

Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Place Scrutiny Committee

Date: Monday, 12th February, 2024

Time: 6.30 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Democratic Services Officer

Email: committeesection@southend.gov.uk

A G E N D A

- 1 **Apologies for Absence**
- 2 **Declarations of Interest**
- 3 **Minutes of the Meeting held on Monday, 29th August, 2023**
(Pages 3 - 6)
- 4 **Minutes of the Special Meeting held on Monday, 15th January, 2024**
(Pages 7 - 8)
- 5 **Minutes of the Special Meeting held on Thursday, 25th January, 2024**
(Pages 9 - 10)
- 6 **Questions from Members of the Public**
- **** **ITEMS CALLED-IN FROM THE FORWARD PLAN FOR PRE-CABINET SCRUTINY**
- 7 **Economic Growth Strategy 2024-2028**
Report of Executive Director (Environment & Place)
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- 8 **Environment & Regulatory Enforcement Policy**
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- 9 **Renewal of Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas Public Space Protection Order (No 1)**
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****** OTHER SCRUTINY MATTERS**

12 Outside Bodies Task and Finish Group – Final Report and Recommendations

Report of Executive Director (Strategy and Change)
(Pages 105 - 138)

TO: The Chair & Members of Place Scrutiny Committee:

Councillor R Woodley (Chair),
Councillors C Mulroney (Vice-Chair), M Berry, C Campbell, O Cartey, D Cowan, A Dear,
F Evans, I Gilbert, J Harland, L Hyde, A Jones, D Jones, K Robinson, M Terry, C Walker
and J Warren

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Place Scrutiny Committee

Date: Tuesday, 29th August, 2023
Place: Committee Room 1 - Civic Suite

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Present: Councillor R Woodley (Chair)
Councillors B Beggs*, C Campbell, O Cartey, D Cowan, A Dear,
I Gilbert, J Harland, L Hyde, A Jones, D Jones, G Leroy*,
R McMullan*, K Robinson, M Terry and J Warren
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillors H Boyd, K Buck, T Cox, M Davidson and D Nelson
T Row, R Lumley, K Waters, E Georgeou and N Brown

Start/End Time: 6.30 pm - 8.35 pm

21 Apologies for Absence

Apologies for absence were received from Councillors Berry (substitute: Councillor Leroy), Evans (no substitute), Mulroney (substitute: Councillor McMullan) and Walker (substitute: Councillor Beggs).

The Committee requested that its condolences be sent to Councillor Mulroney following the recent passing of her husband.

22 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors Boyd, Buck, Cox, Davidson and Nelson (Cabinet Members) - Interest in the pre-Cabinet scrutiny items referred direct; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011;

(ii) Councillor Buck – Minute 28 (In-depth Scrutiny Project 2022/23 – Preparing Southend for the EV Revolution) – Cabinet Member;

(iii) Councillor Anne Jones – Minute 26 (Economic Growth Strategy) – Apprenticeships were mentioned in the debate and her son is on an Apprenticeship scheme at the Council; and

(iv) Councillors Buck & Terry – Minute 27 (Procedure for Statutory Nuisance Investigation and Progression Policy) – Member of the Board of South Essex Homes which was mentioned in the debate.

23 Questions from Members of the Public

The Committee noted the responses to questions from Mr Webb to the Cabinet Member for Environment and the Cabinet Member for Highways, Transport and Parking. In the absence of Mr Webb, a copy of the responses will be sent to him.

24 Minutes of the Meeting held on Monday, 10th July, 2023

Resolved:-

That the Minutes of the meeting held on Monday, 10th July 2023 be received, confirmed as a correct record and signed.

25 Minutes of the Special Meeting held on Monday, 24th July, 2023

Resolved:-

That, subject to the inclusion of Councillor McMullan in the list of attendees, the Minutes of the special meeting held on Monday, 24th July 2023 be received, confirmed as a correct record and signed.

26 Economic Growth Strategy

The Committee considered the report of the Executive Director (Environment & Place), by way of pre-Cabinet scrutiny, that sought approval of the principle of preparing an up-to-date Economic Growth Strategy, the likely timescales for creating it and proposed elements of the structure of the strategy.

The Committee welcomed the production of the strategy and discussed the matter in some detail. The Cabinet Member for Economic Growth and Investment attended the meeting and responded to a number of questions.

The Cabinet Member requested that the details of any potential consultees, businesses or any service areas/industries not included in the previous strategy be sent to him for inclusion in the process. He also gave assurance that the initial formatted draft of the strategy would be circulated to all group leaders for comment and would be the subject of pre-Cabinet scrutiny.

