicant must provide details of how noise will be minimised for the duration of the project. Applications can be made directly to officers via the generic inbox environmentalhealth@southend.gov.uk .

The Council will expect detailed technical data to accompany this from acoustic professionals. The Council will also expect significant engagement with those residents and businesses that are likely to be exposed to the noise at an early stage.

The council has 28 days to consider applications to grant, grant with added conditions or refuse. The applicant may appeal on any decision within 21 days of the Council's decision.

To grant an application, the Council must have confidence that there are sufficient management and mitigation measures proposed so that when the works are carried out it will not have to serve a Notice Imposing Requirements under section 60. Therefore, the granting of a Prior Consent will give immunity from enforcement provided the works are done in accordance with that consent.

Once granted the applicant must make all persons working on the project covered by the Prior Consent aware of the terms of the consent. Any person who knowingly breaches a prior consent or permits a breach of it will be guilty of an offence under the Control of Pollution Act 1974.

When imposing conditions on Notices under section 60 or Prior Consents under section 61 the Council must have regard to the following:

- (a) the relevant provisions of any code of practice issued under this Part of this Act.
- (b) the need for ensuring that the best practicable means are employed to minimise noise.
- (c) before specifying any particular methods or plant or machinery the applicants' proposals will be considered, against the Council specifying other methods or plant or machinery which would be substantially as effective in minimising noise.
- (d) the need to protect any persons in the locality in which the premises in question are situated from the effects of noise.
- (5) A notice under this section shall be served on the person who appears to the local authority to be carrying out, or going to carry out, the works. It may also be served on other persons appearing to the local authority to be responsible for, or to have control over, the carrying out of the works.
- (6) A notice under this section may specify the time limit which the notice is to be complied with. It may require the execution of works, and the taking of such other steps, as may be necessary for reducing the impact of noise nuisance.

These factors will be assessed when any enforcement action is considered (Section 13).

Dispensations

Dispensations apply to material changes (i.e., those predicted to result in increased noise effects) to working methods. This may be a revision to working hours, work duration, persistent overrun, or major changes to the proposed construction methodology, for example, changes to major items of plant. There is no formal provision for dispensations in the Control of Pollution Act 1974 (except by making a new Section 61 application), but local authorities have facilitated procedures for them to be pragmatic.

Dispensations are required by the Council to be notified at least 14 days in advance of applying the proposed modified methods and copied to the Council by e-mail environmentalhealth@southend.gov.uk . Where rescheduling relates to work of a critical nature (such as key activities likely to delay other key activities) applications will be made where practicable at least 48 hours in advance and at least 7 days in advance if the work is expected to last for a period of 5 days or more. A dispensation will be sought by means of an application setting out the revised construction programme or method and the relevant noise calculation made by submitting a completed application for dispensation. Regard will be also made to any noise insulation/temporary housing issues as a result of the revised works in accordance with specific Noise and Vibration Mitigation schemes/policies.

Variations

Variations apply to minor changes to a Section 61 consent which will not change the overall predicted impacts of the works, for example a change to the timing of an activity within agreed hours and working period, or minor changes to working methodologies. Variations will be applied for by email where practicable 7 days but at least 48 hours in advance of applying the modified methods. Applications can be made to environmentalhealth@southend.gov.uk

Overruns

There are likely to be circumstances where overruns to planned working hours will occur either for reasons of health and safety or engineering practicalities. Should an overrun occur, the Council will be informed by phone with a reason for the occurrence followed by confirmation by email to environmentalhealth@southend.gov.uk . Examples of the type of work envisaged would include where pouring concrete takes longer than planned due to equipment failure.

Emergency works

In the case of work required in response to an emergency or which if not completed would be unsafe or harmful to the permanent works, the local authority will be informed as soon as reasonably practicable of the reasons for, and likely duration of, the works.

Where construction noise is or is likely to be a problem

If the activity at a site becomes unreasonable due to (for example) its duration, the time of day, the frequency that it occurs or if it is not what would normally be expected it is recommended that individuals try talking to the contractor or developer. Normally there will be site contact details on developers' boards or vehicles outside the site.

Consultation on Statutory Investigation and Progression Policy

Analysis of representations received

Report Prepared by D Skinner (July 2023)

Summary

A total of 350 people accessed the campaign which ran from 9th May to 27th June 2023. Of this, 207 were informed, which indicates they had visited the project page and viewed the survey and documents, 33 responded online.

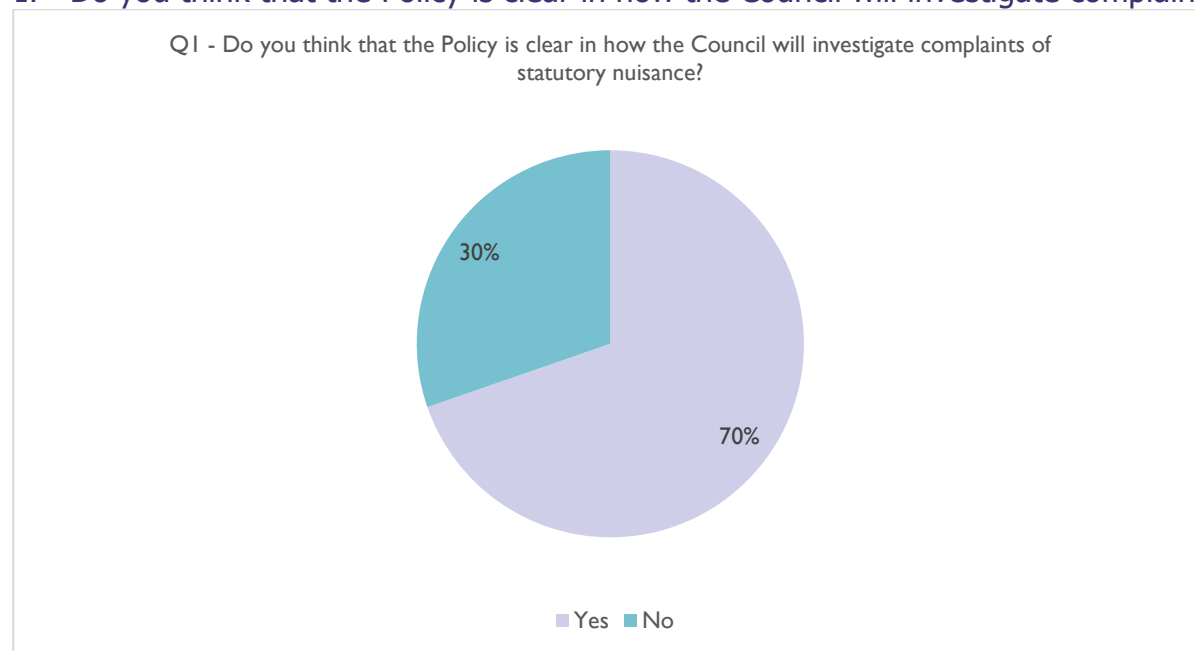
292 people were aware of the consultation (i.e they clicked on the project page) but chose not to comment or look at the survey or supporting documents. The consultation included a survey with questions and a 'free text' box for further comments requesting feedback on certain elements of the whole project.

The consultation was available on the Councils interactive consultation portal <https://yoursay.southend.gov.uk/> it was also made available in a hardcopy format if requested.

The overall consensus from those responding was that they supported what was identified in the policy document and what the Council was trying to achieve.

Full Breakdown of questions (online responses)

1. Do you think that the Policy is clear in how the Council will investigate complaints of statutory nuisance?



Of those responding 70% identified that the policy was clear in how the Council will investigate complaints the city. 30% of those felt it was not clear (full comments are below).

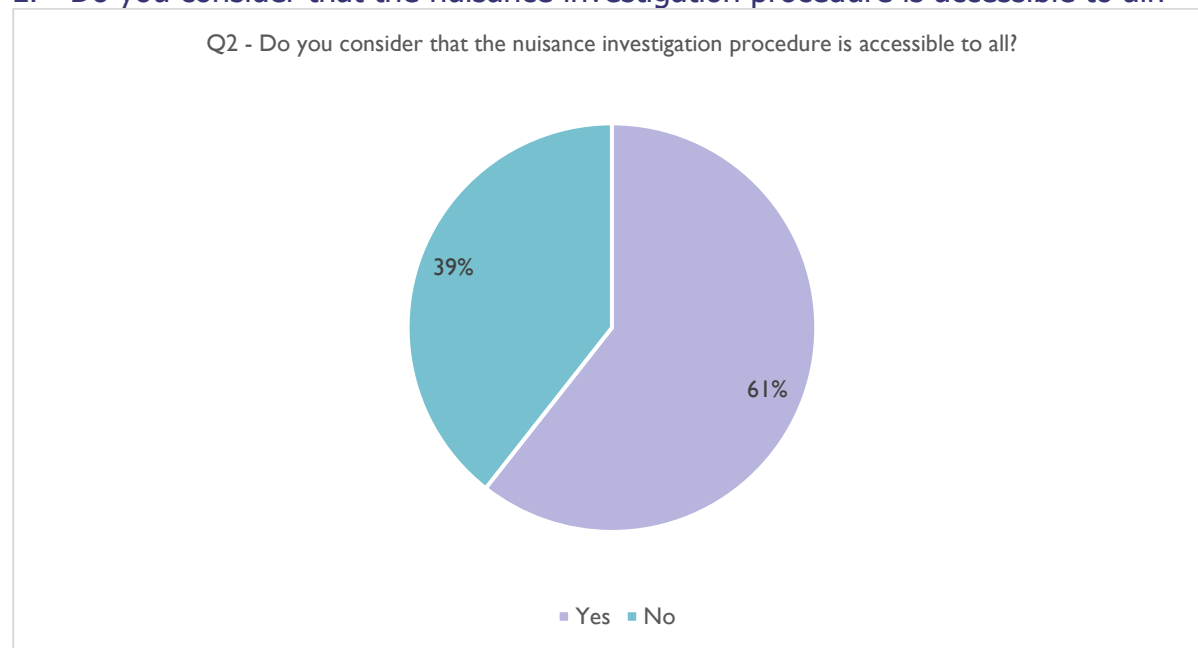
1a If not what is missing?

This was a free text option with 7 individuals adding a comment.

	Comment	Council response
1	The advice currently on the form when you raise a nuisance states to phone a number - this number does nothing, as the person on the other end of the phone tells you to raise the complaint online, as the council no longer sends people out for noise complaints. You're	Part of this policy will address ensuring that there is a number available during core hours for ongoing nuisance complaints. With respect to the 3 weeks, if there is an inability to gather evidence in a 3 week or no officer contact is sought it is unlikely the matter

	then given access to the Noise App, which is helpful, but your complaint will be closed in 3 weeks - which may not be enough time to gather evidence.	would be considered a statutory nuisance, but consideration will be given to leaving the case open on discussion with the complainant.
2	The way it is presented, pages and pages of text with very little consideration for those who struggle with this style and the lack of visuals to assist is very old fashioned and counter-productive.	An accessibility assessment will be made.
3	Was asked to record noise from neighbours then got message saying no record of noise report	Where residents report problems uploading assistance can be given.
4	A 0-24 number to call at night. It does not make sense to report online and wait two days until someone not does anything	All cases are responded to, and where nuisance is not regular this will be recorded as intelligence to support further action.
5	I can't easily see who should be contacted. It would be helpful to have a step by step guide to filing a complaint for instance to prevent those 'one off' nuisance complaints which are not covered.	This is a policy, and guidance on processes will be available on the internet.
6	Difficulty in finding out about site	Not sure if this relates to website or address of property. We are planning to improve the website. The address of the premises being complained about is required to be able to investigate
7	When I phoned about builders burning waste material in a rear garden, I don't think any action was taken to send anyone on site to investigate; this type of issue needs quick action.	We do not have details about this specific complaint. The council does respond to the burning of building waste where someone is available to do so.

2. Do you consider that the nuisance investigation procedure is accessible to all?



61% of those responded agreed that nuisance investigation procedure should accessible to all 39% did not agree with that approach as they felt it was to technical and those who did not have computers or smart phones may not be able to access the services (full comments below).

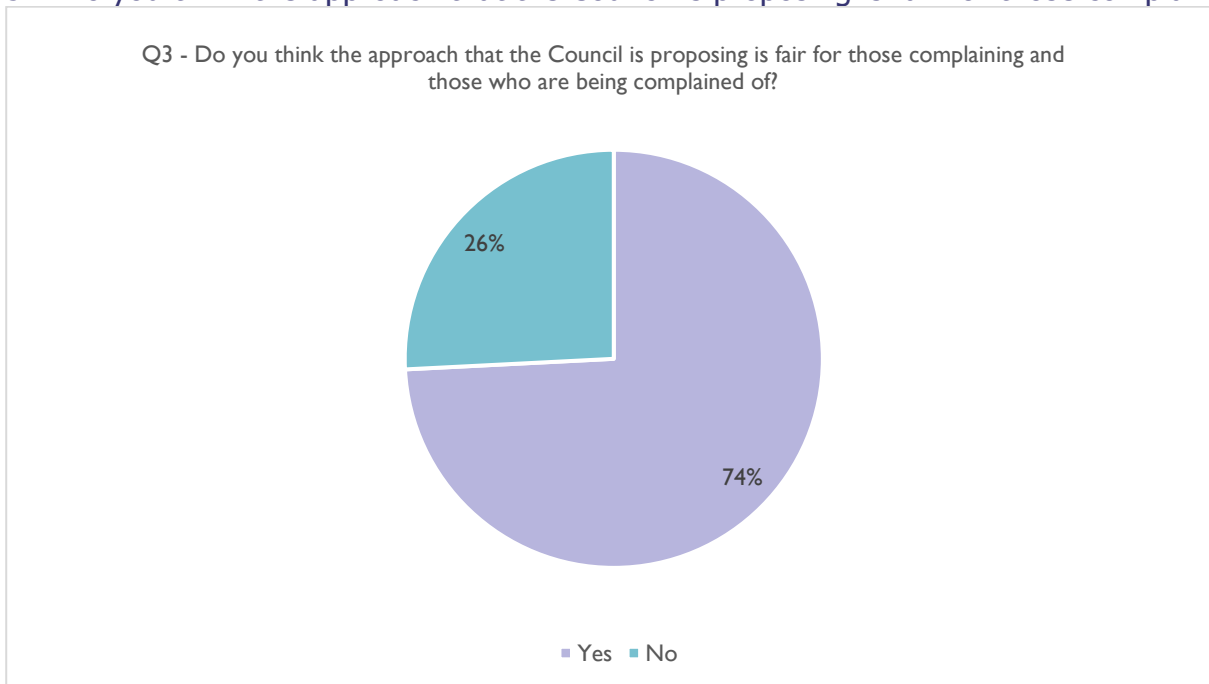
2a If not why not?

Comment		Council response
1	People may not have smart phones, people may not feel comfortable with technology, it would be much easier to be able to make a call when the nuisance is occurring and actually get a response and member out to listen to the noise.	The council is putting in place a day-time response. There is no legal requirement for the council to provide a dedicated out of hours service. Where intelligence confirms the team will respond to statutory nuisance outside of normal hours. There is also the facility available for noise equipment to be installed where difficulties are encountered using the Noise App.

2	Even though I'm tech-savvy I find it such a struggle to keep a conversation open about nuisance behaviour; e.g. if not resolved within a week it goes cold. So I can only imagine it is a real struggle for people who do not use the internet	Assistance is given on using the Noise App, and there are diary sheets that can be used. The council also installs noise monitoring equipment. The case is held open for 3 weeks and is only closed where there is no contact at all.
3	I did not know about it before and I expect that those causing a nuisance have no idea about it.	There is information available on nuisance on the Council's website.
4	Anything the council has online is utterly miserable to navigate.	The webpages relating to statutory nuisance will be reviewed. This response about the council's website will be sent to the council's web team.
5	I've had noise problems with my neighbour for 12 months and it took Police intervention to get on top of it. I bypassed the council completely as your process bureaucratic. Do the Police talk to you about noise complaints they act on as I have heard nothing from the council?	Details of the case would be required to review this case. There are multi-agency meetings to share information relating to nuisance so that a co-ordinated response can be provided.
6	Too hot and miss	There is insufficient detail to respond to this.
7	A 0-24 number to call at night. It does not make sense to report online and wait two days until someone not does anything	All cases are responded to, and where it is not currently happening at the time, the issues is recorded as intelligence to support further action.
8	Elderly may not be able to navigate it online	The policy provides support for those who are unable to access the service online.
9	provided you have access to a computer and the internet	The policy provides support for those who are unable to access the service online.
10	Again I cannot see how the council should be contacted. It simply says 'contact the council'	More detail on contact details will be included in the policy once adopted.
11	Difficulty in finding out about site	Not sure if this relates to website or address of property. We are planning to improve the website. The address of the premises being complained about is required to be able to investigate

12	Some individuals will not have access to a computer or the internet	The policy provides support for those who are unable to access the service online.
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3. Do you think the approach that the Council is proposing is fair for those complaining and those who are being complained of?



74% of individuals responding felt the Councils approach was fair, of the 26% that did not agree stated the timescale of 3 weeks is not long enough in some cases to compile evidence and the constant form filling is too long.

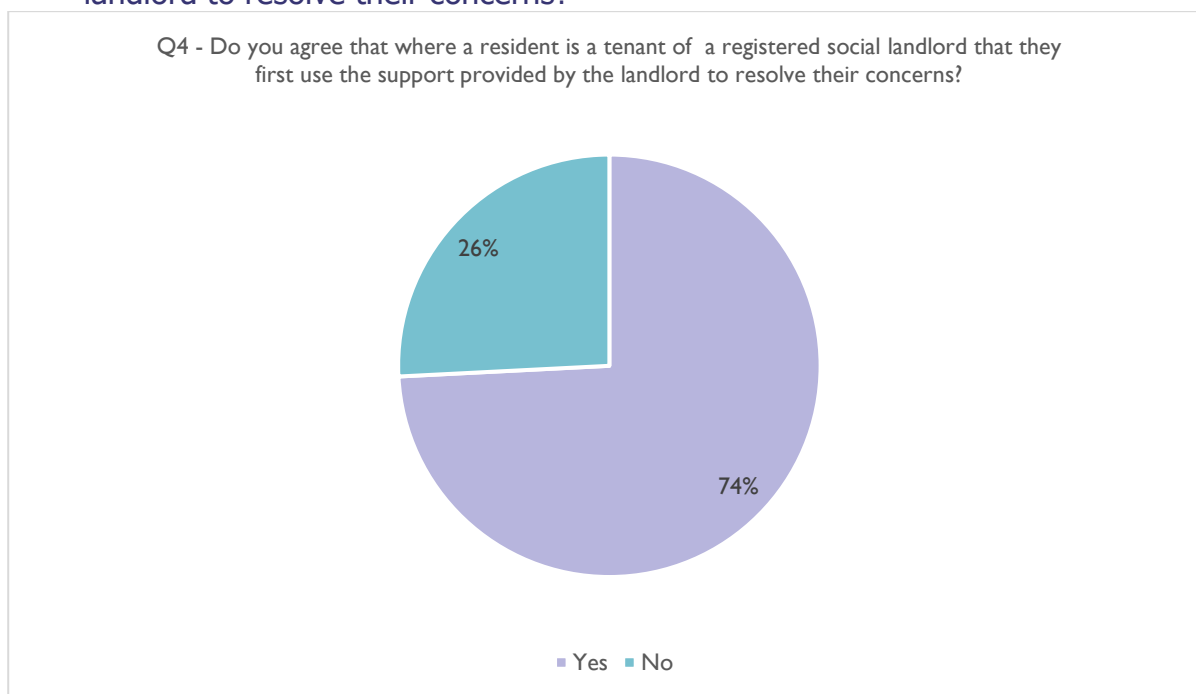
3a If no, please explain what else can be done

	Comment	Council response
1	We complain on the Southend website, which is marked as 'in progress' and then auto-closed. We then have to dig out information about raising a different form than is on the southend website, collating all our evidence into	The reason the case auto-closed is because the system automatically opens a case in the Councils database and the complainant is provided with a database reference number.