Resolved:-

That the report to Cabinet be noted.

Note: This is an Executive function
Cabinet Member: Councillor Nelson

**27 Procedure for Statutory Nuisance Investigation and Progression
'Nuisance**

The Committee considered the report of the Executive Director (Environment & Place), by way of pre-Cabinet scrutiny, that presented the Statutory Nuisance Investigation and Progression Policy, following its review by the Public Protection Working Party.

The Cabinet Member for Children's Services, Education & Learning, attended the meeting on behalf of the Cabinet Member for Regulatory Services to present the report in his absence.

The Committee discussed the report in detail and asked a number of questions which were responded to by the Council's Head of Regulatory Services.

In response to questions regarding the number of successful enforcement actions taken in respect of nuisance in the last year and the frequency of noise nuisance complaints from noise generated by development, the Head of Regulatory Services undertook to circulate the information to the Committee in writing.

The Committee recommended that clarification for residents be included in respect of the types of nuisance that can and can't be investigated, the typical timeframes of standard abatement notices and what they can expect after the abatement notice has been served.

Resolved:-

That, subject to the inclusion of the comments from the Committee, the report be noted.

Note: This is an Executive function
Cabinet Member: Councillor Lamb

28 In-depth Scrutiny Project 2022/23 - Preparing Southend for the EV Revolution

Further to Minute 13 of its meeting held on 10th July 2023, the Committee considered a report of the Executive Director (Finance & Resources) that presented the final report and recommendations from the in-depth Scrutiny project for 2022/23, entitled 'Preparing Southend for the Electric Vehicle Revolution.'

In response to questions, the Cabinet Member for Highways, Transport and Parking gave his assurance that any proposals regarding the installation of charging points on the highway would be circulated to Councillors in advance. He also undertook to ensure the slides from the presentations to the project team be circulated to the Committee for information.

Resolved:-

1. That the report and recommendations arising from the In-Depth Scrutiny Project for 2022/23, detailed at Section 6 of the submitted report, be agreed.

2. That the Chair of the Project Team for the In-Depth Scrutiny Project (Councillor K Buck) present the report and recommendations of the scrutiny project to a future meeting of the Cabinet.

Note: This is an Executive function
Cabinet Member: Councillor Buck

29 Work Programme

The Committee noted the list of items included on the work programme and suggested that drain blockages be identified as the first item to be considered.

Resolved:-

That the work programme be noted.

Note: This is a Scrutiny function.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Place Scrutiny Committee

Date: Thursday, 25th January, 2024
Place: Committee Room 1 - Civic Suite

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Present: Councillor R Woodley (Chair)
Councillors C Mulroney (Vice-Chair), B Beggs*, M Borton*, O Cartey,
D Cowan, A Dear, M Dent,* N Folkard*, J Harland, L Hyde, D Jones,
C Nevin*, K Robinson and S Wakefield*
(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors T Cox and M Davidson (Cabinet Members) and G Leroy
A Richards, R Lumley, N Watts, A Bull and T Row

Start/End Time: 6.30 pm - 9.30 pm

34 Apologies for Absence

Apologies for absence were received from Councillors Berry (substitute: Councillor Nevin), Campbell (substitute: Councillor Folkard), Evans (no substitute), Gilbert (substitute: Councillor Dent), Terry (substitute: Councillor Wakefield), Walker (no substitute) and Warren (substitute: Councillor Beggs).

35 Declarations of Interest

No interests were declared at the meeting.

36 Questions from Members of the Public

There were no public questions.

37 New Waste Collection Service Policies (Wheeled Bin Suitability Criteria)

The Committee considered a report of the Executive Director (Environment & Place), presenting a wheeled bin suitability criteria policy required as part of the implementation of the transformed recycling and waste service from a weekly sack service to a fortnightly wheeled bin service. A copy of the draft policy was attached to the submitted report at Appendix 1. Examples of the wheeled bins were displayed at the meeting.

The Committee discussed the matter in some detail and asked a number of questions which were responded to by the Cabinet Member for Environment, the Leader of the Council and officers.