	<p>one larger complaint, for anything to actually be done. We are given access to the Noise App, and a short window to complain - 3 weeks is not long enough to catch evidence using the Noise App. Letters are sent to the houses being complained about, but a strongly worded letter doesn't actually do anything to solve the issue. We NEED people actually going TO THE HOUSE, WHEN THE ISSUE IS OCCURRING, or the morning/48 hours AFTER, to back up what the letter is saying.</p>	<p>Those being affected by nuisance are required to assist in the process by demonstrating how they are being affected. This is to support the frequency and types of nuisance being experienced.</p> <p>In line with good regulation the Council takes a graduated approach and will advise the person alleged to be causing nuisance to give them the opportunity to consider what changes they may or could make to reduce any nuisance being caused.</p> <p>Visits are undertaken using intelligence, and that includes the Noise App records and / or diary sheets to support a complaint.</p>
2	<p>I think it is unreasonable that complaints from individuals with extra sensitivity will not be addressed seriously</p>	<p>There is case law on statutory nuisance which requires the local authority to consider what is reasonable given the average person. This does not allow for people with enhanced sensitivity.</p>
3	<p>It puts the onus on a neighbour to report the nuisance and they may be afraid or unable to complain through the website. We need more public education in several languages delivered to households in the city.</p>	<p>The policy provides reassurance on the anonymity of the complainant. For nuisance the law requires an assessment from the affected premises.</p> <p>The council will explore how information about nuisance can be made available across the city.</p>
4	<p>Our neighbours have made malicious complaints about us. It seriously affected my mental health and wellbeing. Meanwhile, they carry on regardless.</p>	<p>This policy deals with this matter. All complaints are dealt with sensitively and objectively.</p>
5	<p>It's constant form filling, make a diary, record noise, take photos! If I report my neighbours dog is barking non stop all day long whilst I'm trying to work or my child is trying to home work or I'm simply trying to sit in my garden I don't expect to be sent a letter asking me to fill out a diary of events... I just don't have time, my work is disrupted as it is by this dog yet you want me to</p>	<p>Letters are sent to those alleged to be causing nuisance, and with respect the council's animal warden will interact with those individuals. Those being affected by nuisance, need to assist in the process by demonstrating through diary sheets and / or the Noise App the type of noise and frequency of occurrence.</p>

	stop and list everything. No need it barks all day every day. A simple letter to the neighbour from the council telling them to train their dog should be simple enough.	
6	The Council needs to take a more pro-active role when a complaint is made, i.e., conduct an onsite visit where appropriate	On-site visits are undertaken where intelligence directs us to do so.

4. Do you agree that where a resident is a tenant of a registered social landlord that they first use the support provided by the landlord to resolve their concerns?



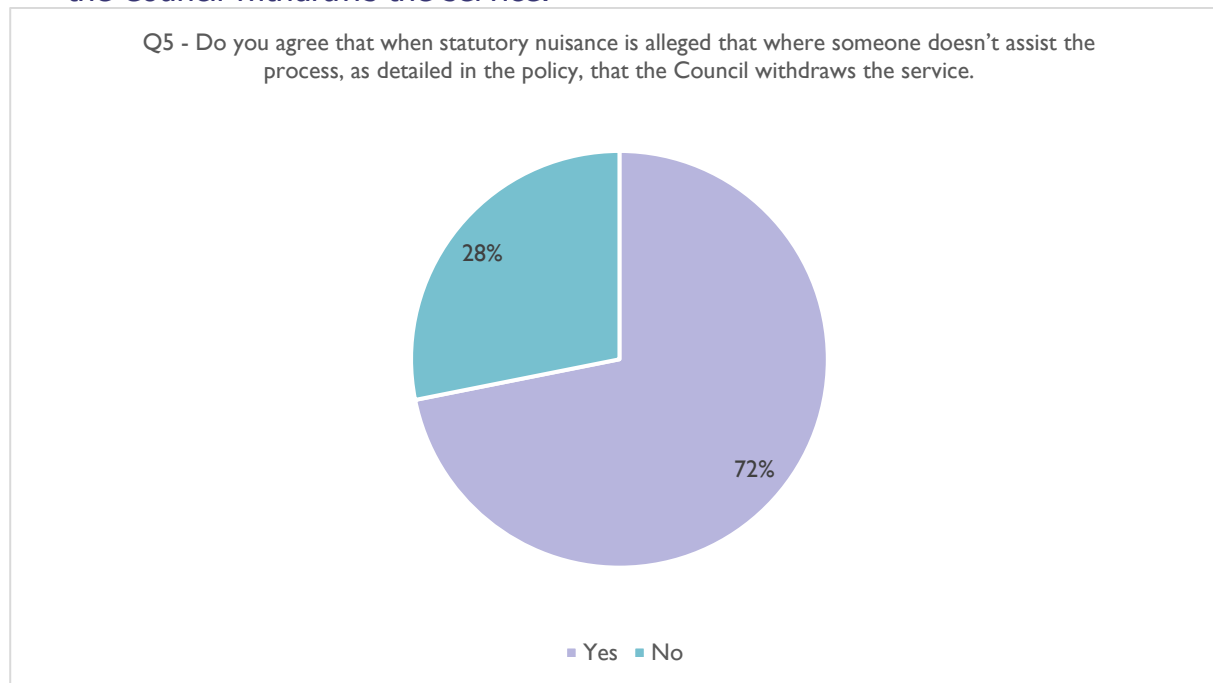
Of the those that responded 74% stating they agree they should first use the support provided by their landlord. Of the 26% who did not agree indicated that some landlords are unresponsive and unreachable which made the solution difficult to resolve and it should be the same procedure for everyone.

4a If no, please explain why not

	Comment	Council response
1	tenants just ignore complaints and council do not follow up on rented properties that are a problem to the rest of the residents around.	The council does respond to complaints from tenants and will serve notice on individuals irrespective of tenure.
2	I think the two complaints can run in parallel, for instance the council's environmental health team can respond to noise reports the same day and provide evidence and info to the housing provider, and visa versa as required. A collaborative approach. If the perpetrator is not a resident of the housing association then it is hard for them to take action. The Council should also be aware of data and trends relating to nuisance reports in their area of authority.	This is noted. However, housing providers are in a better position to manage the tenants within their properties as they have other sanctions that can be applied. Where their powers are exhausted the local authority will assist. There is a collaborative approach information is shared at multiagency forums. If the person causing the nuisance is not a housing association resident this will be dealt with in the first instance by the council.
3	Concerns if the landlord is unreachable or unresponsive OR if you have no way of making contact with that person	Nuisance relates to the person responsible and in most cases, this will be the person occupying the property.
4	They are residents. Why cant they have the same support as others?	Those in RSL properties have additional support in that they have direct access to their landlords. By RSL's we mean organisations such as Swan Housing, Guinness Trust and Peabody, not individual landlords. Privately rented properties would be investigated by the local authority.
5	The landlords don't care they just want their rents!	Those in RSL properties have additional support in that they have direct access to their landlords. By RSL's we mean organisations such as Swan Housing, Guinness Trust and Peabody, not individual landlords. Privately rented properties would be investigated by the local authority.
6	It is the job of the council or police.	The RSL has a role with respect to tenant behaviour and have sanctions that the council does not have available. The local authority will investigate where they have exhausted their processes.

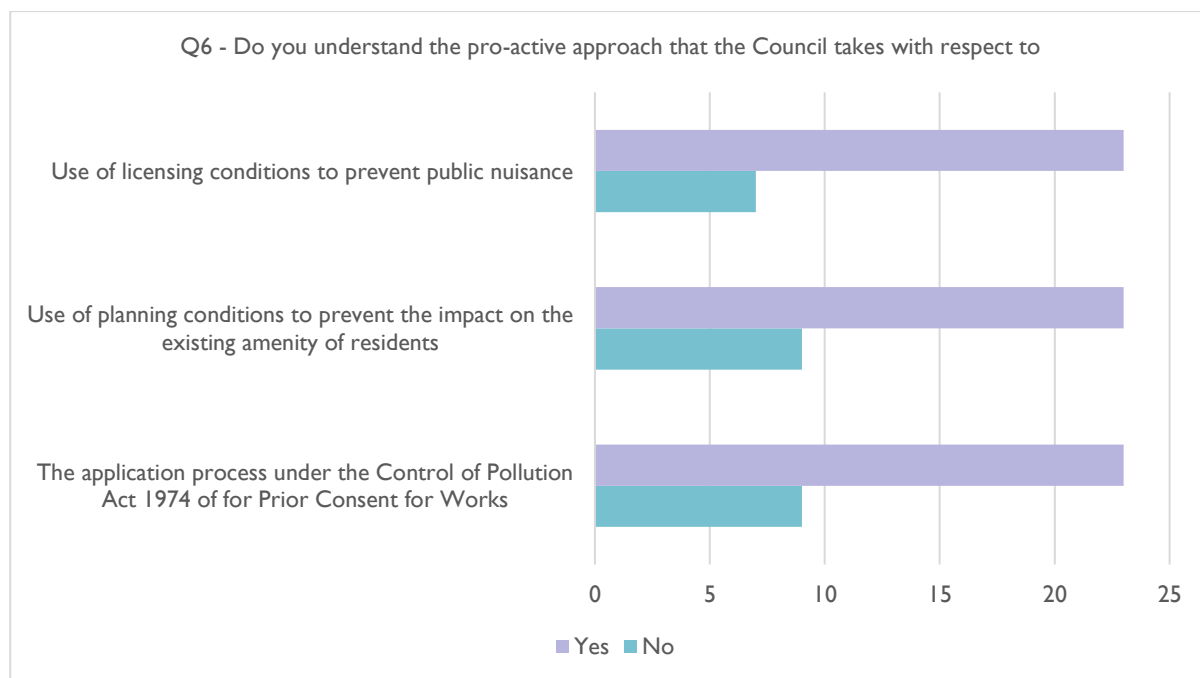
7	Why should they not have access to the same procedure as everyone else? If it's a private landlord and a private tenant who do they contact?	This will be made clearer in the policy. Complaints about private landlords and private tenants would be investigated by the local authority.
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5. Do you agree that when statutory nuisance is alleged that where someone doesn't assist the process, as detailed in the policy, that the Council withdraws the service.



Of those responding to this question 72% agreed with approach.

6. Do you understand the pro-active approach that the Council takes with respect to



The overall consensus of those responding understood the Councils pro-active approach to all the issues identified above.

7. Is there anything else that you think that the Council needs to take into consideration in this policy.

This was a free text box with 22 individuals responding with the main suggestions being the contact details need to be active and the timescale to report a nuisance is too short and should be longer than 3 weeks. The noise sheets are not adequate and there was a concern about how this will be monitored and actioned going forward. Full comments are below.

	Comment	Council response
1	council just ignore problems with rented properties and do not contact or follow up with the landlord or fine or take away the licence of HMOs.	Complaints regarding nuisance from HMOs are dealt with in the same way as other nuisance. There are no powers available to the council

		that enables them to take the licence away from the landlord for nuisance.
2	Sending a letter to the house of a nuisance neighbour does absolutely nothing and needs to be backed up with actual punishments, visits, fines. Reinstate the team that would come out to a problem house when called, OR update your reporting form to clarify that the phone number is no longer of any use and it all needs to be reported online, extend the window for reporting with the Noise App to longer than 3 weeks (Maybe 6-12 weeks?) and increase the amount of recordings allowed (3 per 24 hours is a shockingly small amount when your neighbour is playing loud music for over 9 hours!)	A letter is sent where there is a complaint of nuisance. This enables the person alleged to be causing nuisance to consider whether there are any steps they can take to resolve the impact they may be having. Where a letter is not successful in resolving nuisance further action can be taken if nuisance is evidenced. There are officers available to visit properties where intelligence indicates this is required. Clarification will be provided on when online forms should be used and when the phone lines are available. There is a global limit on the number of recordings that can be made. 3 recordings every day for 3 weeks is likely to provide sufficient evidence of nuisance. The question of three weeks has been answered above and can be amended on a case by case basis.
3	That complainants may need a long time (months) to fully record nuisance noise from neighbours due to work	Where residents engage in the process this is usually a much shorter period.
4	Do you have enough people to enforce the policy or to assist with complaints? Are there any mechanisms in place to persuade private landlords and agencies to take some responsibility for their tenants' behaviour?	The council does receive over 1000 nuisance complaints each year, and this policy will allow the focus to be on matters which are assessed as statutory nuisance.
5	That some nuisances don't fall into noise or bonfire categories - smoke can come from log burners now and people are more aware of the toxins emitted and the damage they cause. Diary sheets aren't appropriate for nuisances that aren't regular but are more damaging when taking place. A neighbouring commercial timber co to me sometimes (every few months) burns dark smoke that smells dreadful and gives me headaches but on a 21-day diary sheet	Log burners are dealt with through local air quality and is outside of this policy. The council is planning education campaigns with respect to log burners. An amendment to the policy will be made to prioritise commercial operation.

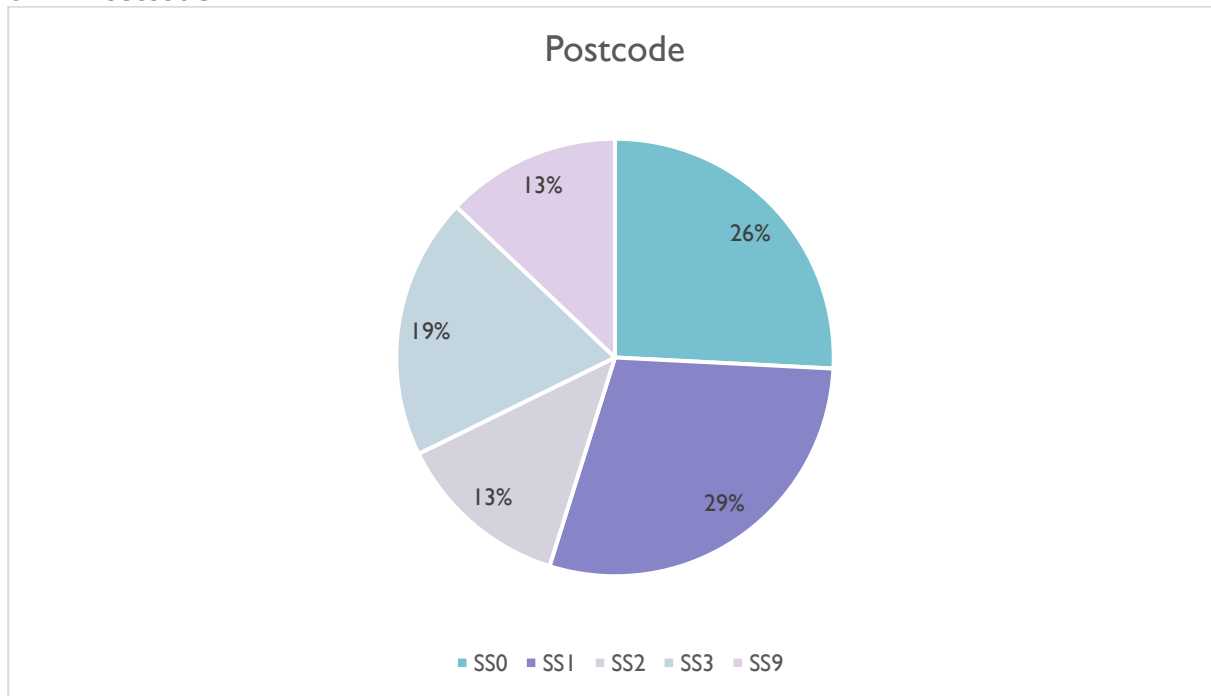
	doesn't present as a problem. Just because something isn't regular, doesn't mean it isn't as damaging.	
6	Take existing amenities into greater consideration when assessing all planning conditions and applications.	This is part of the pro-active approach that the council takes.
7	Please see above. Malicious complainants.	This policy deals with this matter. All complaints are dealt with sensitively and objectively.
8	Talk to those who have experienced these nuisances to assist in designing your policy	The objective of the consultation was to seek the views of residents.
9	I agree with the proposed approach however from experience the complaints procedure has failed. Having complained about noise of music from a neighbour in the past, nothing was done, when I followed up no one knew about the complaint, it took several weeks before a letter was sent to the neighbour. I still have the same noise from the same neighbour, but whilst this policy looks good on paper I do not have any confidence it will be executed in the way the policy describes.	We would encourage anyone who does not feel that their case has been dealt with appropriately, to contact the council so that this can be reviewed.
10	The impact on mental health that these nuisances can cause. Also, that some individuals won't want to submit a complaint for investigation due to fear of reprisal. We have HMO on our road, likely social housing where there are issues immediate neighbours are too scared to do anything about.	All complaints are kept anonymous from the person being complained about. Complaints regarding nuisance from HMOs are dealt with in the same way as other nuisance. There are no powers available to the council that enables them to take the licence away from the landlord for nuisance
11	A 0-24 number to call at night. It does not make sense to report online and wait two days until someone not does anything	All cases are responded to, and where nuisance is not regular this will be recorded as intelligence to support further action.
12	Cars parking with engine running outside schools. Let's have all schools marked with double yellows on	This is outside the remit of this policy.

	both sides of the road. Get the wardens out more often, cameras on poles catching those that abuse the parking regulations	
13	When the nuisance is from a council owned property run by another agency. What are the rules whoever we complain to there appears to be no feedback	It is not clear which properties this relates to. However, the local authority will investigate all complaints and will provide feedback.
14	Continuous vexatious complainants and how to deal with them	This is contained within the policy
15	The council set down the rules, but they don't police them. For example, the late evening football at Chase High School is terrible for neighbours, shouting and swearing, but the council do nothing.	It is expected there will be some noise from this activity, however if neighbours are being disturbed they can contact the service.
16	No	
17	the policy talks about noise from parties but you are not a 24/7 service, filling in a noise sheet is not helpful - obviously the police can be called but I think the process should be clarified.	There is no 24 / 7 service available, generally parties are a one off celebration, the service aims to respond to those repeatedly causing nuisance.
18	Educating residents to not commit acts of nuisance is surely the way forward rather than a tortuous process of collating evidence over a 21 day period, then a 10 day 'investigation' before a letter is issued to the person committing the nuisance - maybe? It's all very cumbersome. Why can't the council include 'how not to commit a nuisance' in annual correspondence with the council tax information for example and also take out adverts in the local press? Prevention is best. I have replied to this survey in particular having been subject to more than 2 years of DIY from our neighbours to whom we are attached, 7 days a week. We have had to ask them to desist at times when the family were at home sick with Covid. No respect, no	We will explore how we can provide education around this topic, to expand on the information on being good neighbours that is already provided. The letter to those causing the nuisance is sent at the outset of the investigation.

	courtesy and damage to our house from their work but I had no knowledge that this could be considered a nuisance. Education and information is key for both those who might be subject to a nuisance and those who might cause it through ignorance.	
19	Make the policy easier to read and understand . Take into regards the people being complained about eg people using their “vulnerability” , circumstances (working from home) , etc , as excuses and reasons to be let off from causing a nuisance . The document is so foggy and confusing to the lay person . Section it so we can just read and understand what we are looking for , instead of having to read everything that doesn’t mean a thing to us . You are doing a great job in these circumstances.... Thank you !	<p>Accessibility checks will be done.</p> <p>Consideration is given to vulnerable people, which means that we may approach resolving nuisance in a different way.</p>
20	Trying to find out about street nuisances and noise mechanical blowing up of paddle boards at all hours	Where a nuisance is intermittent this would not be considered statutory nuisance.
21	. Residential/Garden burning of waste should not be allowed whatsoever - the smoke is toxic and a hazard to the environment . Building construction and DIY noise pollution working hours (0800 to 1800) should be enforced; no work should be done after 1 p.m. on a Saturday, and no work should occur on a Sunday or Bank Holiday . Barking dogs at all hours of the day and night - neighbours should not have to tolerate owners not controlling their barking dogs . Dog fouling is a constant nuisance on pavements and verges; dog walking parks should be established city wide (entirely funded by dog license fees) with owners required to clear up their dogs mess. The Council should be more pro-active in fining offenders	<p>The legislation does not prohibit the banning of garden waste, unless the smoke is causing a nuisance.</p> <p>Where appropriate the council does apply conditions to construction work, however, this only relates to noisy work and quiet construction can continue outside of these times.</p> <p>Dog barking is dealt with through assessment of statutory nuisance.</p> <p>Dog fouling is outside the remit of this policy.</p>

22	The list encompassed most of the things I find to be a nuisance.	
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8. Postcode



This was a single response question which identifies 29% of individuals commenting live within the SS1 postcode area, this area covers the High Street and the Seafront, with 26% living in the SS0 (Westcliff) area.

Equality Analysis

Name of policy, service function, or restructure requiring an Equality Analysis	Statutory Nuisance Investigation and Progression 'Nuisance Policy'
Department	Environment and Place
Service Area	Regulatory Services
Date Equality Analysis Undertaken	06 July 2023
To be reviewed every:	Significant policy change.

1. Names and roles of staff carrying out this Equality Analysis (EA):

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Public Protection
Sheira Fox	Service Manager, Regulatory Services	Public Protection

2. Evidence Base

2.1 Sources of information

Table 1

Source of information	Reason for using (e.g., likely impact on a particular group).
Residents Perception Survey 2021	68% of residents reported addressing crime and anti-social behaviour as being more important, but only 1% identified noise

	<p>pollution as being important to enable a good quality of life in Southend.</p> <p>27% of residents stated that personal safety was a key barrier to community involvement.</p>
<p>Noise complaints increased by over 50% during first lockdown year in England (cieh.org)</p>	<p>To demonstrate level of demand</p>
<p>Noise pollution is a major problem, both for human health and the environment — European Environment Agency (europa.eu)</p>	<p>To demonstrate the impact of the statutory nuisance of noise on an individual.</p>
<p>R(Fisher) v Durham County Council</p>	<p>Statutory nuisance and the Equalities Act 2010</p>
<p>Renting social housing - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures.service.gov.uk)</p>	<p>Ethnicity of those in renting social housing</p>

2.2 Gaps in information or data

There is no research available to suggest that this policy which is generic across the city will disadvantage any protected designation.

3. Carrying out your analysis

3.1 Impact assessment

The policy details how the Council responds to its duty to investigate statutory nuisance complaints. It provides guidance on enforcement responsibilities and how other agencies can be contacted, where they have responsibility. It also details what constitutes a statutory nuisance and explains common misconceptions that may be had about nuisance.

The policy sets out:

- The issues that the council can assist with.
- How the council proactively reduces statutory nuisance complaints.
- What is expected from service users to assist with an investigation.
- Prioritises the service to maximise the support across Southend.
- Provides for support where additional needs are identified.
- Defines what it considers to be a reasonable investigation.

The policy provides transparency on how investigations are carried out. It allows, where there is already support for this process, for in-house processes to be exhausted in the first instance so that the resource allows all residents and businesses to access the service.

The service is available to all those that the Council has legal powers to assist with. South Essex Homes residents who have complaints against South Essex Homes are excluded from this policy as the Council does not have any power to enforce against itself. There is a complaints process in place for South Essex Homes residents and to residents of registered social landlords once they have exhausted the resource available to resolve matters the council may be able to assist, and tenants can contact the Council.

Where someone is identified as vulnerable, whether it is the person complaining, or the person being complained about, the policy requires that support for that individual will be sought.

In the case cited above the court dismissed the claim of Mrs Fisher, that whilst Mrs Fisher was disabled the service of the notice was a last resort for the local authority. The local authority had tried to manage her outbursts and offered various support and services, including offering to rehouse her to more suitable housing.

There is a higher percentage of other than white British residents in social housing than white British with a lower weekly income than white British.

Table 2

	Impact - Please tick				
	Yes			No	Unclear
	Positive	Negative	Neutral		
Age (including looked after children)			Yes		
Disability			Yes		
Gender Reassignment			Yes		
Marriage and civil partnership			Yes		
Pregnancy and maternity			Yes		
Race			Yes		
Religion or belief			Yes		

Sex			Yes		
Sexual orientation			Yes		
Carers			Yes		
Socio-economic			Yes		

3.2 Results of your analysis

Where an impact has been identified above, outline what the impact of the policy, service function or restructure is on members of the protected characteristics groups using the table below:

Table 3

	Potential Impact
Age	The policy recognises vulnerable people and has procedures in place to ensure that they are supported
Disability	The policy recognises vulnerable people and has procedures in place to ensure that they are supported.
Gender reassignment	None
Marriage and civil partnership	None
Pregnancy and maternity	None
Race	The policy allows for those living within social housing to contact the Council should the support in place from their social landlord not resolve the nuisance.
Religion or belief	None
Sex	None
Sexual orientation	None
Carers	None

Socio-economic	The policy allows for those living within social housing to contact the Council should the procedures in place not resolve the nuisance.
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4. Community Impact


N/A


5. Equality Analysis Action Plan

Table 4

Planned action	Objective	Who	When	How will this be monitored (e.g., via team/service plans)
If complaints are received regarding the discharge of this service these will reviewed against the policy	To ensure that there is an equitable service across all tenures and available for all residents	Elizabeth Georgeou	Where complaints are received relating to the process	Through the complaints process.

The conclusions of this Equality Assessment will be embedded in future decision making

Signed (lead officer): 

Signed (Executive Director: Alan Richards): 

Once signed, please send a copy of the completed EA (and, if applicable, CCIA)

to Angela Dress Angeladress@southend.gov.uk.

All Equality Analyses are recorded on Pentana and reported to CMT and DMT's on a quarterly basis.

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Title: Treasury Management Report – Quarter One 2023/24

Meeting: Cabinet

Date: 18 September 2023

Classification: Part 1

Policy Context:

Key Decision: No

Report Authors: Caroline Fozzard, Senior Finance Lead (Strategy, Sustainability and Governance),

Executive Councillor: Councillor Cox Leader and Cabinet Member for SEND

1. Executive Summary

1.1. The Treasury Management Report for Quarter One covers the treasury management activity for the period from April to June 2023 and compliance with the treasury management strategy for that period.

2. Recommendations

That the following is approved:

2.1. The Treasury Management Report for Quarter One 2023/24.

That the following is noted:

2.2. Treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to June 2023.

2.3. The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

2.4. £1.483m of interest and income distributions for all investments were earned during this three-month period at an average rate of 4.20%. This is 0.17% under the SONIA rate (Sterling Overnight Index Average) and 0.24% under the average bank rate. Also, the value of the externally managed funds decreased by a net of £0.643m due to changes in the unit price, giving a combined overall return of 2.38%. (Section 8).

2.5. The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £347.3m (HRA: £74.2m, GF: £273.1m) during the period from April to June 2023.

2.6. During the quarter the level of financing for 'invest to save' schemes remained the same at £8.22m.

3. Background

3.1. This Council has adopted the 'CIPFA Code of Practice for Treasury Management in the Public Sector' and operates its treasury management service in compliance with this code. The code recommends that local authorities submit reports regularly as part of its Governance arrangements.

3.2. Current guidance is that authorities should report formally at least twice a year and preferably quarterly. The Treasury Management Policy Statement for 2023/24 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation. This is the first quarterly report for the financial year 2023/24.

3.3. Appendix 1 shows the in-house investment position at the end of quarter one of 2023/24.

3.4. Appendix 2 shows the treasury management performance specifically for quarter one of 2023/24.

4. National Context

4.1. Despite the ongoing economic and fiscal challenges UK gross domestic product (GDP) is estimated to have risen by 0.2% in the quarter from April to June 2023. The services sector grew by 0.1% on the quarter, driven by increases in information and communication, accommodation and food service activities, and human health and social work activities. Manufacturing also grew by 1.6%.

4.2. The latest unemployment rate for the quarter from April to June 2023 was 4.2%, an increase of 0.3% on the previous quarter. The increase was driven by people unemployed for up to 6 months. The economic inactivity rate decreased but that was largely driven by those looking after family or home, whereas those inactive because of long-term sickness increased to a record high.

4.3. The Consumer Prices Index including owner occupiers' housing costs (CPIH) was at 7.8% in April, at 7.9% in May and 7.3% in June. The largest downward contributors to the CPIH inflation rate in June came from principally from falling prices for motor fuel, while food prices rose in June 2023 but by less than in June 2022, also leading to an easing in the rates.

4.4. During the quarter, in response to persistent inflationary pressures, the Bank of England increased the bank base rate from 4.25% to 4.5% on 11 May and further increased the rate to 5% on 22 June. The Monetary Policy Committee will continue

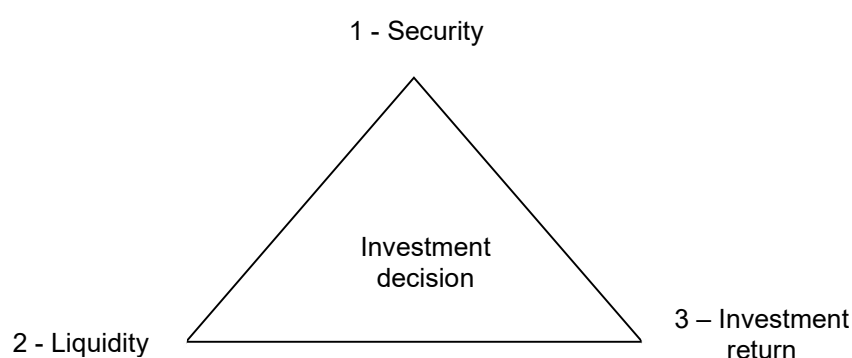
to closely monitor indications of inflationary pressures in the economy as a whole and have indicated that they will adjust the bank base rate as necessary to return inflation to the 2% target.

- 4.5. The economic situation together with the financial market conditions prevailing throughout the quarter provided opportunities for in-house treasury management activities. Variable rate instant access accounts benefited from the increasing interest rates and as fixed term deposits matured, advantage could be taken of the increased rates when reinvesting those monies. However, the prevailing financial market conditions were less favourable to the performance of the externally managed funds, with their unit prices all decreasing over the period from April to June 2023, albeit to a lesser extent than during 2022/23. The bond funds were impacted by the market conditions associated with the continued high rates of inflation. The property funds have been impacted by falling property valuations since mid-2022 and it is predicted that further smaller valuation declines are likely in 2023, followed by a period of stabilisation.

5. Investments

- 5.1. A prime objective of our investment activities is the security of the principal sums invested. To ensure this security before an in-house deposit is made an organisation is tested against a matrix of credit criteria and then other relevant information is considered. During the period from April to June 2023 investment deposits were limited to those who met the criteria in the Annual Treasury Management Investment Strategy when the deposit was placed.
- 5.2. Other investment objectives are to maintain liquidity (i.e. adequate cash resources to allow the council to operate) and to optimise the investment income generated by surplus cash in a way that is consistent with a prudent level of risk. Investment decisions are made with reference to these objectives, with security and liquidity being placed ahead of the investment return. This is shown in the diagram below:

5.3.



Security:

- 5.4. To maintain the security of sums invested, we seek to lower counterparty risk by investing in financial institutions with good credit ratings, across a range of sectors and countries. The risk of loss of principal of all monies is minimised through the Annual Treasury Management Investment Strategy.

- 5.5. Pie chart 1 of Appendix 1 shows that at the end of quarter one; 34% of our in-house investments were placed with financial institutions with a long term credit rating of AAA, 22% with a long term rating of A+ and 44% with a long term rating of A.
- 5.6. As shown in pie chart 2 of Appendix 1 these monies were with various counterparties, 66% being placed directly with banks and 34% placed with a range of counterparties via money market funds.
- 5.7. Pie chart 3 of Appendix 1 shows the range of countries where the parent company of the financial institution with which we have monies invested is registered. For money market funds there are various counterparties spread across many countries.

Liquidity:

- 5.8. At the end of quarter one £47.2m of our in-house monies were available on an instant access basis and £37.5m was invested in fixed term deposits. The table below shows the fixed term deposits during the period April to June 2023.

Table 1: Fixed Term Deposits

Counterparty	Date of Deposit	Return Date	Number of days	Interest rate (%)	Amount (£m)
Santander UK plc	21/10/2022	23/10/2023	367	5.00	5
Santander UK plc	14/11/2022	14/11/2023	365	4.95	10
Lloyds Bank Corporate Markets (NRFB)*	29/12/2022	29/06/2023	182	4.33	2.5
Lloyds Bank Corporate Markets (NRFB)*	29/12/2022	29/09/2023	274	4.71	10
National Bank of Kuwait (International) plc	17/05/2023	16/05/2024	365	5.27	12.5

* NRFB – Non Ring-Fenced Bank

- 5.9. The maturity profile of our in-house investments is shown in pie chart 4 of Appendix 1.

Investment return:

- 5.10. During the quarter the Council used the enhanced cash fund manager Payden & Rygel to manage monies on its behalf. An average balance of £5.0m was invested in these funds during the quarter. The table on the next page shows the movement in the fund value over the quarter, the income distributions for that quarter, the returns both for each element and the combined return. See also Table 3 of Appendix 2.

Table 2: Payden Sterling Reserve Fund

Quarter 1	£m	Investment return (%)
Value of fund at start of quarter	4.962	
Decrease in fund due to value of unit price	(0.036)	(2.90)
Value of fund at end of quarter	4.926	
Income distributions	0.044	3.51
Combined investment income (income distribution plus change in fund value due to unit price)	0.008	0.61

5.11. The Council had an average of £92.1m of investments managed in-house over the period from April to June 2023, and these earned an average interest rate of 4.56%. Of the in-house managed funds:

- an average of £24.8m was held in the Council's main bank account earning an average of 4.27% over the quarter. These monies were held in this account to ensure adequate cash resources to allow the council to operate.
- an average of £33.5m was held in money market funds earning an average of 4.43% over the quarter. These work in the same way as a deposit account but the money in the overall fund is invested in a number of counterparties, therefore spreading the counterparty risk.
- an average of £33.8m was held in fixed term deposits and earned an average return of 4.90% over the quarter.

5.12. In accordance with the Treasury Management Strategy the performance of investments managed in-house during the quarter is compared to the SONIA rate. Throughout the quarter in-house performance was higher than the SONIA rate (Sterling Overnight Index Average) which fluctuated between 4.18% and 4.93%. The bank base rate started the quarter at 4.25%, increased to 4.5% on 11 May and increased to 5% on 22 June. Performance is shown in Graph 1 of Appendix 2.

5.13. As investment balances fluctuate, all investment returns quoted in this report are calculated using the average balance over the period and are quoted as annualised returns.

6. Short Dated Bond Funds

- 6.1. During the quarter two short-dated bond funds were used for the investment of medium term funds: Royal London Investment Grade Short Dated Credit Fund and the AXA Sterling Credit Short Duration Bond Fund.
- 6.2. The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into corporate bonds in the one to five year range. An income distribution will be generated from the coupon on the bond and income distributions are paid to the Council. The price of units can rise and fall, depending on the price of bonds in the fund so these funds are invested over the medium term with the aim of realising higher yields than short term investments.
- 6.3. In line with the capital finance and accounting regulations the Council's Financial Instrument Revaluation Reserve will be used to capture all the changes in the unit value of the funds. Members should be aware that investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as only the distributions paid to the Council will impact that and not the change in the unit price.
- 6.4. An average of £7.2m was managed by AXA Investment Managers UK Limited. The table below shows the movement in the fund value over the quarter, the income distributions for that quarter, the returns both for each element and the combined return. See also Table 2 of Appendix 2.

Table 3: AXA Sterling Credit Short Duration Bond Fund

Quarter 1	£m	Investment return (%)
Value of fund at start of quarter	7.286	
Decrease in fund due to value of unit price	(0.181)	(10.01)
Value of fund at end of quarter	7.105	
Income distributions*	0.057	3.14
Combined investment income (income distribution plus change in fund value due to unit price)	(0.124)	(6.87)

* This income distribution is an estimate and will be confirmed and distributed in quarter 2.

- 6.5. An average of £7.0m was managed by Royal London Asset Management. The table below shows the movement in the fund value over the quarter, the income distributions for that quarter, the returns both for each element and the combined return. See also Table 2 of Appendix 2.

Table 4: Royal London Investment Grade Short Dated Credit Fund

Quarter 1	£m	Investment return (%)
Value of fund at start of quarter	6.975	
Decrease in fund due to value of unit price	(0.184)	(10.64)
Value of fund at end of quarter	6.791	
Income distributions	0.065	3.74
Combined investment income (income distribution plus change in fund value due to unit price)	(0.119)	(6.90)

7. Property Funds

- 7.1. Throughout the quarter long term funds were invested in two property funds: Patrizia Hanover Property Unit Trust and Lothbury Property Trust.
- 7.2. The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into properties. An income distribution is generated from the rental income streams from the properties in the fund. Income distributions are paid to the Council. There are high entrance and exit fees and the price of the units can rise and fall, depending on the value of the properties in the fund, so these funds are invested over the long term with the aim of realising higher yields than other investments.
- 7.3. In line with the capital finance and accounting regulations the Council's Financial Instrument Revaluation Reserve will be used to capture all the changes in the unit value of the funds. Members should be aware that investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as only the distributions paid to the Council will impact that and not the change in unit price.
- 7.4. An average of £19.1m was managed by Patrizia Property Investment Managers LLP. The table below shows the movement in the fund value over the quarter, the income distributions for that quarter, the returns both for each element and the combined return. See also Table 1 of Appendix 2.