Concerns were expressed at the apparent lack of detail within the report and the number of issues regarding the delivery of the transformed service that remained unclear and unresolved. In respect of the draft suitability criteria policy, the issues included:

- more information was needed regarding the assessments of properties eg how would they be undertaken and who would undertake the assessments;
- clarification of the appeals process was required, including timescales, who administers the process and the validity of any appeal eg should the homeowner not wish to alter their front garden to accommodate the wheeled bins, how vulnerable residents or residents who need support can appeal;
- the size of the bins and space required for their storage was unclear;
- details regarding the storage of bins at the rear of properties and how they could be brought to the front ready for waste collection required clarification;
- more information was needed in respect of those vulnerable residents with additional needs or require additional support;
- more information/clarity was needed regarding the special kerbside process eg residents eligible for this may not have enough space to store 2 weeks of waste;
- more clarification was needed about HMOs and split-level conversions, where storage space is shared;
- the details of collection points of the bins was unclear, how were properties assessed, who undertakes the assessment; and
- clarification was needed when the refuse vehicles were unable to access the collection point for the bins.

The Committee was informed that there were a further suite of policies being developed to support the transformation of the waste collection service and that a delay in finalising the policy was highly likely to impact the procurement timetable.

On the basis of the information contained within the report and that there were a number of issues that required further clarification, the Committee:

Resolved:

That Cabinet be recommended not to adopt the draft wheeled bin suitability criteria policy as set out in Appendix 1 to the submitted report and that the matter be referred to the Environment Working Party for consideration.

Note: This is an Executive function

Not eligible for call-in as the matter has been subject to pre-Cabinet scrutiny.

Cabinet Member: Councillor Davidson.

Chair: _____

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Place Scrutiny Committee

Date: Thursday, 25th January, 2024
Place: Committee Room 1 - Civic Suite

5

Present: Councillor R Woodley (Chair)
Councillors C Mulroney (Vice-Chair), B Beggs*, M Borton*, O Cartey,
D Cowan, A Dear, M Dent,* N Folkard*, J Harland, L Hyde, D Jones,
C Nevin*, K Robinson and S Wakefield*
(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors T Cox and M Davidson (Cabinet Members) and G Leroy
A Richards, R Lumley, N Watts, A Bull and T Row

Start/End Time: 6.30 pm - 9.30 pm

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Apologies for absence were received from Councillors Berry (substitute: Councillor Nevin), Campbell (substitute: Councillor Folkard), Evans (no substitute), Gilbert (substitute: Councillor Dent), Terry (substitute: Councillor Wakefield), Walker (no substitute) and Warren (substitute: Councillor Beggs).

35 Declarations of Interest

No interests were declared at the meeting.

36 Questions from Members of the Public

There were no public questions.

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The Committee discussed the matter in some detail and asked a number of questions which were responded to by the Cabinet Member for Environment, the Leader of the Council and officers.

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- more information was needed in respect of those vulnerable residents with additional needs or require additional support;
- more information/clarity was needed regarding the special kerbside process eg residents eligible for this may not have enough space to store 2 weeks of waste;
- more clarification was needed about HMOs and split-level conversions, where storage space is shared;
- the details of collection points of the bins was unclear, how were properties assessed, who undertakes the assessment; and
- clarification was needed when the refuse vehicles were unable to access the collection point for the bins.

The Committee was informed that there were a further suite of policies being developed to support the transformation of the waste collection service and that a delay in finalising the policy was highly likely to impact the procurement timetable.

On the basis of the information contained within the report and that there were a number of issues that required further clarification, the Committee:

Resolved:

That Cabinet be recommended not to adopt the draft wheeled bin suitability criteria policy as set out in Appendix 1 to the submitted report and that the matter be referred to the Environment Working Party for consideration.

Note: This is an Executive function

Not eligible for call-in as the matter has been subject to pre-Cabinet scrutiny.

Cabinet Member: Councillor Davidson.

Chair: _____

Agenda Item No.



Title: Economic Growth Strategy

Meeting: Cabinet

Date: 4 March 2024

Classification: Part 1

Policy Context: Corporate Plan 2023 to 2027

Key Decision: Yes

Executive Director: Alan Richards

Report Authors: Nick Brown and Kevin Waters

Executive Councillors: Councillor Daniel Nelson

1. Executive Summary

1.1. Enabling economic growth and a strong and prosperous business community is integral to the work of Southend-on-Sea City Council. This Economic Growth Strategy 2024-28 sets out our approach to boosting and sustaining a robust economy in Southend-on-Sea that fosters prosperity for businesses and our communities.