Table 5: Patrizia Hanover Property Unit Trust

Quarter 1	£m	Investment return (%)
Value of fund at start of quarter	19.111	
Decrease in fund due to value of unit price	(0.055)	(1.15)
Value of fund at end of quarter	19.056	
Income distributions*	0.179	3.76
Combined investment income (income distribution plus change in fund value due to unit price)	0.124	2.61

* This income distribution is an estimate and will be confirmed and distributed in quarter 2.

- 7.5. An average of £11.4m was managed by Lothbury Investment Management Limited. The table below shows the movement in the fund value over the quarter, the income distributions for that quarter, the returns both for each element and the combined return. See also Table 1 of Appendix 2.

Table 6: Lothbury Property Trust

Quarter 1	£m	Investment return (%)
Value of fund at start of quarter	11.393	
Decrease in fund due to value of unit price	(0.187)	(6.61)
Value of fund at end of quarter	11.206	
Income distributions*	0.091	3.22
Combined investment income (income distribution plus change in fund value due to unit price)	(0.096)	(3.39)

* This income distribution is an estimate and will be confirmed and distributed in quarter 2.

- 7.6. Over the last few quarters the Lothbury Fund has received a lot of redemption requests from unitholders. These have been driven by three main reasons: pension funds changing the structure of their portfolios and coming out of property investments; the relative underperformance of the fund against its benchmarks in 2022/23 and the retirement of two long standing members of the Executive Board. The Lothbury Fund Managers have discretion to suspend redemptions from the fund when certain thresholds are met. As of 3 July 2023 these thresholds had been exceeded. Having regard to the level of redemptions, the current economic and market conditions and in order to manage sales to meet redemptions, the Fund Managers believed it was in the best interest of all investors to suspend redemptions. The suspension will run for a period of up to 12 months from the next settlement date of 10 October 2023.
- 7.7. The Council views its investment into property funds are over the long term with the aim of realising higher yields than other investments. The current fund valuations have decreased over the last four quarters and in line with the capital finance and accounting regulations the Council's Financial Instrument Revaluation Reserve has been used to capture those decreases in the unit value of the fund and therefore there has been no impact from these changes on the revenue budget. However, if units are sold this would realise any losses so the Council is not currently seeking to redeem any units. Quarterly income distributions will be received from the fund as normal.
- 7.8. If all the requested redemptions go ahead and are not withdrawn, the Lothbury Fund is likely to be much smaller. The Senior Fund Management team has agreed a revised fund strategy to reassess the asset portfolio, assuming a notional Fund size of £500m, which is about half of its current size. They believe this will better position the Fund into 2024 and beyond with a high-quality portfolio for the remaining investors. It will be focussed on retaining the highest quality assets in the best performing sectors. The Executive Board are currently presenting this revised fund strategy to all investors and some of those in the redemption queue are expected to change their mind and withdraw their requests. By the end of September the Fund Managers should have a clearer view on the level of ongoing Fund investment and therefore the value of assets that will need to be sold in an orderly way to meet the redemption requests. A further update will be provided as part of the quarter two report to November Cabinet.

8. Overall Investment Position

- 8.1. An average of £92.1m of investments were managed in-house. These earned £1.047m of interest during this three-month period at an average rate of 4.56%. This is 0.19% above the SONIA rate and 0.12% above the average bank base rate.
- 8.2. An average of £5.0m was managed by an enhanced cash fund manager. During this three-month period this earned £0.044m from income distributions at an average rate of 3.51% and the value of the fund decreased by £0.036m at an average rate of -2.90%, giving a combined return of 0.61%
- 8.3. An average of £14.2m was managed by two short-dated bond fund managers. During this three-month period these earned £0.122m from income distributions at

an average rate of 3.44% and the value of the funds decreased by £0.365m at an average rate of -10.32%, giving a combined overall return of -6.88%.

- 8.4. An average of £30.5m was managed by two property fund managers. During this three-month period these earned £0.270m from income distributions at an average rate of 3.56% and the value of the funds decreased by £0.242m at an average rate of -3.19%, giving a combined overall return of 0.37%.
- 8.5. The total for interest and income distributions in paragraphs 8.1 to 8.4 above is £1.483m. The total change in external fund values due to the unit price is a net decrease of £0.643m, which is set out in the table below:

Table 7: Externally managed funds – changes in unit price

Fund	Table Number	Amount (£m)
Payden Sterling Reserve Fund	2	(0.036)
AXA Sterling Credit Short Duration Bond Fund	3	(0.181)
Royal London Investment Grade Short Dated Credit Fund	4	(0.184)
Patrizia Hanover Property Unit Trust	5	(0.055)
Lothbury Property Trust	6	(0.187)
Total net decrease due to changes in unit price		(0.643)

9. Borrowing

PWLB and short term borrowing

- 9.1. The Capital Financing Requirement (CFR) is the Council's theoretical need to borrow but the Section 151 Officer can manage the Council's actual borrowing position by either:
- 1 - borrowing to the CFR;
 - 2 - choosing to use temporary cash flow funds instead of borrowing (internal borrowing) or;
 - 3 - borrowing for future increases in the CFR (borrowing in advance of need).
- 9.2. The Council began 2023/24 in the second of the above scenarios, with actual borrowing below CFR.
- 9.3. This, together with the Council's cash flows, the prevailing Public Works Loans Board (PWLB) interest rates and the future requirements of the capital investment programme, were taken into account when deciding the amount and timing of any loans. During the quarter no new PWLB loans were taken out, no loans matured and no debt restructuring was carried out.

- 9.4. The level of PWLB borrowing (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained the same at £347.3m during quarter one. The average rate of borrowing at the end of the quarter was 3.46%. A profile of the repayment dates is shown in Graph 2 of Appendix 2.
- 9.5. The table below summarises the PWLB activities during the quarter:

Table 8: PWLB borrowing during quarter 1

Quarter	Borrowing at beginning of quarter (£m)	New Borrowing (£m)	Re-financing (£m)	Borrowing repaid (£m)	Borrowing at end of quarter (£m)
April to June 2023	347.3	0	0	(0)	347.3
<i>Of which:</i>					
General Fund	273.1	0	0	(0)	273.1
HRA	74.2	0	0	(0)	74.2

All PWLB loans held are at fixed rates and are repayable on maturity.

- 9.6. The level of PWLB borrowing at £347.3m is in line with the financing requirements of the capital investment programme and the revenue costs of this borrowing are fully accounted for in the revenue budget. The current level of borrowing is also in line with the Council's prudential indicators and is proportionate, prudent, affordable and sustainable.
- 9.7. These figures exclude debt held by Essex County Council of £9.2m relating to assets transferred on 1st April 1998, which this Council is responsible for servicing. The debt is recognised as a deferred liability on our balance sheet.
- 9.8. Interest rates from the PWLB fluctuated throughout the quarter in response to economic events: 10 year PWLB rates between 4.23% and 5.27%, 25 year PWLB rates between 4.58% and 5.44% and 50 year PWLB rates between 4.27% and 5.23%. These rates are after the PWLB 'certainty rate' discount of 0.20%.
- 9.9. No short term loans for cash flow purposes were taken out or repaid during the quarter. See Table 4 of Appendix 2.

Funding for Invest to Save Schemes

- 9.10. Capital projects have been completed on energy efficiency improvements at the new Beecroft Art Gallery, replacement lighting on Southend Pier and LED lighting at the Priory Park workshop which will generate on-going energy savings. These are invest-to-save projects and the predicted revenue streams cover as a minimum the financing costs of the project.
- 9.11. To finance these projects in total the Council has taken out interest free loans of £0.079m with Salix Finance Ltd which is an independent, not for profit company, funded by the Department for Energy and Climate Change that delivers interest-

free capital to the public sector to improve their energy efficiency and reduce their carbon emissions. The loans are for a period of four and five years with equal instalments to be repaid every six months. There are no net revenue budget implications of this funding as there are no interest payments to be made and the revenue savings generated are expected to exceed the amount needed for the repayments. £0.001m of these loans were repaid during the period from April to June 2023.

9.12. At the meeting of Cabinet on 23rd June 2015 the LED Street Lighting and Illuminated Street Furniture Replacement Project was approved which was to be partly funded by 25 year reducing balance 'invest to save' finance from L1 Renewables Finance Limited. The balance outstanding at the end of quarter one was £8.20m. There were no repayments during the period from April to June 2023.

9.13. Funding of these invest to save schemes is shown in table 5 of Appendix 2.

10. Compliance with Treasury Management Strategy

10.1. The Council's investment policy is governed by the CIPFA Code of Practice for Treasury Management in the Public Sector, which has been implemented in the Annual Treasury Management Investment Strategy approved by the Council on 23 February 2023. The investment activity during the quarter conformed to the approved strategy and the cash flow was successfully managed to maintain liquidity. See Table 7 of Appendix 2.

11. Reasons for Decisions

11.1. The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2023/24 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

12. Other Options

12.1. There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

13. Financial Implications

13.1. The financial implications of Treasury Management are dealt with throughout this report.

14. Legal Implications

- 14.1. The Council has adopted the 'CIPFA Code of Practice for Treasury Management in the Public Sector' and operates its treasury management service in compliance with this Code.

15. Carbon Impact

- 15.1. None arising from this report.

16. Equalities

- 16.1. None arising from this report.

17. Consultation

- 17.1. The key Treasury Management decisions are taken in consultation with our Treasury Management advisers.

18. Background Papers

None.

19. Appendices

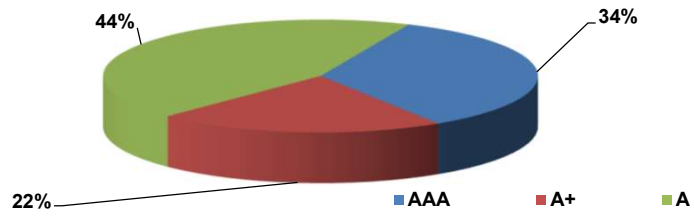
Appendix 1 – In-house Investment Position as at 30 June 2023

Appendix 2 – Treasury Management Performance for Quarter One - 2023/24

INVESTMENTS - SECURITY AND LIQUIDITY

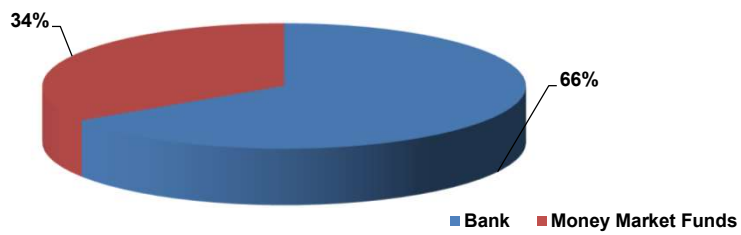
Pie Chart 1

Spread of investments by long term credit rating



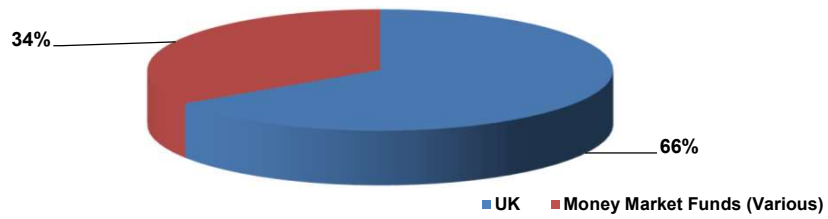
Pie Chart 2

Financial Sector invested in



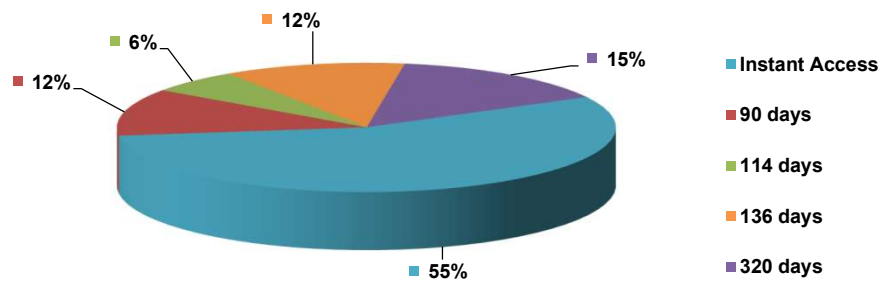
Pie Chart 3

Countries where parent company is registered



Pie Chart 4

Maturity profile of investments



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INVESTMENT

Graph 1 - Investment Return

Average interest rate earned on in-house investments compared with benchmarks 2023/2024
(4th Quarter 2022/2023 shown for comparison)

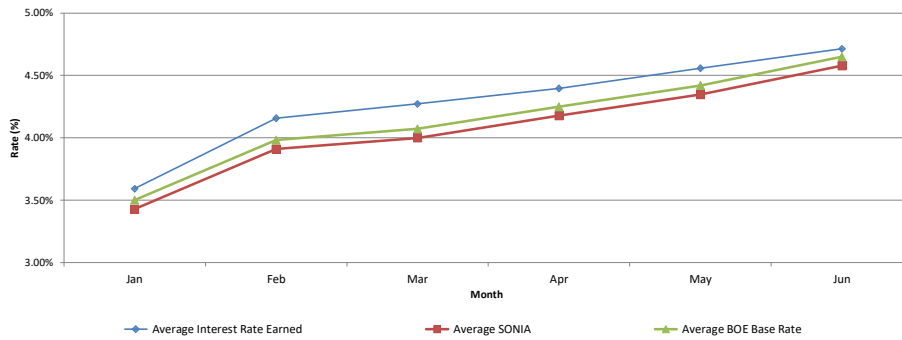


Table 1 - Property Funds

Financial Institution	Quarter	Value of fund at the start of the Qtr £	Number of units in the Qtr Units	Increase / (Decrease) in fund value £	Value of fund at end of the Qtr £	Income Distribution for the Qtr £	Combined interest Rate %
Patrizia(Rockspring) Hanover Real Estate Management Limited	1	19,110,813.30	1,327.00	(55,054.70)	19,055,758.60	179,237.34	2.61
Lothbury Investment Management - Property Fund	1	11,393,392.80	6,844.14	(187,555.55)	11,205,837.25	91,452.21	(3.39)

Table 2 - Short Dated Bond Funds

Financial Institution	Quarter	Value of fund at the start of the Qtr £	Number of units in the Qtr Units	Increase / (Decrease) in fund value £	Fund Value at end of the Qtr £	Income Distribution for the Qtr £	Combined Interest Rate %
Royal London	1	6,975,366.46	7,751,268.43	(184,480.19)	6,790,886.27	64,854.86	(6.90)
AXA	1	7,286,144.89	7,406,876.99	(180,727.80)	7,105,417.09	56,729.44	(6.87)

Table 3 - Enhanced Cash Fund

Financial Institution	Quarter	Value of fund at the start of the Qtr £	Number of units in the Qtr Units	Increase / (Decrease) in fund value £	Fund Value at end of the Qtr £	Income Distribution for the Qtr £	Combined Interest Rate %
Payden & Rygel	1	4,962,293.38	501,591.35	(35,964.12)	4,926,329.26	43,487.97	0.61

BORROWING

Table 4 - Short Term Borrowing

	Counterparty	Rate %	Amount £	From	To
In place during this Quarter	None				
Taken Out This Quarter	None				

Table 5 - Invest to Save Funding

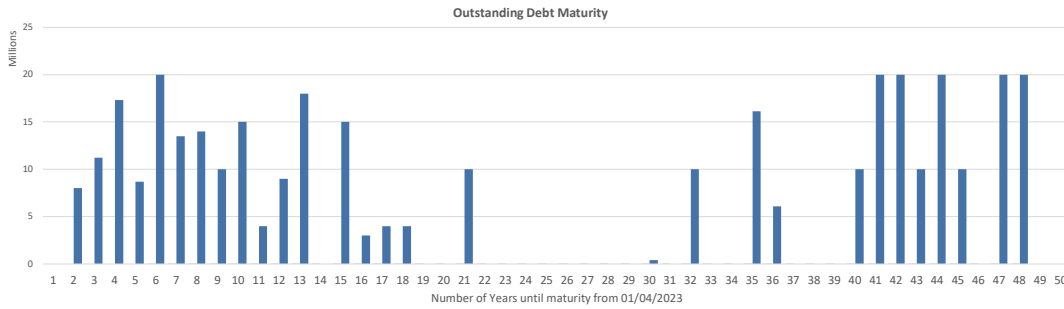
Financial Institution	Date	Period of loan	Final Repayment date	Amount borrowed £	Amount Repaid to Date £	Closing Balance Qtr 1 £	Rate of interest %
Salix Finance Ltd Energy Efficiency Programme	22/02/2019	5 Years	01/02/2024	64,148	(51,318.40)	12,829.60	0
	25/11/2019	5 Years	01/11/2024	8,200	(5,740.00)	2,460.00	0
	02/07/2020	5 Years	01/06/2025	6,171	(3,702.54)	2,468.36	0

L1 Renewables Finance Ltd

- 25 year reducing balance finance
 - balance of £8.2m outstanding at the end of quarter 1
 - there was no repayment in quarter 1

Table 6 - PWLB Borrowing

GRAPH 2 - Long Term Borrowing - PWLB



PWLB - New this quarter

None

PWLB - Repaid this quarter

None

PWLB Rates

	Lowest	Highest
Range of 10 years PWLB new loan rates this quarter (inc certainty rate)	4.23	5.27
Range of 25 years PWLB new loan rates this quarter (inc certainty rate)	4.58	5.44
Range of 50 years PWLB new loan rates this quarter (inc certainty rate)	4.27	5.23

TABLE 7 - Compliance with Treasury Management Strategy

All transactions properly authorised	✓
All transactions in accordance with approved policy	✓
All transactions with approved counterparties	✓
Cash flow successfully managed to maintain liquidity	✓
Any recommended changes to procedures	None required

Meeting:	Cabinet
Date:	18 September 2023
Classification:	Part 1
Key Decision:	Yes
Title of Report:	School Admissions Arrangements for Community Schools 2025/26; the Coordinated Admission Scheme for Academic year 2025/26; and Review of the relevant area
Executive Director:	Councillor Helen Boyd
Report Author:	Catherine Braun, Head of Access and Inclusion and Chrissy Papas, Place Planning and Admission Manager

1. Executive Summary

- 1.1. The admission arrangements for (LA maintained) community schools must be agreed annually. The admission arrangements requesting agreement by council for the academic year 2025/26. This includes the published admission number (PAN) for each of the schools and the catchment areas.
- 1.2. The LA is required to undertake a statutory consultation for all community schools with school Governors on the proposed admission arrangements and PAN In addition, the LA is requesting a public consultation on the reduced PAN for Chalkwell Hall Junior School from 120 to 90. This is to bring in line with the reduced number at Chalkwell Hall Infant School (please refer to sections 3.16 – 3.28).
- 1.3. The LA must also consult schools on the Coordinated Admissions Scheme for 2025/26 and publish by the 1 January 2024. There are no significant changes proposed, but some areas have been refined to provide greater clarity. The breakdown of changes can be found in Appendix 3
- 1.4. The relevant area requires agreement by Council. This is the area that would be most impacted by Southend admission arrangements and scheme and is used for any formal consultation. The relevant area for agreement covers the entirety of Southend-on-Sea plus the bordering areas of Castle Point and Rochford.