2. Recommendations

It is recommended that Cabinet:

2.1. **Agree the adoption of the Economic Growth Strategy 2024-28 and that authority for any final minor changes prior to publication be delegated to the Executive Director, Environment and Place, in consultation with the Cabinet Member for Growth and Investment.**

3. Body of the report

3.1. The previous Economic Growth Strategy for Southend-on-Sea concluded in 2022. The significantly changed economic context since the preparation of that document presented a compelling case for the creation of a new strategy

reflecting the current environment, highlighting the city's strengths and opportunities and setting out our approach to addressing key challenges. The document has been produced in-house by the Economic Inclusion Service in collaboration with the Data Insights Team.

- 3.2. The strategy has been shaped by our new Corporate Plan, in particular the priority within it of 'A growing city with a strong and prosperous community', a wide range of data sources, engagement with stakeholders and the broader suite of council policy of which it would form a part.

4. Reasons for Decisions

- 4.1. Enabling economic growth and a strong and prosperous business community is integral to the work of Southend-on-Sea City Council. While there is no statutory requirement to have an economic growth strategy it is good practice and such a strategy can guide Council decision-making and activity to maximise the level of and benefits from economic growth for businesses and residents.

5. Other Options

- 5.1. The Council could decide not to produce a new economic growth strategy. This would represent a missed opportunity to promote and capitalise on economic growth opportunities in the city for all.

6. Financial Implications

- 6.1. There are no immediate financial implications from adopting the strategy. Resource requirements, including personnel, skills, time and budget, will be outlined more fully in the subsequent delivery plan. As highlighted in the strategy, our approach will be to actively seek external funding opportunities and maximise partnership working to strengthen our ability to deliver the strategies objectives.

7. Legal Implications

- 7.1. There are no statutory provisions which require Councils to develop an Economic Growth Strategy. Councils are however invaluable partners in regional and local economic growth, in particular when they engage their functions around transport, waste, clean energy, water and digital, act as convenors for local businesses or promote investment in their area.
- 7.2. The Council can rely on a discretionary power to promote economic growth. This strategy is developed under the Councils general power of competence (sections 1-8 Localism Act 2011). This enables a Council to do anything that

an individual may do. This strategy is designed to support the best interests of the community, delivering economic growth through innovation and partnership working.

8. Carbon Impact

- 8.1. The strategy aims to support the transition to a low carbon economy in Southend and it includes a range of actions to deliver positive carbon impacts.

9. Equalities

- 9.1. A staged approach has been taken to the equality analysis for this strategy. An initial analysis of how people with protected characteristics will be impacted by the strategy has been carried out based on current information and this identified a number of positive impacts for groups with protected characteristics. As the strategy moves forwards further data and research will be used to create a fuller understanding of who the audiences are and how we can reach a positive impact. We will use this insight to inform our delivery plan and a further equality analysis to be carried out as part of developing the delivery plan.

10. Consultation

- 10.1. A consultation survey on the Economic Growth Strategy was available on 'Your Say Southend' and hard copies of this were available for completion at the last Southend Business Partnership Briefing session. The survey was shared with the Essex Chambers of Commerce for distribution among their members and the new Strategic Southend Business Partnership Board. Engagement also took place with the Economic Crisis and Recovery Group and the Southend Business Partnership Executive. In addition to this there have been workshops with a wide range of Council services. The feedback received has been used to shape the approach taken in the strategy.

11. Appendices

- 11.1. Appendix 1: Economic Growth Strategy 2024-28

Report Authorisation

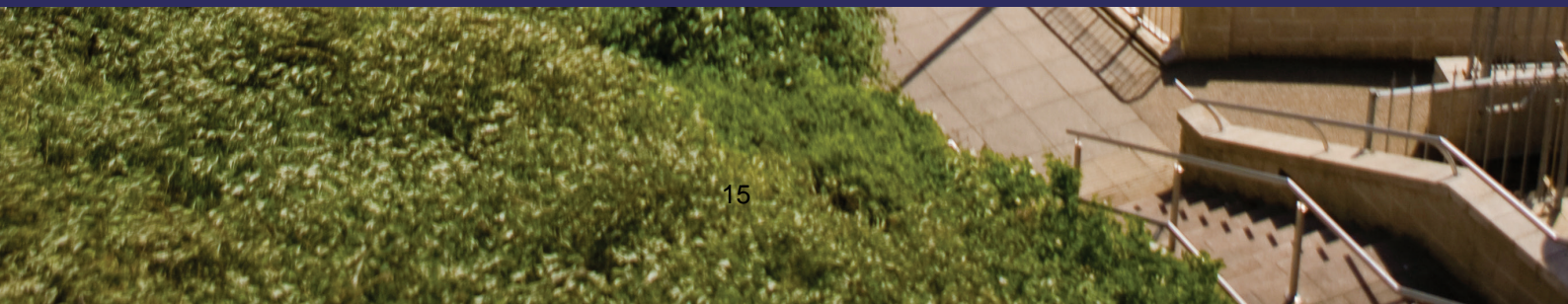
This report has been approved for publication by:

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Joe Chesterton	19 January 2024
Monitoring Officer	Kim Sawyer	22 January 2024
Executive Director(s)	Alan Richards	5 January 2024
Relevant Cabinet Member(s)	Councillor Nelson	8 January 2024



Economic Growth Strategy

Southend-on-Sea City Council
2024 to 2028



Foreword

The council is committed to enabling economic growth in Southend-on-Sea and building strong and prosperous communities. We want to help businesses and organisations to achieve sustainable economic growth, improve communities and provide secure, high quality and well-paid jobs for our residents.

We will deliver economic growth by focusing on our strengths. Southend-on-Sea is a city with a strong entrepreneurial spirit. In 2022, over 1,100 new businesses were launched in the city¹. The majority (99%) of businesses and organisations in Southend-on-Sea are micro or small enterprises². Our city benefits from sectors including retail, aviation, engineering, tourism, fisheries, medical technologies, creative and cultural industries, specialist construction, manufacturing and health and social care. We will continue to develop our economic advantages in these sectors and support people to grow their businesses locally, working with partners.

The council will promote, with businesses, what our city can offer employees. People enjoy a good work-life balance here in Southend-on-Sea and can take in our blue and green spaces, strong leisure offer and vibrant cultural and art scene. We are a university city, with regional and local colleges and top performing schools. There are also lots of family-friendly learning and creative opportunities. We can and will do more to capitalise on these strengths and promote the city as a big opportunity for setting up a business.

We will embrace our geographical position as a coastal community in the South East, bordering a sea that has brought commerce, sustenance, opportunity and tourists to the area for centuries, and our proximity to London, to maximise benefits and opportunities for our businesses and communities. We want Southend-on-Sea to become a 'Sydney-on-Thames' with a bustling coastal economy and a leading role in leisure, culture and arts. Like the Australian city Sydney, we want to empower our local workforce, support our small businesses and unleash the power of innovation.

As a council, we are committed to making Southend-on-Sea the best place in the UK to start and grow a micro, small or medium sized enterprise. We will identify the barriers and drivers to becoming a hub for start-ups and small and medium sized enterprises. The council will work with partners, tap into the creativity of our business community and encourage use of local facilities like the LaunchPad innovation hub at Airport Business Park Southend to overcome barriers, seize opportunities and drive innovation. We recognise the crucial role small and medium sized enterprises play in the supply chain of large businesses and want to support this here in the city.

The council is also committed to setting up our young people and adults to succeed in their lives and get decent jobs, whether those jobs are in Southend-on-Sea, south Essex or London. We will help educate and train young people and adults, so they can engage productively with work, achieve their goals and offer the skills employers want.

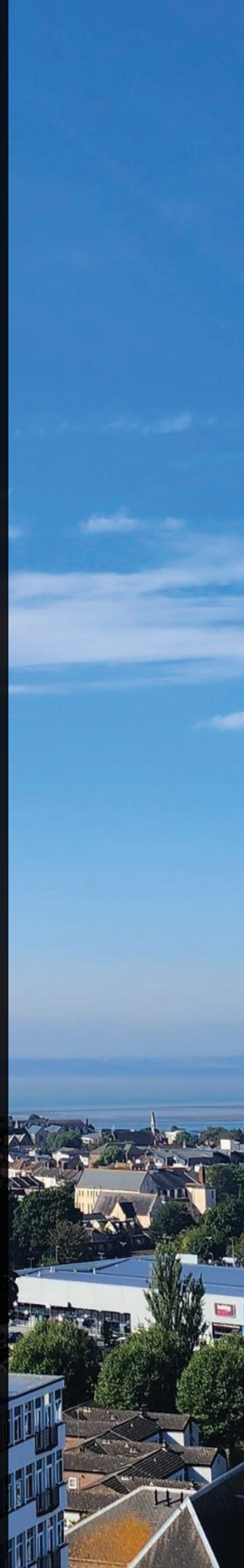
This strategy has been developed amid the ongoing impacts of a pandemic, the UK's low economic growth, severe financial constraints faced by local authorities, a cost-of-living crisis and ongoing deprivation in some of our wards. We will address challenges by identifying anchor projects that deliver positive economic, social and environmental impacts and help to build accessible pathways to financial independence for our residents. We will embrace our role as an anchor institution to convene our communities, business and public sector leaders and work with central government and south Essex partners to create opportunities. We understand the opportunities of Southend-on-Sea and will work with others to achieve the outcomes that all our communities can benefit from.