2. Recommendations

- 2.1. **To approve the proposed Admissions Arrangements for Community Schools for the academic year 2025/26 as set out in Appendix 1 and agree requirement for public consultation on changes proposed.**
- 2.2. **To approve the consultation with governing bodies of community schools takes place on the published admission number (PAN) for community infant, junior and primary schools for September 2025 as set out in the Admission Arrangements in 2.1**
- 2.3. **To approve the proposed Coordinated Admissions Scheme for 2025/26, as set out in Appendix 2 and Appendix 3 and to agree the final version be ratified by the Executive Director for Children and Public Health in December for publication as required by law, 1 January 2024.**
- 2.4. **To approve the relevant area for schools is reviewed and agreed as follows: Southend, Castle Point and Rochford for the years 2025 and 2026.**

3. Background

Statutory Framework

- 3.1. The Council has the responsibility to determine the following in relation to school admissions:
 - a) the Admission Arrangements for Community Schools (admission numbers, admission criteria and catchment areas); and
 - b) the Coordinated Admissions Scheme, which sets out the way in which admissions for all schools (including academies and other own admission authority schools) will operate.
- 3.2. The local authority (as the admission authority for all community schools) **must** consult on the admission arrangements for community schools, if it proposes to make any changes to the existing arrangements or, at least every seven years, even if there are no changes.
- 3.3. Own Admission Authorities, (academy, foundation and voluntary aided schools) have the responsibility to consult on and determine their own admission arrangements including catchment areas.
- 3.4. The Admissions Code 2021 determines that the official window for formal consultation which must be between 1 October and 31 January and the consultation must last for a minimum of 6 weeks.
- 3.5. Admission arrangements for Community Schools in Southend must be determined by 28th February 2024 and included in a composite prospectus for all schools by 15th March 2024. These are statutory deadlines and must be adhered to by all admission authorities.
- 3.6. The current admission arrangements for Community Schools (including catchment areas) were last consulted on and approved by the Council in January 2021 for the admissions relating to academic year 2022/23.
- 3.7. The local authority (as the admission authority for community schools) must consult the governing body of each community school where it proposes either to increase or keep the same published admission number (PAN).

- 3.8 The proposed admission arrangements, published admission numbers and catchment areas includes all eight local authority (maintained) community schools. The LA is aware that two current community schools (Heycroft Primary and Barons Court Primary) are in the process of consulting to convert to academy status joining existing academy trusts. Whilst the legal status for these schools remains as LA community schools, the LA will continue to consult and determine arrangements which will transfer at the point of academization should they convert. Should this change occur prior to Cabinet determination, they will be removed from the final paper raised to Cabinet in January 2024.
- 3.9 The Council must balance the duty to ensure sufficient school places alongside its duty to make efficient use of resources. The DfE recommends Councils have a surplus of around 5% within each planning cluster. Where surplus becomes too low or too high consideration is needed to either increase or reduce the number of available places in the town. This results in changes to some school PANs.
- 3.10 Chalkwell Hall Infant school's Pan was reduced from 120 to 90 for admission into reception 2022/23. This reduced admission number will reach Chalkwell Hall Junior school in September 2025 when the year group reaches year 3.
- 3.11 **The proposal is to reduce the PAN of Chalkwell Hall Junior School from 120 to 90 for the year 2025. Further information is detailed from item 3.15-3.26**
- 3.12 **No further changes to other school PAN's are proposed.**
- 3.13 Schemes for coordinating all admission applications to schools must be formulated and submitted to the Department for Education (DfE) by 1 January in the determination year. For the school year commencing September 2025, submission to the DfE must be submitted by 1 January 2024. Consultation on the scheme is mandatory every seven years or where substantial changes are being made. **Southend-on-Sea City Council will consult admission authorities in the City to ensure cohesion of the coordinated admissions round. Consultation will run from 1 November to 7 December 2023.**
- 3.14 The School Admissions guidance requires Local Authorities to determine every two years a "relevant area" for the purposes of admissions. This defines the area in which admission authorities consult on admission arrangements. The area of Southend, Castle Point and Rochford has been in place for many years and is most appropriate for consultation given that a significant number of pupils access provision in schools in those areas.

Admission Arrangements for 2025/26

Admission/oversubscription Criteria

- 3.15 There are no proposed changes from the previously consulted 2019/20 oversubscription criteria and definitions. The admission criteria for community primary schools are shown in **Appendix 1**

Published Admission Number (PAN)

- 3.16 The Admissions Code 2021 determines that admission authorities must consult the public if it proposes to decrease the PAN for a school.
- 3.17 The Admission limit for Chalkwell Hall Infant School was reduced from 120 to 90 in 2022/23 in response to reduction in birth rate.
- 3.18 Chalkwell Hall Junior School admits pupils from Chalkwell Hall Infant school. A public consultation must be held to ensure that the year 2 children moving from the Infant school can continue to the Junior school and that the Junior schools Admission Limit is matched to the infant school.
- 3.19 The change in admission limits between the schools is phased due to progression of children. The infant school admission limit will be at 90 for the year 2 pupils in the transfer window of 2025.
- 3.20 Although we have a mix of LA and academy maintained schools in the City, the Council retains the responsibility for ensuring the sufficiency of school places, which includes the number of surplus places. This information is reported annually to the Department of Education (DfE).
- 3.21 The Council already undertook conversations with 5 academy and voluntary aided schools regarding reducing their PAN (three 5FE and two 4FE). This resulted in five forms of entry (FE) being reduced across the city over the last two years. These discussions have all been finalised and agreed through formal consultation and have been included when calculating the continuing need for further reductions as demonstrated in the table below:

Cluster	FE reduction needed for 2022/23
North West	0
Leigh	1 (Chalkwell Hal Infant School)
West Central	1
East Central	1
Shoeburyness	1
Total	4 FE

- 3.22 Due to the depreciating birth numbers, the requirement for less primary school places is set to continue for at least the next 3 years. Numbers will be monitored on an annual basis and changes made accordingly to further decrease or increase as trends in births change.
- 3.23 From the four clusters each requiring one school to reduce by 1FE, only the Leigh Cluster identified a Local Authority maintained school (community school) where the LA is the admission authority. All other schools were either academy or foundation.
- 3.24 Chalkwell Hall Infant School, within the Leigh Cluster was identified for further discussion and consultation to reduce the schools PAN by one form of entry (FE) from September 2022. This was taking into consideration one other school in the cluster already reducing PAN from 4FE to 2FE; Chalkwell Hall's direct catchment area has seen a 22% reduction

in births; was a school that had expanded during the time of increased need; and is situated on a very small site.

- 3.25 The reduction in births is expected to continue for at least the next four years. This is under regular review.
- 3.26 Data, based on Chalkwell Hall Junior at 90, indicates sufficiency of places, with surplus across the City. Ensuring schools in the central area are securing places where required for 2025/26.

Area	Surplus 2025/26	Surplus 2026/27	Surplus 2027/28	Surplus 2028/29
Leigh	1%	7%	9%	16%
North West	1%	9%	14%	19%
East Central	5%	0%	17%	8%
West Central	17%	6%	20%	28%
Shoebury	0%	8%	6%	15%
	24%	30%	66%	85%

- 3.27 There are currently no proposed changes to the Admission Limits for the remaining community schools. However, Governing Bodies of community schools will have the opportunity to inform the local authority if they wish to comment on the proposal of no change. The proposed admission limits for all community primary schools for September 2025/26 are shown on **Page 2** of the Admission Arrangements for Community Schools at **Appendix 1**.
- 3.28 This would be a phased reduction in the admission limit, so that 2025/26 would be reduced to 90 and this would not impact years 4-5, and the roll out would roll forward for years 2026, 2027 etc. without the need to consult again.

Catchment Areas

- 3.29 The proposed catchment areas for primary schools for September 2022 are identified within the Admission Arrangements in **Appendix 1**. **There are no proposed changes from the last full public consultation for 2019/20.**

Primary and Secondary Co-ordinated Admissions Scheme 2025

- 3.30 Consultation rules for coordinated arrangements require the local authority to consult with other admission authorities in the area and other local authorities if there are changes from the previous year's scheme. Minor administrative practice changes are proposed for the coordinated scheme for 2025 as provided in summary in **Appendix 3**.
- 3.31 The coordinated admission scheme has not changed significantly from the version adopted for 2024, schools in the city and the CSSE will be consulted and feedback will be sought.
- 3.32 It is not anticipated that there will be significant comments for changes to the coordinated admission scheme from schools and therefore it is requested that the final version is ratified by the Executive Director for Children and Public Health in December for publication as required by law, 1 January 2024.

Background information on the relevant area

- 3.33 The “relevant area” for Southend, must include all of the city of Southend but may include parts of Essex. An area could be included in more than one “relevant area”, which would be the case if any part of Essex were included.
- 3.34 In view of the considerable cross border movement it is recommended that the “relevant area” for Southend includes the areas of Castle Point and Rochford in addition to the City of Southend-on-Sea.

4. Reasons for Decisions

- 4.1. Chalkwell Hall Junior school mainly admit pupils from the Infant school.
- 4.2. A phased reduction in the admission limit has been in operation since 2022 and the year 2 pupils from the infants will be at the admission limit of 90 in 2025.
- 4.3. An admission limit higher than the feed from the infant school would negatively impact schools in Leigh, as the pupils would generally move from neighbouring schools in the leigh area.
- 4.4. There would be a high surplus of places in the City resulting in a negative impact for some schools.

5. Other Options

- 5.1. The Council could decide not to consider reducing the PAN of one community school and thus not publicly consult on 2025/26 Admission Arrangements for Chalkwell Hall Junior School. This would add undue pressure on a small number of local schools for 2025, where a significant surplus of places is forecast, creating financial and organisational challenges.
- 5.2. Not undertaking a public consultation does not change the requirement that the Council must consult admission authorities and the CSSE on the proposed Coordinated Admission Scheme 2025 to ensure the delivery of school places, as required by law.
- 5.3. Not undertaking a public consultation does not change the requirement that the Council must consult Governors of community schools on their PAN and inform schools of the minor changes to the coordinated scheme.
- 5.4. The council could leave the admission limit at 120 for Chalkwell Hall Junior school. This could result in objections to the Office of the Schools Adjudicator, from other primary schools, on the grounds that there is an oversupply of places, resulting in children moving from other local schools to Chalkwell Hall Junior school.
- 5.5. The council could leave the admission limit at 120 for Chalkwell Hall Junior school, however this would mean more admissions from local schools and children and children changing schools, unnecessarily and not for good reason, for year 3 is disruptive to their education

6. Financial Implications

- 6.1. There would be a financial implication for Chalkwell Hall Junior school as they would have 30 children less for year 3 and then rolling forward year on year from 2025/26.
- 6.2. The school has known of the planned reduction in the admission number since 2018 and are aware that the Infant school has been on a phased year group reduction in the admission number since 2022.
- 6.3. Chalkwell Hall Junior School has had significant lead up to the reduction in the admission limit, allowing for school organisation forward planning.
- 6.4. Were we not to consult the financial implication would rest with other schools in the area who would likely lose pupils from taking up new places at Chalkwell Hall Juniors.

7. Legal Implications

- 7.1 The determination of admission arrangements for Community Schools and the provision of a coordinated admissions scheme is a statutory requirement. The determination for the Coordinated Admissions Scheme is a statutory requirement. The determination of a relevant rea is also a statutory requirement.
- 7.2 The council could leave the admission limit at 120 for Chalkwell Hall Junior school. This could result in objections to the Office of the Schools Adjudicator, from other primary schools, on the grounds that there is an oversupply of places, resulting in children moving from other local schools to Chalkwell Hall Junior school. Objections to the Adjudicator are administratively cumbersome and the outcome would impose a decision for the school.
- 7.3 In accordance with the Council's overview and procedural rules, the proposed admission arrangements for all community schools and reduced PAN for Chalkwell Hall Junior School has been subject to pre-cabinet scrutiny. Due to the statutory timeframe for consultation which must be a minimum of six weeks in term time and planned to finish on the 1 December, it will not be possible to provide pre-cabinet scrutiny prior to the final cabinet paper for the 11 January 2024 to determine arrangements. This is due to the timeline for submitting papers for pre-cabinet scrutiny not allowing time for analysis, evaluation and due considerations of the public responses to identify the final arrangements for cabinet determination in January.

8. Policy Context

- 8.1 The School Admissions Code 2021 prescribes the details of the statutory process in following the process for making changes to admission arrangements.
- 8.2 The School Admissions Code 2021 prescribes the details for determining the Coordinated Admission Scheme. Not having one in place would result in the Secretary of State imposing a scheme for Southend.

9. Carbon Impact

- 9.1. Not reducing the admission limit for Chalkwell Hall Junior School, would result in children potentially applying to move for year 3, and this would generally be children living out of the catchment area, or further away from the school would cold increase the use of cars to get to school.

10. Equalities

- 10.1 A coordinated admissions scheme and clear oversubscription criteria are necessary to ensure fair access to school places. Admission Arrangements for Community Schools and the Coordinated Admission Scheme for Southend Schools have been written in line with mandatory requirements set by the Admissions Code 2021. The code determines that authorities must ensure that the practices and criteria used to decide the allocation of school places are fair, clear and objective and that parents should be able to easily understand how places are allocated.
- 10.2 In line with the Equality Act 2010, the arrangements and scheme are reviewed annually against an expanded list of protected characteristics as identified within the Admission Code: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 10.3 The proposed Scheme, arrangements and decisions made through their administration are clear that there is no discrimination on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a parent who is applying for a school place or offered admission as a pupil.
- 10.4 There are limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

11. Consultation

- 11.1 The statutory timeframes for consultation for admission arrangements are legislated as a minimum of 6 weeks in term time from 1 Oct 23 to 31 January 24. Arrangements then must be determined by Council by the 28 February 24.
- 11.2 The local authority (as the admission authority for community schools) must consult the governing body of each Community School where it proposes either to increase or keep the same published admission number (PAN). Due to proposed changes for Chalkwell Hall Junior School the LA will hold a public consultation for the proposed PAN reduction for 2025/26 for this school only. The public consultation will be held on the [Your Say Southend](#) platform.
- 11.3 As no changes are proposed for the other seven community schools, there is no requirement to hold a public consultation however the governing bodies for all eight schools will be consulted.

- 11.4 Schemes for co-ordinating all admission applications to schools must be formulated and submitted to the Department for Education (DfE) by 1 January in the determination year. For the school year commencing September 2025, submission to the DfE must be submitted by 1 January 2024. Consultation on the scheme is mandatory every seven years or where substantial changes are being made. Southend-on-Sea City Council will consult admission authorities in the Borough to ensure cohesion of the coordinated admissions round. Consultation will run from 1 November to 7 December 2023.

12. Appendices

- 12.1. **Appendix 1**: Proposed Admission Arrangements for community schools 2025/26
12.2. **Appendix 2**: Proposed Coordinated Admission Scheme 2025/26
12.3. **Appendix 3**: Summary of Proposed Scheme Changes

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Admissions Arrangements for Community Schools

For September 2025/26 round of admissions

For office use – statutory process: The School Admissions Code 2021

Key Dates	Task
September 2023	Cabinet
1 October – 13 November 2023	Public Consultation
19 th Sept – 31 st October 2023	PAN consultation with Governing Bodies for community schools
January 2023	Final Determined Admission Arrangements by Cabinet (post PAN consultation)
15 th March 2023	Publication of Composite Prospectus of Determined Arrangements
16 th March – 15 th May 2023	Window for Objections to the School Adjudicator.
12 th September 2023	Final arrangements for 2025 are published in the Primary booklet

CONTENTS

1.	Introduction	4
2.	Community Schools Published Admissions Number 2024/25	4
3	Oversubscription criteria for community schools	4
	Barons Court Primary School & Nursery	5
	Chalkwell Hall Infant School	5
	Chalkwell Hall Junior School	5
	Earls Hall Primary School	5
	Fairways Primary School	5
	Heycroft Primary School	5
	Leigh North Street Primary School	7
	West Leigh Infant School	7
4.	Explanatory notes, including maps, apply to all community schools in Southend-on-Sea	7
4.1	Pupils in public care and children that were previously in public care	7
4.2	Pupils with Education, Health and Care Plans	8
4.3	Pupils eligible for pupil premium (West Leigh Infant and West Leigh Junior Schools)	8
4.4	Pupils of staff of the school	8
4.5	Distance	9
4.5.1	Tie-Break	9
4.6	Distance where parents have separated	9
4.7	Infant to partner Junior admissions	10
4.8	Siblings	10
4.9	Waiting lists	10
4.10	Over and Under age applications	10
4.11	Admission of children below compulsory school age and deferred entry to school	11
4.13	In-year admissions	11
4.14	Home Address	12
5.	Catchment Map	13

1. Introduction

Southend-on-Sea City Council is the admission authority for all community schools in the city. This document sets out the formal policies for all community schools in the city. The arrangements below, including the explanatory notes, are in line with government legislation and guidance (School Admissions Code and School Admissions Appeals Code) and designed to ensure there is a fair, clear and reasonable admissions procedure for all applicants, and to help guide parents through the application process.

These arrangements apply to all admissions, including in-year admissions for the admission year 2025 and are delivered under the terms of the Determined Coordinated Admission Scheme 2025.

2. Community Schools Published Admissions Number 2025/26

Community Primary Schools	Proposed admission limit for 2025/26
Barons Court Primary School & Nursery	35
Chalkwell Hall Infant School	90
Chalkwell Hall Junior School	90
Earls Hall Primary School	90
Fairways Primary School	60
Heycroft Primary School	60
Leigh North Street Primary School	90
West Leigh Infant School	120

3. Oversubscription criteria for community schools

Criteria are set for each individual school below and apply to admissions for year 2025/26.

Explanatory notes, below, apply to all community school arrangements. The published admission limit for community schools is provided above.

If at the closing date for applications, there are not enough places for all those who have expressed a wish to have their child admitted to a community school; places will be allocated using the admission criteria as below. This will not apply to children with a statement of special educational needs (SEND) or Education, Health and Care (EHC) plans as the plan/statement names the school and therefore the child must be admitted to the named school. The admission criteria are listed below by school with explanatory notes following:

Barons Court Primary School & Nursery

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area who have a sibling attending the school
3. Pupils who live in the catchment area
4. Pupils who live outside the catchment area who have a sibling attending the school
5. Pupils of staff at the school
6. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Chalkwell Hall Infant School

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area who have a sibling attending the school or Chalkwell Hall Junior School
3. Pupils of staff at the school
4. Pupils who live in the catchment area
5. Pupils who live outside the catchment area who have a sibling attending the school or Chalkwell Hall Junior School
6. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Chalkwell Hall Junior School

1. Looked after children and previously looked after children
2. Pupils attending year 2 at Chalkwell Hall Infant School
3. Pupils who live in the catchment area who have a sibling attending the school or Chalkwell Hall Infant School
4. Pupils of staff at the school
5. Pupils who live in the catchment area
6. Pupils who live outside the catchment area who have a sibling attending the school or Chalkwell Hall Junior School
7. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Earls Hall Primary School

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area who have a sibling attending the school
3. Pupils of staff at the school
4. Pupils who live in the catchment area
5. Pupils who live outside the catchment area who have a sibling attending the school
6. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Fairways Primary School

1. Looked after children and previously looked after children
2. Pupils who have a sibling attending the school
3. Pupils who live in the catchment area
4. Pupils of staff at the school
5. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Heycroft Primary School

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area and have a sibling attending the school
3. Pupils who live in the catchment area
4. Pupils who live outside the catchment area who have a sibling attending the school
5. Pupils of staff at the school
6. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

Leigh North Street Primary School

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area who have a sibling attending the school
3. Pupils of staff at the school
4. Pupils who live in the catchment area
5. Pupils who live outside the catchment area who have a sibling attending the school
6. Pupils who live outside the catchment area

(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

West Leigh Infant School

1. Looked after children and previously looked after children
2. Pupils who live in the catchment area who have a sibling attending the school or West Leigh Junior School
3. Pupils of staff at the school
4. Pupils eligible for pupil premium who live in the catchment area
5. Pupils who live in the catchment area
6. Pupils who live outside that catchment area who have a sibling attending the school or attending West Leigh Junior School
7. Pupils who live outside the catchment area
(for all criteria, catchment area map and additional information please see explanatory notes and maps below)

4. Explanatory notes, including maps, apply to all community schools in Southend-on-Sea

Parents must make a separate application for transfer from nursery to primary school and from infant to junior school. Parents must complete a Southend-on-Sea Common Application Form (CAF) for applications to year reception and year 3 between 14th September and 15th January.