Councillor Daniel Nelson

Cabinet Member for Economic Growth and Investment, Southend-on-Sea City Council

¹ Office for National Statistics (ONS), UK Business Demography data (ONS, 2023)

² ONS, UK Business Counts 2023 data (ONS, 2023)



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1 | Introduction

Enabling economic growth and a strong and prosperous business community is integral to the work of Southend-on-Sea City Council. It has a key role in levelling up disparities across the city and bringing positive changes that benefit all communities in Southend-on-Sea.

The Southend-on-Sea Economic Growth Strategy 2024 to 2028 is a key document for the council and the city. It is realistic, strategic and adaptable. With this strategy, we aim to:

- Support established businesses and organisations in Southend-on-Sea to achieve sustainable economic growth, particularly those in our key growth and strategic sectors, and drive the development of local skills, employment and infrastructure.
- Promote Southend-on-Sea as the home of micro, small and medium sized enterprises to deliver a growing business base in the city.
- Improve our skills base, attract new talent and improve access to high quality jobs for employees, jobseekers and students, particularly those in wards with lower skills and employment levels.

Southend-on-Sea's key growth sectors include creative and cultural industries, health and social care, specialist construction and specialist manufacturing. Our strategic sectors include aviation and engineering, financial services, medical technologies, retail and tourism.

Guiding principles for the strategy that underpin the above priorities are:

People



Promoting economic growth that is resident and business focused.

Place



Promoting our unique assets and tackling the challenges we face in our communities.

Infrastructure



Accessing opportunities through infrastructure planning and investment.

Our approach

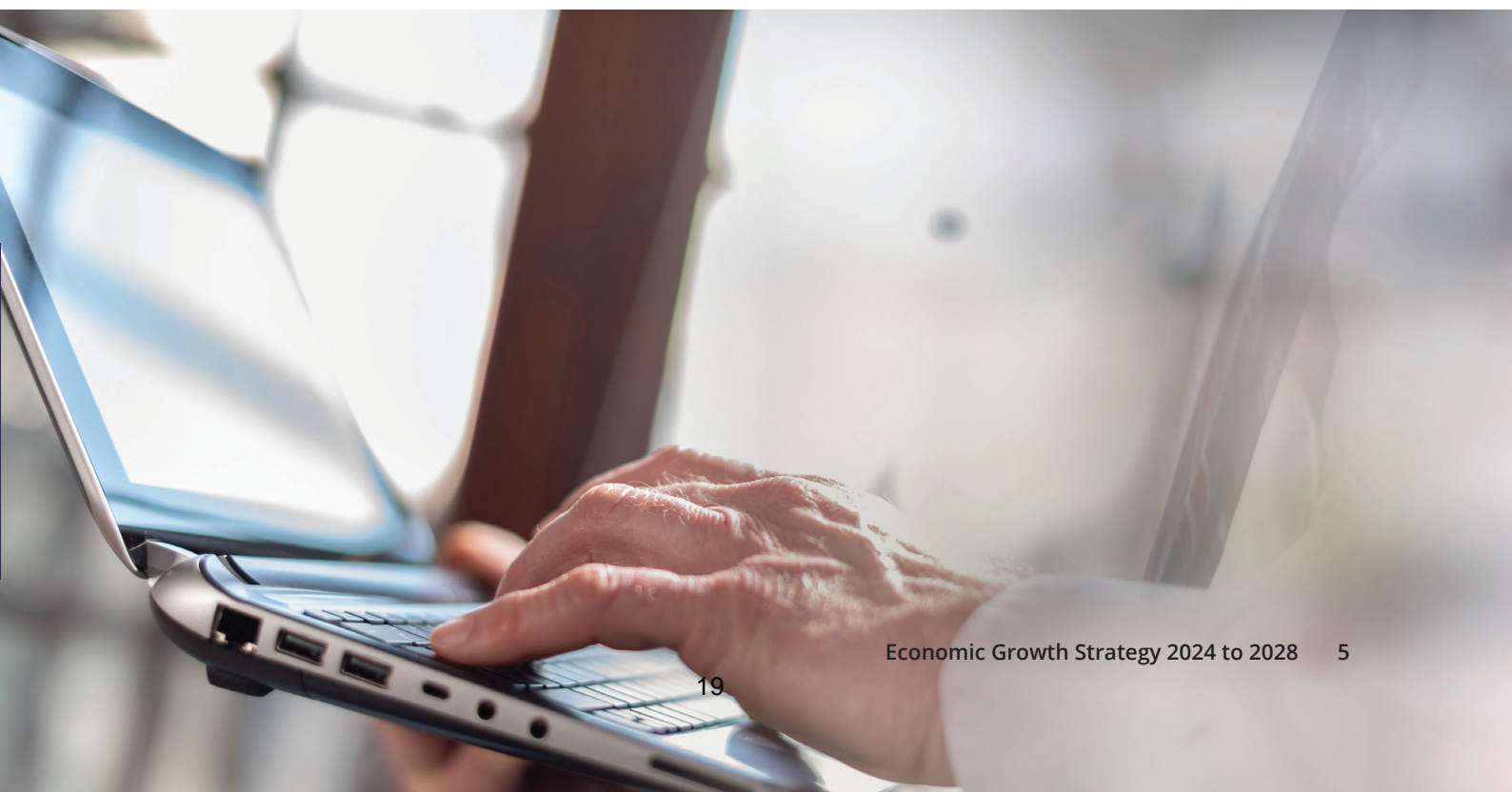
The economic growth strategy sits underneath Southend-on-Sea City Council's Corporate Plan 2023 to 2027. The corporate plan provides a medium-term vision for Southend-on-Sea and how we will grow the city with a strong and prosperous community.