4.1 Looked after children and children that were previously looked after

A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order⁹⁰ including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted.

A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989).

This includes children who were adopted under the Adoption Act 1976 (see Section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see Section 46 adoption orders).

Child arrangements orders are defined in Section 8 of the Children Act 1989, as amended by Section 12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order.

Refer to section 14A of the Children Act 1989 which defines a 'special Guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

4.2 Pupils with Education, Health and Care Plans

An Education, Health and Care Plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education, health and social care provision

required for that child. All children whose statement of special educational needs (SEND) or Education, Health and Care (EHC) plan names the school must be admitted. Children with a statement or a plan will follow a different process for admission. Further information can be found on

[Special Educational Needs and Disabilities \(SEND\)](#)

[Local Offer](#)

4.3 Pupils eligible for pupil premium – Early years pupil premium (West Leigh Infant School)

Nurseries and schools are given a pupil premium/early years pupil premium for children who have qualified for free school meals at any point in the past six years. Parents will need to tick on the application form and/or supplementary information form or notify the Local Authority in writing if they are eligible or registered for pupil premium. Any disclosure for pupil premium will be used only to rank applications against the admission criteria and will not be held for any other purpose.

Parents can check their eligibility by filling out the [LA online form](#)

Parents that are in receipt of one of the following may be eligible for pupil premium:

- Income Support
- Income-based Job Seekers Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- The Guaranteed Element of State Pension Credit
- Child Tax Credit (if they not entitled to Working Tax Credit and have an annual income under £16,190)
- Working Tax Credit 'run-on' - the payment someone may get for another 4 weeks after they stop qualifying for Working Tax Credit and Universal Credit

4.4 Pupils of staff of the school

Children will be ranked in this admission criteria if they are children of staff at the school under the following circumstances: -

- a. where the member of teaching staff (including, staff that are at the school in positions, such as: Senior Leadership Team/level, Head of Year Group, Head of Department, Office Manager or SENCo) that has been employed at the school for two or more years at the time at which the application for admission to the school is made,

and/or
- b. the member of staff is recruited to fill a vacant post for which there is a demonstrable specialist skill shortage and

- c. are the children of the member of staff, living permanently with the member of staff at the same address. The member of staff must be working at the school at the time of application and expected to continue with their employment at the school during the application and allocation process.

4.5 Distance

In the case of over subscription in any one category “straight line” distance will be used to measure the distance between the pupil’s home and the nearest pupil entrance to the school. Distances will be measured using the Local Authority’s computerised measuring system. The pupils living closest will be given priority. If the pupil’s home is a flat the distance will be measured to the main external entrance to the building.

4.5.1 Tie-Break

To be used to decide between two applications that cannot otherwise be separated: If the same distance is shared by more than one pupil, and only one place is available, the place will be awarded on the basis of a computerised random allocation process (supervised by someone independent of the Council / governing body). In the case where the last child offered is a twin or sibling of a multiple birth sibling both/all children will be offered and the sibling will be an ‘excepted pupil’.

4.6 Distance where parents have separated

The distance is measured the same for all applications. Only one application can be received. The LA should not have the details of both parents or know of the marital status of the parents. If more than one application is received from parents, applications will be placed on hold until such time that:

- an application is made that both parents agree to; or
- written agreement is provided from both parents; or
- a court order is obtained confirming which parent's application takes precedence’.

Details on address checks and which address is relevant are also provided in the admission booklet. In all cases the child’s normal place of residence is applicable for the purposes of the application.

4.7 Infant to partner Junior admissions

Parents must apply in the main round to transfer from an infant school to the junior school. Parents must use the Council common application form (CAF) and submit the application between 14th September to 15th January. The Council offers a full coordinated process for admission to year 3.

4.8 Siblings

Siblings are considered to be a brother or sister, half-brother or half-sister, step-brother or step-sister, adopted brother or sister, living at the same address, who attends the school at the time of application with a reasonable expectation that he or she will still be attending at the time of the proposed admission.

In the exceptional situation where one twin or one or two triplets are refused a place, in order to keep family members together and in line with the School Admissions Code 2014, the additional pupil(s) will be admitted even if this results in the admission limit for the year group being exceeded.

4.9 Waiting lists

Children's names will automatically be on the waiting list for schools that are higher on the rank list and for which they do not receive an offer (for years Reception and year 3).

Parents can appeal against the refusal for schools for which they did not receive an offer. Appeals must be lodged within 20 school days of the date of the letter. Parents can access the information on appeals and submit an appeal online on the council's web site www.southend.gov.uk/admissions or email admissions@southend.gov.uk to request an appeal application form. All appeals are considered by an Independent Appeals Panel.

Waiting lists for all year groups for community schools are closed at the end of each school year.

4.10 Admission of children below compulsory school age and deferred entry to school.

The Council provides for the admission of all children in the September following the child's fourth birthday. Most children start school on a full time basis, however parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age (age 5) and not beyond the beginning of the final term of the school year for which it was made (for reception this will be start of summer term/April);

Parents wishing their child to attend part time, or to delay starting must discuss their decision with the headteacher of their allocated school. The approved deferment means that the place is held open and is not offered to another child and the parents must take up the place full time by the start of the Summer Term in April. Part-time agreements should include core teaching sessions.

In the case of children born prematurely or the late summer months parents may request admission outside the normal age group so that their child starts school the September after their 5th birthday. Such requests for Schools in Southend-on-Sea are directly to the school and the school advises the parent of their decision. In most cases school will notify the Council and the Council will inform the parent in writing. Parents must notify the LA and provide any letters relating to this matter, especially for agreements outside the Council's area.

Parents submitting a request for admission outside the normal age group must also complete the Single application Form during the main admission round, 14th September – 15th January for the 'usual age group for their child'.

4.11 In-year admissions

As permitted by law parents can make an application at any time to any school outside the normal admissions. Where places are available applicants will be offered. Where there are no places applicants will be refused and can join the waiting list for the school. Waiting lists are ranked according to the

admission criteria for the school. In some cases where a child is already on a school roll locally the place may be offered for the start of the next term.

To apply for reception after the normal admission cycle or for admission into Years 1-6, parents will need to complete an In-Year application form which is available from the Council's offices and the website, www.southend.gov.uk/admissions and admissions@southend.gov.uk

Applications in the current school year are processed within a maximum of 15 school days, applications for the next school year are processed as received from 1 July, however most decisions are released on return of schools in September.

Pupils that are refused a place and added to the waiting list and remain on the waiting list until 31 Aug of any given year. Waiting lists close on 31 Aug of any given year and new waiting lists are created for the next academic year (from the applications for the next school year). Waiting lists from previous years are not rolled over to the next. Parents wishing to continue on a waiting list for a following year are required to make a fresh application.

As required by the School Admissions Code parents will be notified within 15 school days of the outcome of their application and will be sent a written outcome, with a reminder of the right of appeal. Applications are shared with the allocated school and with a school that is a preference and is its own admission authority. Full details on how information is processed is published on the [Councils website](#).

4.12 Right of Appeal

Main round appeals (reception and year 3): Parents can appeal against the refusal for schools for which they did not receive an offer. Appeals must be lodged within 20 school days of the date of the letter. Appeals must be heard within 40 school days of the deadline for lodging appeals. Parents can access the information on appeals and submit an appeal online on the council's web site www.southend.gov.uk/admissions or email admissions@southend.gov.uk to request an appeal application form. All appeals are considered by an Independent Appeals Panel.

Main round appeals (in-year R-6): Parents can appeal against the refusal for schools for which they did not receive an offer. Appeals must be lodged within 20 school days of the date of the letter. For applications for in-year admissions, appeals must be heard within 30 school days of the appeal being lodged. Parents can access the information on appeals and submit an appeal online on the council's web site www.southend.gov.uk/admissions or email admissions@southend.gov.uk to request an appeal application form. All appeals are considered by an Independent Appeals Panel.

4.13 Home Address

For all applications, the address used will be the child's habitual normal place of residence as at the closing date for applications, i.e., 15th January (reception and year 3). Changes to address can be accommodated up to a month after the closing date. Where the address change cannot be accommodated within the reasonable period, parents will be advised, and changes will be updated after all on time applications have been processed.

4.14 Catchment area

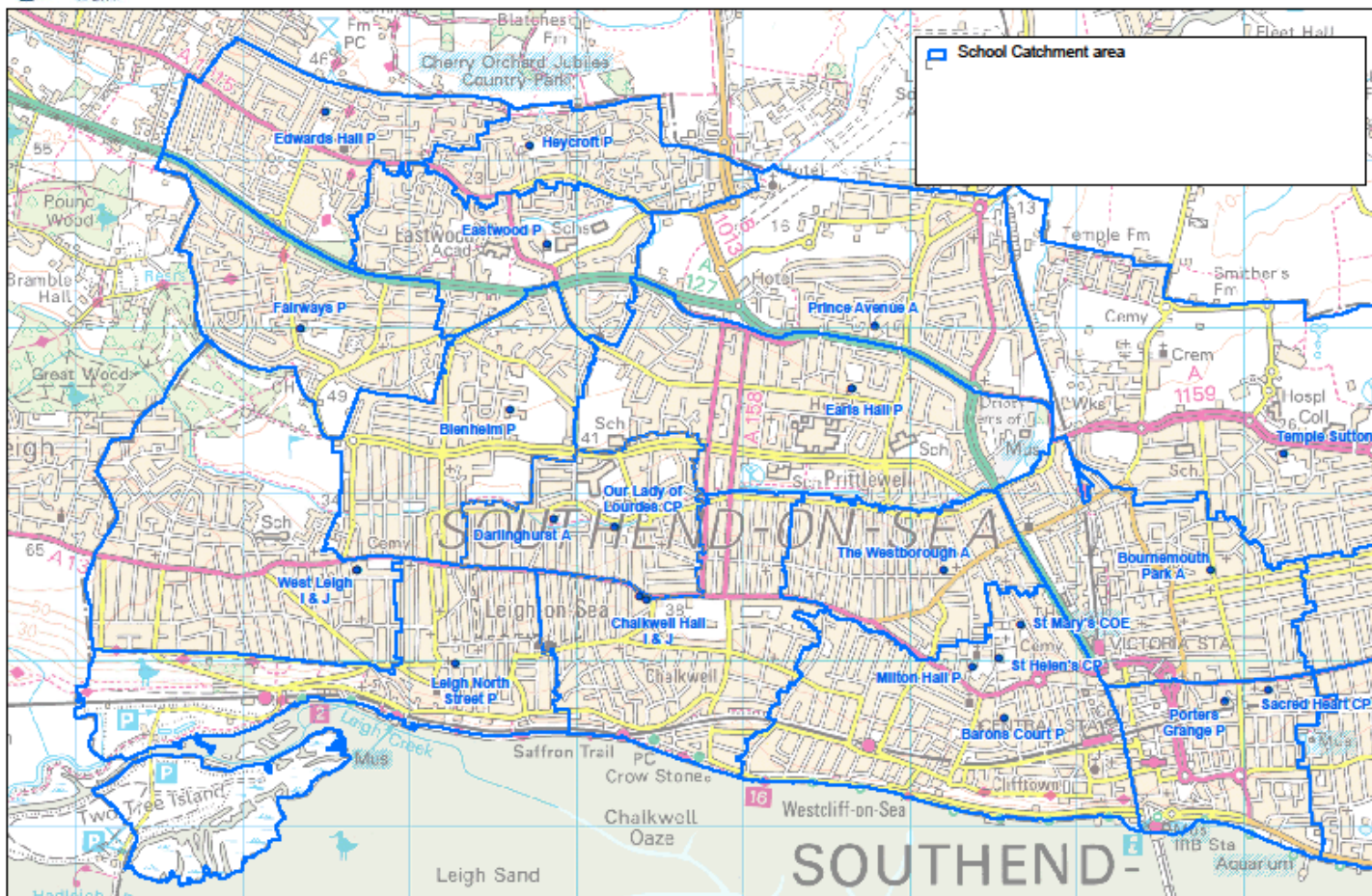
The catchment area is provided in the [catchment map](#) look up facility and also copied below.

The relevant Coordinated Admissions Scheme and Primary Admission booklets should be read in conjunction to the Determined Admission Arrangements for all schools in the City of Southend-on-Sea. The Primary Admission booklet contains further details, provides more information and is written to support parents through the rounds.

5. Catchment Map



Infant, Junior and Primary School catchment areas – Southend-on-Sea



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Scale 1:30,000

Southend-on-Sea City Council

Determined Co-ordinated Admissions Scheme 2025/26

Publication Due: 1 January 2024

Approval Route	Key Dates
Cabinet:	September 2023
Consultation with schools:	2 November – 1 December 2023
Approved by Executive Directors delegated authority:	12 December 2023
Published: Council Web site	December 2023 (before 1 Jan 2024)

1Table _Office Use table with key dates for the process

Introduction

The School Admissions Code 2021 requires a single arrangement for co-ordinating all applications to state schools from parents in their area. In the City of Southend-on-Sea, the scheme applies to admissions into reception, year 3 and year 7. This document must be published by 1 January of each year.

1. Aims and scope of the scheme

- 1.1 To assist the offer of one school place to each pupil.
- 1.2 To simplify the admission process for parents.
- 1.3 To co-ordinate with other local authorities and admission authorities.

2. Key Aspects of the Scheme

- 2.1 The Council processes applications for all mainstream schools in the area.
- 2.2 The Council will send offers of places to Southend residents even if the school is in another local authority.
- 2.3 Only the Council will know the ranking of the parental preferences. Parental preferences may be shared with Admission Authorities for the purposes of admission appeals. This will be after offer day.
- 2.4 The Council will provide each school with a breakdown of preferences for their own school as on offer day.
- 2.5 In all cases admission authority schools are responsible for applying the admission criteria. Schools are responsible for appeals unless they agree with the Council otherwise.
- 2.6 Admission authorities must confirm by 1 October of each year if they wish for the Council to run appeals.

3. Collation and publication of Open Day/Evening events

- 3.1 Secondary Schools and the Council will work together with the aim of ensuring parents can visit all secondary schools in the City.
- 3.2 The Council will coordinate and publish the open days for secondary schools in the area.
- 3.3 Secondary Schools to advise the Council of open days when the school calendar for the next school year is set. The Council will email all secondary schools to share dates provided, between January and April with the aim of working together to avoid clashes.
- 3.4 The Council will publish final dates and details on the secondary information flyer sent to all year 5 pupils by the middle of June. This will coincide with the publication of the Secondary Booklet in Early July.

4. General details of the scheme

- 4.1 Run process for main round Primary and secondary admissions up to the end of coordination (last week in August).
- 4.2 Parents will complete a Common Application Form on which they will be able to put forward 3 primary schools in order of priority; or 5 secondary schools in order of priority
- 4.3 Parents will be advised to apply online for a school place via Southend Council but will be able to complete a paper form if they wish.
- 4.4 All application forms must be sent to the Council.
- 4.5 Lists of pupils that have not applied will be made available, where possible. School or early years providers that do not share data with the Council will need to provide the admissions team with a list of pupils. The team can then check on who has not yet applied.
- 4.6 Parents can add schools that are in another local authority area on their application form. The offer of a place at a school in another local authority will be made by the Council. Similarly, other local authorities will offer places to their residents on behalf of Southend schools.
- 4.7 The Council considers all preferences against the admissions criteria for each school.
- 4.8 Completed Supplementary Information Forms must be sent back to the school. These forms are not application forms and parents must also complete the common application form.

- 4.9 The Primary and Secondary Booklets are available electronically and can be provided in print on request from parents. Communication for parents are provided to primary schools, for both year 5/6 and early years, for electronic mail out (this includes wider distribution such as independent schools).
- 4.10 There is a national closing date for application forms. The deadline for receipt of any Supplementary Information Forms is set by individual schools and the Consortium of Selective Schools in Essex. Supplementary Information Forms submitted after the closing date may not be used until after national offer day.
- 4.11 Parents must ensure these additional forms are provided in good time to the school or the consortium.
- 4.12 Initial lists will be shared with schools for communication on children that have not yet applied and for faith schools to match against SIF forms.
- 4.13 Submitted online applications will be imported to the admissions database. The Council will input into the admissions database all information shown on any paper application forms, including any reasons for the application, and will provide details to the preference schools.
- 4.14 The Council will share files with other local authorities as required.
- 4.15 The Council pre-ranks all school application lists where possible. Schools and the Consortium, are responsible to rank/check ranking in order of the respective criteria, for all pupils who have applied to their school. Ranked lists must be returned to the Council by the agreed date – or must be completed on the receivers portal by the agreed date. Applications that do not have a Supplementary Information Form must still be ranked. The council will ensure that only the highest qualifying ranking, against admission criteria, is recorded.
- 4.16 Pupils with plans will be accommodated if the named school is in the final Education, Health and Care Plan by 2 February for Secondary and 4 March for Primary (or next working day) of any given year.
- 4.17 Certain (as provided in section 2.16 for 'excepted pupil'), pupils may need to be admitted over number and the Council will manage the school back to the admission limit until the last week of August.
- 4.18 Ranked lists for own admission authority schools remain the responsibility of the admission authority.
- 4.19 The scheme works with the order in which parents select preferences. The order of preferences should reflect the order parents wish to be offered a place. If for example parents are unsuccessful in gaining a place for the first preference school, they are not disadvantaged in obtaining their second preference or their third preference etc. The process will continue until all preferences are used.
- 4.20 It is a parental responsibility to inform the Council of a sibling at the school and any change of circumstance during the round, such as change of address (1 Sept to 22 Aug)
- 4.21 The Council will provide any other local authorities with details of any pupil's resident in their area who can be offered places at schools in the City (and vice versa).
- 4.22 Where possible the Council will share allocation lists to schools and the Consortium as appropriate before offer day. This will be dependent on the process being complete before offer day. Schools will be notified if it is not possible to send the lists to them. When lists can be sent, schools will be reminded of section 2.10 of The School Admissions Code 2021. Schools must not contact parents about the outcome of the applications until after these offers have been received by parents.
- 4.23 The Council will send an offer of a single place to pupils applying for a school place on the offer day.
- 4.24 Parents who completed an online application will be advised of the outcome of their application by email on offer day, unless they indicate on the application form that they would prefer a response by letter.
- 4.25 Parents who completed a paper application form will be advised of the outcome of their application by email on offer day. Where no email address is provided letters will be posted using 2nd class envelopes.
- 4.26 Offers are automatically recorded as 'accepted'. Parents will need to respond to any subsequent offers made post offer day within 10 working days.
- 4.27 Refusals must be received in writing from the applicant to the Council, refusals sent to the schools cannot be actioned by the Council until confirmation is received by the parent or the home LA if an out of area pupil.
- 4.28 The Council will not log a refusal, for statutory age pupils, unless the parents can provide details of the educational arrangements, they are putting in place for their child.

- 4.29 Schools must refer children that do not arrive on the year 6 transition day to the Council for recording, tracing and follow up with the parent.
- 4.30 Schools must refer children that do not take up places, and that have not responded to further tracing, in early September as 'children missing education' and follow the CME protocol.
- 4.31 Where children aged under 5 do not take up a reception place the primary/infant school must report this to the Council. The Council follow the 'under 5s missing education' process.
- 4.32 The Council will not accept the refusal of places without information. The Council will refer pupils as appropriate, to the elective home education team where parents have confirmed they will be electively home educating. This will only be where the parent has confirmed this in writing.
- 4.33 Where no offer is possible the Council will offer a place at a school in the City nearest to the home address with vacancies at that time. Such offers will not be made to selective or faith schools (unless arranged with the school/s).
- 4.34 Offer letters for the main round to years R, 3 and 7 will remind parents not to call schools on offer day and to call the Council.
- 4.35 Only the Council will inform parents of offers and waiting list positions to parents until the last week in August. As lists are updated schools might not have accurate information.
- 4.36 Schools that send welcome letters/packs will only do so two weeks after offer day to provide parents with the opportunity to consider the offer and allow for any post offer day activity at the Council.
- 4.37 Any places will be reallocated if parents advise the Council that they no longer require a place. The Council will ensure the child is tracked and monitor parents that choose to home educate.
- 4.38 The Council will send allocation lists, waiting lists and withdrawn lists on the prescribed timetable and not on demand.
- 4.39 The Council publishes the School Admissions Privacy notices on Appeals, proof of address and the overall notice on [Admission Policies and Reports – Southend-on-Sea City Council](#)
- 4.40 The Council shares personal information with teams within the Council working to improve outcomes for children and young people (eg. Inclusion, Attendance, CME, Virtual school etc) the full list is provided on [Microsoft Word - School Admissions.docx \(southend.gov.uk\)](#)
- 4.41 [The Council will make use of the most current available software to ensure the process between schools and the Council is effective and efficient.](#)

5. Summer Born Children

- 5.1 In the case of children born prematurely or late summer months parents may ask for admission to reception a year later. The child would be aged five.
- 5.2 The decision to admit outside of a child's normal age group is made based on the circumstances of each case however, unless born early summer months and a significant reason not to support the parent request, requests are supported. Parents must submit requests directly to schools and schools can make a decision or can hand over the response to the Council. Schools will inform the Council if they wish for the Council to send the outcome to the parent.
- 5.3 Parents submitting a request for admission outside the normal age group must also complete the Common Application Form. Parents can decide which admission year they wish to apply for once they have an outcome from schools. Admission cannot be delayed further than the term after the child turns five. Parents that apply a year later will need to use a paper application form.

6. Co-ordination of pupil admissions to Year 3 of Southend junior schools 2025/26

- 6.1 Applications will not be necessary for children moving from Year 2 to Year 3 in their existing primary school. However, parents of children in Year 2 of an infant school must apply for transfer to Year 3.
- 6.2 The closing date for completing a common application form for a Year 3 place is 15 January 2025
- 6.3 The Council will write to year 2 parents, that are attending infant schools, via the parent mail systems from the respective infant schools, advising of coordination round and need to apply to transfer to year 3 at the 'partner' junior school. The Council will also provide a simple flyer for all primary schools to mail out electronically.
- 6.4 The Council will work with infant schools in the area to assist the transfer of pupils to the Junior school.
- 6.5 The Council will provide an initial list of application received via common applications forms to junior schools by 26 January 2025

- 6.6 The Council will provide a list of all applications received via common application forms to junior schools by 9 February 2025
- 6.7 Schools must rank applications according to their admission criteria and return the ranked list to the Council on the agreed date - 26 February 2025.
- 6.8 Ranking must only be based on the highest qualifying admission criterion, and not all criteria as this skews the ranking. The Council will undertake all year 2 infant to junior ranking.
- 6.9 For all applications received by the closing date, from parents of Year 2 children (including children attending year 2 in an infant school), the Council will inform parents of the outcome of that application on National offer day.
- 6.10 There is full co-ordination for admission to year 3 as a normal admission round for junior schools. This is because we have infant and junior schools in the City and additional places at West Leigh Junior School and Bournes Green Junior School.
- 6.11 Applications submitted for children that are in the primary school that wish to remain in the same school will be withdrawn and parents will be advised that no application is required.

7. Co-ordinated arrangements between the offer date and start of autumn term.

- 7.1 The council will continue to coordinate admissions until the last week in August of each year.
- 7.2 Late and new preferences/applications will be slotted into the waiting lists by the Council in line with school admission arrangements. This will include using new address details where relevant and re-ranking applications to appropriate positions.
- 7.3 Where parents have refused the offer of the place then the vacant place will be offered in strict order of the waiting list until the place is accepted. This does not apply to Eastwood Academy, who advise on place to be offered due to their admission arrangements.
- 7.4 The offer of school places as they become available will continue to be made by the Council.
- 7.5 Once the final list is sent to schools on 22 August the coordination procedures for reception year, year 3 and year 7 will close. The Council will continue to administer waiting lists and in-year admissions for all Community and identified Own Admission Authority schools as agreed. Admission Authorities wishing to manage their own waiting lists will do so from 22 August onwards. Waiting lists must be held at least until the end of the first term (December).

8. Year 7 - Under and over age applicants

- 8.1 Parents must direct their request for under or over age matters directly to the school.
- 8.2 Any decisions made must be well documented and meet the requirements of the School Admission Code in that they are in the 'best interest of the child'.
- 8.3 Once a child, has started the year and completed at least one term as an out of normal age group, they cannot apply for a second opportunity to year 7. Admission mid-year to move from year 7 back to year 6 is not usually in the best interest of a child.
- 8.4 Schools must keep a record of the decision to admit out of normal age group and be able to provide reasons for decision to the Council.

9. Applications from children whose parents are living abroad

- 9.1 Parents who are living abroad and who wish their child to apply for a Southend school have no home authority. They can apply through what is a proxy home authority (i.e., the Council area in which they intend to buy a house or settle the child with relatives). However, although they may apply in this way, no place will be offered, using the new address, until they can provide clear evidence of residency.

10. New applications, late applications, changes of preferences and additional applications

- 10.1 New applications: Applications from parents moving into the area, who in the view of the Council could not have made an application by the closing date, will be slotted into the system when received. These applications might only be processed after all on time offers are made. These will be regarded as new applications and will only apply for parents that could not have applied on time

such as moving into the country. Exceptional circumstances will be considered at the discretion of the Council.

- 10.2 Change of address: Addresses for schools in Southend-on-Sea are as per the child’s normal place of residence on or before the last Friday in November, for Secondary Admissions. And for Infant, Junior and Primary Admissions as at 15 February (both rounds up to a month after the closing date). Any change of addresses that could not have reasonably been made by these dates would be at the discretion of the Council. Any addresses after these dates are updated after offer day for the transfer group (i.e., 1 March or 17 April) and the applications re-ranked accordingly. Parents that could not have applied by the deadlines for the main rounds will be considered under the terms of this scheme.
- 10.3 Late applications: Applications received after the closing date, will be regarded as late. They will not be considered until all “on time” applications have been considered. The Council will be the final arbiter, under the coordinated scheme, as to whether an application is late or not.
- 10.4 Changes in preference
Changes in the order of preferences already expressed will not be accepted after the closing dates unless, the circumstances are deemed to be exceptional and the changes can be accommodated. Change of preference for schools under another local authority will be consulted on with the appropriate local authority.
- 10.5 Additional preferences: any additional preferences received after the closing dates will be considered after the offer date.
- 10.6 Checks will be made with other departments in the Council and, where it is suspected that the family live outside Southend, contact will be made with the relevant Council. Where there is reasonable doubt as to the validity of a home address, the Council reserves the right to take additional checking.
- 10.7 Changes of address between offer day and the last week of August will be checked by the Council. Parents will need to provide proof of the home address in the form of; a house purchase; exchange of contracts, or a long-term letting agreement. Informal tenancy agreement will not be accepted. In all situations, the Council must be satisfied that it is the child’s normal/habitual place of residence.
- 10.8 Places can be withdrawn up to the end of December / or first term in the situation where an offer is made in error, or the application has been found to be fraudulent. Admission Authorities must inform the Council of any places withdrawn for the coordinated round up to December of each year and vice versa.
- 10.9 Schools must inform the Council of address, sibling, or any other differences in ranking lists.
- 10.10 Applications made online, via the parent portal that are unsubmitted will not be processed.

11. Supplementary Information Forms

- 11.1 In order that they may seek further information to apply their admission criteria, the following schools require parents to complete a Supplementary Information form.

Primary School	Details
Our Lady of Lourdes Catholic Primary	For all applications
Sacred Heart Catholic Primary	For all applications
St George’s Catholic Primary	For all applications
St Helen’s Catholic Primary	For all applications
St Mary’s, Prittlewell, C of E Primary	For all applications

Table 2 Primary Schools and Supplementary forms

Secondary School	Details
St Bernard’s High School	For all applications
St Thomas More High School	For all applications
Shoeburyness High School	For year 7 applications for selective places
Southend High School for Boys	For all applications for selective places
Southend High School for Girls	For all applications for selective places

Secondary School	Details
The Eastwood School	For year 7 applications for Sport / Performing Arts places
Westcliff High School for Boys	For all applications for selective places
Westcliff High School for Girls	For all applications for selective places

Table 3 Secondary Schools and Supplementary forms

11.2 The registration process with the CSSE is in effect a SIF, as additional information is provided.

11.3 It is the responsibility of the grammar schools to ensure that the CSSE verify eligibility for preferential consideration.

12. Waiting lists

- 12.1 On offer day the Council will have a waiting list for each Southend school. In most cases the Council will be able to rank pupils that apply late, for example using distance. Depending on the admission criteria a new application would be added into the waiting list.
- 12.2 The Council will maintain the waiting list as ranked by schools. Where any new pupil, such as a late application, is added to the waiting list the Council should be advised within 10 working days of where such pupils fit in relation to other pupils on the waiting list.
- 12.3 Where a vacancy does arise the place will be offered by the Council to the pupil at top of the waiting list.
- 12.4 A parent of a child at the top of the waiting list offered a place must confirm, within 10 working days, whether they wish to accept the place. During the 10 days the child would hold two offers.
- 12.5 The Council will keep waiting lists for all community schools and schools who we manage in year admissions for in the City for the full school year. Waiting lists will be maintained strictly in accordance with the admission criteria of the school concerned.
- 12.6 The Council will remove pupils from the waiting list who are offered and accept a place at a school that is a higher preference.
- 12.7 The Council will rank pupils with address changes, late and new applications after all on time offers are made or on the waiting list as appropriate.
- 12.8 All admission authorities must specify, in their arrangements, the period a child remains on a waiting list for each school year.

13. Appeals

- 13.1 When a local authority or an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it must include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents must be informed that, if they wish to appeal, they should set out their grounds for appeal in writing. Admission authorities must not limit the grounds on which an appeal can be made.
- 13.2 Own admission authorities must inform the Council no later than 1 October before a main round if it requires the Council to present their appeals. The Council might not be able to support schools with appeals without prior agreement. The Council does not present appeals for in year processes where it is not the administrator.
- 13.3 Schools will send lists of submitted appeals to the Council. The Council will record the appeal against the admission record and provide the school with all relevant documentation.
- 13.4 School must inform the Council within 5 school days of the outcome of any appeal.
- 13.5 Having received notification from the school, parents will have 10 school days to confirm in writing to the Council which place they wish to accept following the outcome of any appeals. Once a place is released, that place will be reallocated.
- 13.6 Admission authorities must comply with the School Admissions Appeals Code 2022 and must record all appeals and provide the data to the Council after all appeals are heard.

14. Atypical Admissions

- 14.1 The Council will execute instruction from the Department for Education in relation to admission related matters including but not limited to;
- 14.2 By 30 September of each year the Council will write to all year 9 pupils to advise of alternative education opportunities that are available for year 10 pupils within a reasonable distance;
- 2
- 14.3 All schools have a statutory duty to secure impartial careers guidance for all Year 8 to Year 13 students to inspire their young people to fulfil their potential and to make them aware of all opportunities open to them. We strongly recommend that your child discuss their options with a Careers Adviser in their current school or college. The careers advisor will also be able to advise of UTCs further away that might offer different specialities.

15. In Year

- 15.1 Own Admission Authorities must inform the Council by 1 August at the latest of each year whether they intend to be part of the Council's in-year co-ordination scheme for the following 1 September to 31 August or whether they will be managing their own in-year admissions.
- 15.2 The Council will publish information on its website by 31 August to explain how in-year applications will be made and how they will be dealt with from 1 September onwards.
- 15.3 The Council will provide a suitable application form for parents to complete when applying for a school place for their child for a school for which it coordinates in year admissions. Where the Council receives an in-year application for a school which manages its own in year admissions, it must promptly forward the application to the relevant admission authority, which must process it in accordance with its own in-year admission arrangements.
- 15.4 Own Admission authorities must follow the requirements of the Code.
- 15.5 All schools must provide the Council with available places/vacancies via the weekly email request.
- 15.6 The Council and Own Admission Authorities should inform a parent of the outcome of an application within 10 school days, and must respond in writing no later than 15 school days.
- 15.7 Own admission authorities must inform the Council of all in-year applications and their outcome within 2 days of receipt of the application.
- 15.8 Own Admission Authorities must follow Children Missing Education protocol where appropriate.
- 15.9 Where the Council processes in year admissions, it will send a copy of the application to the proposed allocated school and the school will have 24 hours to raise any concerns. The offer will be sent to the applicant, post the 24 hours, if no contact from the school has been made.

16. Annual Review of the Scheme

- 16.1 Each year all local authorities must formulate and publish on their website a scheme by 1 January in the relevant determination year to co-ordinate admission arrangements for all publicly funded schools within their area.
- 16.2 Local Authorities must consult admission authorities for schools affected by the scheme and other Local Authorities every 7 years as a minimum.
- 16.3 A local authority must inform the Secretary of State whether they have agreed a scheme by 15 April. If this is not achieved the Secretary of State may impose a scheme.

17. List of schools

The list of schools that are included in this agreement

Secondary Schools

School Name	Number
Belfairs Academy	5434
Cecil Jones Academy	4004
Chase High School	4000
Shoeburyness High School	4034
Southchurch High School	4002
Southend High School for Boys	5446
Southend High School for Girls	5428
St Bernard's High School	5465
St Thomas More High School	5447
The Eastwood Academy	5414
Westcliff High School for Boys	5401
Westcliff High School for Girls	5423

Table 4 Secondary School

Primary Schools

School Name	Number
Barons Court Primary School & Nursery	2124
Blenheim Primary School	2387
Bournemouth Park Academy	3822
Bournes Green Infant School	2128
Bournes Green Junior School	2123
Chalkwell Hall Infant School	2023
Chalkwell Hall Junior School	2019
Darlinghurst Academy	2127
Earls Hall Primary School	2023
Eastwood Primary School	3825
Edwards Hall Primary School	3826
Fairways Primary School	2407
Friars Primary School & Nursery	3824
Greenways Primary School	2104
Hamstel Infant School	2093
Hamstel Junior School (partner school)	2092
Heycroft Primary School	2126
Hinguar Community Primary School	2094
Leigh North Street Primary School	2096
Milton Hall Primary School and Nursery	5273
Our Lady of Lourdes Catholic Primary School	2002
Porters Grange Primary School & Nursery	2001
Prince Avenue Academy	2000
Richmond Avenue Primary School	3823
Sacred Heart Catholic Primary School & Nursery	3326
St George's Catholic Primary School	3329
St Helen's Catholic Primary School	3327
St Mary's Prittlewell Church of England Primary School	3325
Temple Sutton Primary School	2132

School Name	Number
Thorpedene Primary School	5225
WestCity Academy	2004
West Leigh Infant School	2109
West Leigh Junior School (partner school)	2108

Table 5 Primary Schools

17.Key dates – Infant, Primary and Junior admissions September 2025

Date (or next working day)	Actions
1st January 2024	Date for formulation of scheme
September- October 2024	Publish Admissions Information Advertisements, fliers, and letters to registered parents of early years children
14 September 2024	Admission round opens for applications
Early October 2024	Distribution of year 3 “letter/fliers” to year 2 pupils
Mid December 2024	Preliminary lists to faith schools for Supplementary Information Form follow up
14 September – 22 January	The Council admissions team verifying applications, which continues right up to end of coordination, for late applications.
15 January 2025	Closing date for admission applications (address changes up to a month will be accommodated)
22 January 2025	Follow up list to faith schools for Supplementary Information Form follow up
31 January 2025	Initial list of preferences sent to admissions authorities and other local authorities for ranking. Initial list is a pre-ranked list.
9 February 2025	Final list of preferences sent to admissions authorities
26 February 2025	Closing date for schools to return ranked preferences
4 March 2025	SEN pupils will be accommodated if the named school is identified in the finalised Education, Health and Care Plan. Post this date pupils will be admitted over the PAN but managed back to PAN until coordination ceases
12 April 2025	Where possible, final offer lists and offer data will be sent to schools under embargo (only if receivers portal not working – we will allow live access to schools)
16 April 2025	National Offer Day
16 May 2025	Closing date for appeal forms (reference to the code 2.3 of School Admissions Appeals Code 2012 – must be submitted at least 20 days for one time appeals after offer day – date is in outcome letter to applicants) Date supports appeals being heard by deadline.
18 July 2025	All on-time appeals completed (2.3a) School Admission appeals Code 2022 (40 school days from 16 May)
22 August 2025	The administration of waiting lists for years R and 3 and all in-year admissions handed over to academy, voluntary aided, and foundation schools for schools that run their own in year admissions. Transfer rounds moved to in year process for Council (notional as receivers portal will have live data - only if receivers portal not working) Coordination to reception ceases and in year process comes in