The economic growth strategy sets out what we will do over the next five-years to deliver a growing city with a strong and prosperous community. It is supported by an evidence base, an action plan for implementing the strategy and a plan for monitoring and evaluating performance. Our strategy will need to be agile to adapt to the changing requirements of our residents, businesses and other organisations.

We have focused on our key strengths as a city and what we believe can deliver sustainable economic growth in Southend-on-Sea. These objectives will be progressed within the lifetime of this strategy. We recognise the importance of other determinants of economic growth and these will be addressed in other supporting plans.

The strategy will serve as an umbrella document, setting out the overall approach for delivering economic growth in Southend-on-Sea. Underneath the strategy will sit specific, detailed plans, covering different areas of focus. These will be developed subsequently in collaboration with relevant partners and stakeholders. Examples could include plans for:

- Promoting businesses engagement
- Attracting new businesses, organisations and investment
- Workforce development
- Clean growth
- Boosting tourism
- Supporting our strategic and growth sectors



There has been extensive consultation with stakeholders in the development of this strategy. We want to maximise the benefit from collaboration opportunities across the organisation and for economic growth to be a key consideration within all council activity. This strategy has a specific focus on business and enterprise. It has been prepared to sit alongside and work with a suite of existing strategies which are also relevant to economic growth. These include:

- [City Centre Strategy and Investment Plan 2022](#)
- [Housing, Homelessness and Rough Sleeping Strategy 2018 to 2028](#)
- [Southend Health and Wellbeing Strategy 2021 to 2024](#)
- Southend Skills Strategy 2023 to 2028 (in development)
- Southend-on-Sea City Council Digital Strategy (in development)
- [Southend-on-Sea City Council Tackling Poverty Strategy and Action Plan](#)
- [Southend-on-Sea City Council Tourism Strategy and Destination Southend Plan](#)
- Southend-on-Sea City Council's adult social care strategies – [Ageing Well](#), [Caring Well](#) and [Living Well](#) – and our Market Position Statement

The strategy will feed into sub-regional strategic planning across [South Essex Councils](#) and any evolution of future devolution discussions with our partners in Essex and Thurrock. While our focus is on highlighting our unique appeal as a centre for micro, small and medium sized enterprises, we will also market our offer with larger businesses to encourage inward investment and attract employment. We will extend our support to these businesses, recognising their key role in the supply chain and their representation of the city in regional and national spaces.

We want to build upon our economic advantages in our strategic sectors of retail, aviation and engineering, tourism, fisheries and medical technologies, as well as in our growth sectors of creative and cultural industries, specialist construction and manufacturing and health and social care. Inclusive growth, which balances productivity, environmental and community outcomes, is key to delivering good growth in Southend-on-Sea. We will support the transition to a green economy and respond to emerging and changing sectors like natural habitat protection, coastal tourism and artificial intelligence (AI), identifying potential opportunities for businesses and organisations.

This strategy outlines how we will work our partners, stakeholders and networks in south Essex to achieve objectives. Business networks like the Essex Chamber of Commerce, Southend City Business Improvement District, Southend Business Partnership and Southend Tourism Partnership are key, so too are large employers like Olympus KeyMed, London Southend Airport and Ipeco. We will strengthen existing relationships and establish new ones, integrating shared objectives into our strategy and plans where possible.