Table 6 Key Dates - Infant, Primary and Junior Admissions September 2025

18. Key dates – Secondary admissions September 2025

Date(or next working day)	Action
First week in July 2024	Publication of Secondary Admissions Information (booklet) Admissions information distribution to year 5 pupils. Open evenings at schools that admit pupils because of testing / auditions
1 July – 7 September 2024	Registration for testing / audition (CSSE/Eastwood) confirmed by CSSE and Eastwood in publications
1 September 2024	Opening of on-line admissions facility for transfer to secondary school
First two weeks in September 2024	Distribution of reminder flier /booklet to year 6 pupils
XX September 2024*	11+ test (to be confirmed by the Consortium – dates will be available in the Admissions booklets)
XX September 2024*	Alternative test date (for religious, illness or exceptional circumstances) 11+ test (to be confirmed by the Consortium – dates will be available in the Admissions booklets)
9 October 2024	List of pupils not applied will be made available to current primary/junior schools where possible, or primary/junior lists from school to be matched with applications, to identify any barriers preventing on-time applications being submitted.
XX October 2024*	Testing results to be sent to parents by Consortium / schools (to be confirmed by the Consortium – dates will be available in the Admissions booklets)
w/c 16 October 2024	Follow up list of pupils not applied will be made available to current primary/junior schools to identify any barriers preventing on-time applications being submitted.
w/c 16 October 2024	Preliminary list to be sent to faith schools for Supplementary Information Form follow up
31 October 2024	Closing date for admission applications (address changes up to a month will be accommodated – 30 Nov 2023)
w/c 6 November 2024	Follow up list to be sent to faith schools for Supplementary Information Form follow up.
w/c 20 November 2024	List of preferences to be sent to schools and other authorities for ranking.
w/c 8 January 2025	Closing date for schools to return ranked preferences
2 February 2025	SEN pupils will be accommodated if the named schools are identified in the finalised EHSP by 9 February
w/c 23 February 2025	Where possible, final offer lists and offer data will be sent to schools and Consortium under embargo (only if receivers portal not working – otherwise information will be made available on the receivers portal)
3 March 2025	National Offer day
4 March 2025	Year 6 destination lists sent to primary/junior schools under embargo (only if receivers portal not working – otherwise information will be made available on the receivers portal)
After 15 March 2025	Secondary schools that wish to send welcome letter/packs
1-25 March 2025	Updated information, new offers, withdrawals etc sent to secondary school's post offer responses via email communication (only if receivers portal not working)
w/c 25 March 2025	Updated lists to secondary schools (only if receivers portal not working)
1 April 2025	Closing date for appeal forms (reference to the code 2.3 of School Admissions Appeals Code 2012 – must be submitted a min of 20 days for one time appeals after offer day – date is in outcome letter to

Date(or next working day)	Action
	applicants – need this date to ensure all appeals completed before primary appeal round)
w/c 20 May 2025	Updated lists sent to secondary schools and primary/junior schools for year 6 transfer (only if receivers portal not working)
17 June 2025 (pending school closure days)	All on-time appeals completed – refer to School Admissions Appeals Code 2012 (reference to the code 2.3 of School Admissions Appeals Code 2012 – must be heard within 40 days for one time appeals after 1 April)
w/c 30 June 2025	Updated lists sent to secondary schools and primary/junior schools for year 6 transition day. Schools must report children that do not attend transition day to SCC. (only if receivers portal not working)
27 August 2025	The administration of waiting lists handed over to academy, voluntary aided, and foundation, free schools (notional as receivers portal will have live data - only if receivers portal not working)

Key Dates - Secondary Admissions Sept 2025

Southend-on-Sea City Council | Education and Early Years | Access & Inclusion Team
 Queries to or copies can be requested from: Chrissy Papas, School Place Planning & Admission Compliance Manager, SCC, chrissypapas@southend.gov.uk

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Summary of proposed changes to the Co-ordinated Admission Scheme 2024/25

Cabinet September 2022 (Due in July for sign off)

The following provides an updated summary of proposed changes from the Coordinated Admission Scheme 2023/24, proposed for 2024/25

Item on scheme	Proposed addition or change
3.	<p>New section for clarity</p> <p>3. Collation and publication of Open Day/Evening events</p> <p>3.1 Secondary Schools and the Council will work together with the aim of ensuring parents can visit all secondary schools in the City.</p> <p>3.2 The Council will coordinate and publish the open days for secondary schools in the area.</p> <p>3.3 Secondary Schools to advise the Council of open days when the school calendar for the next school year is set. The Council will email all secondary schools to share dates provided, between January and April with the aim of working together to avoid clashes.</p> <p>3.4 The Council will publish final dates and details on the secondary information flyer sent to all year 5 pupils by the middle of June. This will coincide with the publication of the Secondary Booklet in Early July.</p>
4.1	Clarity: Run process for main round Primary and secondary admissions up to the end of coordination (last week in August).
4.5	Clarity: Lists of pupils that have not applied will be made available, where possible. School or early years providers that do not share data with the Council will need to provide the admissions team with a list of pupils. The team can then check on who has not yet applied.
4.12	Clarity and actual practice: Initial lists will be shared with schools for communication on children that have not yet applied and for faith schools to match against SIF forms.
4.9	Clarity: The Primary and Secondary Booklets are available electronically and can be provided in print on request from parents. Letters to parents are provided to primary schools for mail out (including independent schools)
4.13	Clarity: Submitted On-line applications will be imported to the admissions database. The Council will input into the admissions database all information shown on any paper application forms, including any reasons for the application, and will provide details to all schools.
3.26	Update: Offers are automatically recorded as 'accepted'. Parents will need to respond to any subsequent offers made post offer day
4.28	Clarity: The Council will not log a refusal, for statutory age pupils, unless the parents can provide details of the educational arrangements, they are putting in place for their child.
4.29	New: Schools must refer children that do not arrive on the year 6 transition day to the Council for recording, tracing and follow up with the parent.
4.30	Clarity: Schools must refer children that do not take up places, and that have not responded to further tracing, in early September as 'children missing education' and follow the CME protocol.

4.31	New: Where children aged under 5 do not take up a reception place the primary/infant school must report this to the Council. The Council follow the 'under 5s missing education' process.
4.36	Change period from 4 weeks to 2 weeks to support activity run by schools post offer day Schools that send welcome letters/packs will only do so two weeks after offer day to provide parents with the opportunity to consider offer and allow for any post offer day activity at the Council.
4.39	New: The Council publishes the School Admissions Privacy notices on Appeals, proof of address and the overall notice on <u>Admission Policies and Reports – Southend-on-Sea City Council</u>
4.40	New: The Council shares personal information with teams within the Council working to improve outcomes for children and young people (eg. Inclusion, Attendance, CME, Virtual school etc) the full list is provided on <u>Microsoft Word - School Admissions.docx (southend.gov.uk)</u>
5.2	Partially new: The decision to admit outside of a child's normal age group is made based on the circumstances of each case. Parents must submit requests directly to schools and schools must decide. Schools will inform the Council if they wish for the Council to send the outcome to the parent.
12.5	Clarity: The Council will keep waiting lists for all community schools and schools who we manage in year admissions for in the Borough for the full school year. Waiting lists will be maintained strictly in accordance with the admission criteria of the school concerned.

END

Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Shareholder Board

Date: Monday, 14th August, 2023
Place: Virtual Meeting via MS Teams

15

Present: Councillor T Cox (Chair)
Councillors M Davidson (Vice-Chair), K Buck, L Burton, P Collins,
D Cowan and I Gilbert

In Attendance: P Bates, K Waters, G Halksworth, J Gulson-Levy and T Row

Start/End Time: 6.00 pm - 6.50 pm

11 Apologies for absence

Apologies for absence were received from Councillor Terry (no substitute).

12 Declarations of Interest

The following interests were declared at the meeting:

(i) Mr G Halksworth - Minute No. 14 (PSP Southend LLP Dissolution) – Current Director of the PSP; and

(ii) Mr K Waters – Minute No. 14 (Airport Business Park Southend Management Ltd. – Receipt of Accounts to June 2022) – Director of Airport Business Park Management Company Ltd.

13 Minutes of the meeting held on 22nd February 2023

Resolved:-

That the Minutes of the meeting held on 22nd February 2023 be received, confirmed as a correct record and signed.

14 PSP Southend LLP Dissolution

The Board received a report of the Executive Director (Growth & Housing) regarding the Council's proposal to dissolve PSP Southend LLP by mutual consent.

In response to questions, and at the request of the Chair, the Director of Growth and Housing undertook to circulate the details of leasehold property held by PSP to the Board after the meeting.

Resolved:-

That the report be noted and that Cabinet be recommended:

1. That PSP's decision to remove the Limited Liability Partnership (LLP) offer from the market and to seek to dissolve PSP Southend LLP by mutual consent, subject to the relevant Joint Venture (JV) partner agreement, is noted.
2. That the Council, as JV partner, agrees to the dissolution of PSP Southend LLP by mutual consent, and that the detailed exit arrangements are progressed with the detail of this is delegated to officers to ensure that the dissolution is managed pragmatically, with all relevant intellectual property and sums due to the Council secured from PSP.
3. That a final report on the full final settlement and final conclusion of the dissolution to be submitted to Shareholder Board in February 2024 and that at the relevant time, the Council's representatives on the LLP will resign for their roles on the LLP.

15 Airport Business Park Southend Management Ltd - Receipt of Accounts to June 2022

The Board received a report of the Director of the Airport Business Park Management Company Ltd. that presented the annual report and financial statements for Airport Business Park Southend Management Limited for the trading year to June 2022. It was noted that these reports had been filed with Companies House.

Resolved:-

That the Annual Report and Financial Statements of Airport Business Park Southend Management Ltd (ABPSML) for the year ending 30 June 2022, together with the report of the auditors, which were submitted to Companies House on 23 March 2023, be received and noted.

16 Porters Place Southend LLP - Receipt of Accounts 2021/22

The Board received a report of the Executive Director (Finance & Resources) that presented the annual report and audited financial statements of Porters Place Southend-on-Sea LLP for year ended 31 March 2022.

Resolved:-

That the annual report and audited financial statements of Porters Place Southend-on-Sea LLP for the year ended 31 March 2022 be received and noted.

17 Better Queensway Scheme Update

The Board received a report of the Director of Regeneration and Housing presenting a recommended way of ensuring a planned, negotiated and managed exit is achieved by Sanctuary Housing Association from the Porters Place Southend on Sea LLP. The report also sought the Board's endorsement for Council Officers to explore alternative options to progress the regeneration scheme and deliver the transformational ambition for the city.

The Board was advised that it would be necessary to move into Part 2 business in order that the matters concerning the information set out in the confidential appendix that had been circulated to the Board could be considered.

Resolved:-

1. That the intentions and desire for Sanctuary Housing Association to procure the exit of its group company Swan BQ Limited from Porters Place Southend-on-Sea LLP and the Better Queensway Project, be noted.
2. That the requirement to enter into an appropriate Settlement Agreement between Southend-on-Sea City Council and Swan BQ Limited (and certain relevant group companies) be approved.
3. That authority be delegated to the Director of Regeneration & Housing and Executive Director Finance & Resources to negotiate the final details of the Settlement Agreement in consultation with the Cabinet Members for Housing & Planning and Economic Growth & Investment.
4. That the Director of Regeneration & Housing be required to explore alternative options to progress the regeneration scheme and report back to a future meeting of Cabinet. In the event that the discussions do not proceed as anticipated, a report be submitted to the Shareholder Board for consideration prior to consideration by Cabinet.

18 Governance Arrangements - Future Work Plan

The Board received a report of the Director of Financial Services proposing a future work programme.

In response to questions, the Chair gave assurances that an update on the current management arrangements in respect of the LLP be reported to the Board at a future meeting.

The Board was mindful that additional meetings may be required in October 2024 to deal with the scrutiny of accounts and annual reports of the various joint venture companies. It also noted that the meeting in February 2024 would need to be updated to include the final settlement details of the dissolution of the PSP Southend LLP.

Resolved:-

That subject to the amendment of the work to include the details above, the future work programme for the Board be approved.

19 Exclusion of the Public

Resolved:-

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 would 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.

20 Better Queensway Scheme Update - Confidential Appendix

The Board considered and discussed the information contained in the confidential appendix in respect of the Better Queensway Scheme Update.

21 Date and time of next meeting

Resolved:-

That it be noted that the next meeting of the Board will take place on Monday, 16th October 2023 commencing 6.00 pm.

Chair: _____

Meeting: Cabinet
Date: 18th September 2023
Classification: Part 1
Key Decision: No
Title of Report: Notices of Motion (referred by Council, 13th July 2023)

Executive Director: Joe Chesterton (Executive Director (Finance and Resources))
Report Author: Robert Harris
Executive Councillor: Councillors Boyd, Garston and Buck

1. Executive Summary

- 1.1. To consider how to respond to the Notices of Motion referred by Council (13th July 2023) to Cabinet.

2. Recommendations

- 2.1. Cabinet are asked to determine their response to the Notices of Motion having regard to the options set out at paragraph 3.2 below.

3. Background

- 3.1. On 13th July 2023, the following Notices of Motion were submitted to Council under Council Procedure Rule 20:

- Notice of Motion - Transition Planning for Children and Young People
- Notice of Motion - Sheltered Housing
- Notice of Motion - Idling around schools

In accordance with Council Procedure Rule 20.6, the Notices of Motion were referred by the Council to Cabinet for consideration.

- 3.2 The Cabinet are asked to determine how to respond to each of the Notices of Motion having regard to the options set out below:

(a) Ask officers to prepare a report on each Notice of Motion for submission to the next meeting of Cabinet.

(b) Refer each Notice of Motion to the relevant Working Party, listed below:

- Children's Services, Education and Learning Working Party (NoM: Transition Planning for Children and Young People)
- Housing and Planning Working Party (NoM: Sheltered Housing)
- Highways, Transport and Parking Working Party (NoM: Idling around Schools)

4. Reasons for Decision

4.1. To respond to the Notices of Motion.

5. Other Options

5.1. The options are identified in paragraph 3.2 above.

6. Financial Implications

6.1. There are financial implications associated with some of the Motions, but at this stage these have not been quantified.

7. Legal Implications

7.1. None.

8. Policy Context

8.1. None.

9. Carbon Impact

9.1. None.

10. Equalities

10.1. None

11. Consultation

11.1. None.

12. Appendices

Appendix 1: Notice of Motion - Transition Planning for Children and Young People

Appendix 2: Notice of Motion - Sheltered Housing

Appendix 3: Notice of Motion - Idling around schools

Council – 13th July 2023

Notice of Motion:

Improved transition planning for children and young people with additional needs.

This Council is working within key pieces of legislation to ensure that children and young people (CYP) are supported to have a 'good transition' to adulthood through statutory responsibilities and good practice guidance.

It is important to build on the work done to support transitions for those young people in need of ongoing social care support into adulthood, where a clear pathway is being developed.

One cohort of CYP who could require care and support for transition may include those who have an EHCP; however, young people without an EHCP who may have assessments and reports from external professionals and have accessed the graduated offer also need to be considered.

Many children and young people approaching transition who have additional needs but who no longer receive a statutory service, or who are educated outside of the school environment will need their transition considered, and a recognised process to access support for a 'good transition' to facilitate reaching their full potential and long-term success. This could include considerations around how this group of young people are linked to the right individual who can co-ordinate this transition planning at the most effective time.

We know that around 500 CYP are electively home educated (EHE) with only 2.4% who have an EHCP and around 12% who EHE for some of the following reasons:

Dissatisfactions with school concerning bullying and SEND, school attendance, risk of sanctions/exclusion, medical reasons and those who chose not to give a reason.

This motion calls on Southend City Council to:

1. To ensure that assessments and diagnoses made by a recognised professional(s) in Health, Education and Social Care are included as valid evidence in formulating plans for children with additional needs, and, in particular in relation to an EHA or EHCP.
2. To clearly identify which professionals would be recognised and what qualifications are required.

3. To ensure that any EHA or EHCP informs a post 16 transition plan for young people to comply with legal requirements post 16 and reviewed at age 18 to link with any needed adult health or social care services.

4. To develop a clear business case which identifies appropriate resource to meet the needs of those young people who do not fall within statutory legislation around transitions who might experience some difficulties and or requirements for reasonable adjustments. This would include, amongst others, those previously known to social care or early help. Those not on school role, those in education other than schools and those with additional needs or identified barriers to education employment or training, who wouldn't be picked up by any other statutory process.

Proposed by:

Cllr Tricia Cowdrey

Seconded by:

Cllr Maxine Sadza

Council - 13th July 2023

Notice of Motion – Sheltered Accommodation

That council undertakes a review of its policy of placing under sixty in sheltered accommodation and independent living accommodation.

In resolve to return the age of tenants back to the age of over sixty.

Proposed: Cllr Nick ward

Seconded:

Cllr Stafford
Cllr Terry
Cllr Wakefield
Cllr Woodley

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DISCOURAGE VEHICLE IDLING AROUND SCHOOLS

The Royal College of Physicians estimate 40,000 deaths a year in the UK are linked to air pollution, with engine idling contributing to this. An idling engine can produce up to twice as many emissions as an engine in motion. This unnecessary source of pollution causes damage to our environment and is a particular issue outside our schools. Action must be taken to prevent and discourage vehicle idling.

Rule 123 of The Highway Code states that drivers must not leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while the vehicle is stationary on a public road.

Idling increases the amount of exhaust fumes in the air and these fumes contain a number of harmful gases including carbon dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gases including nitrogen dioxide, carbon monoxide and hydrocarbons which are linked to asthma and other lung diseases.

Southend-on-Sea City Council notes:

Local authorities have the power under The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue a £20 fixed penalty notice (FPN) for emission offences and stationary idling if a motorist refuses to switch off their engine, regardless of the location

Idling is already prohibited by Rule 123 of The Highway Code, enforced by Section 42 of the Road Traffic Act 1998 and the Road Traffic (Vehicle Emissions) Regulations 2002.

While air pollution affects everyone, children and adolescents are particularly vulnerable because their bodies, organs and immune systems are still developing. Southend is one of the top ten worst Cities for pollution, it is the equivalent of smoking 157 cigarettes per year, that is just simply by breathing, this needs to change.

Southend-on-Sea City Council resolves to:

- Increase parking enforcement presence around schools with the express additional aim of encouraging motorists to switch their engines off while dropping off and picking up their children;
- Issue FPNs to those motorists who refuse to turn off their engines without good reason when requested by a Civil Enforcement Officer;
- Install anti-idling signs around schools to hammer home the message;
- Investigate the greater use of CCTV equipment and CCTV vehicles to assist enforcement;
- Expedite the rollout of "School Streets" at suitable locations as part of its efforts to encourage safer and healthier travel to and from school, while also helping to boost air quality levels;
- Work with schools to develop School Travel Plans which reduce the number of cars used on the school run through initiatives like 'walking buses' and car-pools

Proposed by:

Cllr Richardson Seconded by: Cllr Cowan

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Meeting:	Cabinet
Date:	18 th September 2023
Classification:	Part 1
Key Decision:	No
Title of Report:	Action Taken by Individual Cabinet Member
Report Author:	Tim Row (Principal Democratic Services Officer)
Executive Director	Joe Chesterton (Executive Director - Finance & Resources)

1. Purpose of Report

- 1.1 The report sets out the decision taken by the Cabinet Member for Housing and Planning.
- 1.2 The following action was taken by the Cabinet Member:

Cabinet Member for Housing & Planning authorised:

Approval of the Porters Place Southend-on-Sea LLP 2021/22 accounts on behalf of Southend-on-Sea City Council, as joint venture partner.

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