We will continue to monitor the health of the economy at all scales and undertake activity to maximise benefits for our residents and businesses accordingly. Research indicates that despite the current challenging economic climate, the transport, storage, health, arts, entertainment, and recreation sectors are expected to experience growth in the coming years³. This represents an opportunity for the city if we can position ourselves appropriately in our key sectors.

³ Based on [PwC's Good Growth for Cities report](#) (PwC, 2023)

Ambition

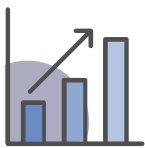
2 | and objectives

Ambition

Our ambition is to make best use of Southend-on-Sea City Council's resources to grow the city's economy in a sustainable way, securing inward investment into the area, improving business conditions, making Southend-on-Sea the best place in the UK to start and grow a small business and enhancing skills and job opportunities for residents.

Objectives

Our objectives are to:



Support established businesses in Southend-on-Sea to achieve sustainable economic growth.

Measured through gross value added by industry, gross value added per hour worked, business birth, death and survival rates and the number of businesses engaged.



Promote Southend-on-Sea as the home of micro, small and medium sized enterprises

Measured through the number of businesses and their legal status, industry, employment and turnover size bands.



Support employees, business owners, jobseekers and students in Southend-on-Sea to achieve their career ambitions

Measured through the number of jobs and vacancies, employment and earnings, qualification levels, employment by industries and occupations and job quality.

3 | Guiding principles

The economic growth strategy is underpinned by guiding principles covering three areas:

- **People**
- **Place**
- **Infrastructure**

People

The wellbeing and aspirations of our residents and businesses are at the heart of this strategy. We will celebrate the unique characteristics and assets of our communities and make sure our services are accessible to enable people to unlock their full potential. This will include, helping local businesses with their recruitment needs and working with partners in the further education sector and communities to address skills requirements, to assist people in achieving secure and stable jobs and enabling businesses to grow. We also want to equip our businesses to thrive in and beyond the city, boosting aspiration and leading to better financial outcomes.

Place

We will promote Southend-on-Sea as a top destination to live, learn, do business and access our leisure and cultural activities. We will work jointly with neighbouring councils to facilitate economic growth and prosperity in the south Essex region. This will include promoting the use of facilities like the Airport Business Park Southend and the LaunchPad innovation hub within the business park to businesses and organisations. With the shift to more remote and hybrid working since the pandemic, we will also embrace opportunities to market the city as a hub for remote and hybrid working, to attract businesses and professionals seeking a dynamic and supportive environment in the evolving work landscape whilst remaining close to London and Europe via our nine train stations with direct access in to Fenchurch Street or Liverpool Street and London Southend Airport..

We will actively work with businesses, communities and partners to shape the physical, economic, social and cultural aspects of Southend-on-Sea to improve the quality of life for all. Recognising that certain wards within the city face challenges related to lower skills and employment levels, we will tailor our delivery to enhance the accessibility of services in these areas. We will use the strength of existing council and partner strategies and plans and encourage effective stakeholder leadership, advocacy and communication across the city to create a more cohesive and comprehensive approach to place.

Infrastructure

We will continue to attract investment to support economic growth, regeneration and business and community development. We will make Southend-on-Sea a competitive investment and growth destination by strategically allocating resources to provide the best value for money, working with partners and securing the necessary resources to stay at the forefront of opportunities in Greater Essex and along the Estuary corridor, as well as the associated supply chains. We will prepare funding bids and business cases that demonstrate the viability and positive impact of proposed initiatives and showcase Southend-on-Sea's unique offer and market potential, making a compelling case for investment in the city. A strong track record of delivering projects on time and within budget distinguishes Southend-on-Sea, and maintaining this track record secures the city's position as a great investment prospect for the future.

We will use our spending power wisely and identify projects and initiatives that align with our objectives and have the potential to yield significant impact. We will support improvements to local infrastructure, including transport, digital connectivity and inclusion. We will also continue to invest in our city centre and our tourism, cultural and leisure offer, to enhance the City's appeal as a destination for businesses and to create a desirable living environment. We will encourage the generation of project ideas and investments that can transform our economy and communities. These ideas and investments should align with our objectives for economic growth and move the city towards a low carbon economy.



Delivering the strategy

In this section we detail specific actions that we will carry out and support to deliver our objectives. We acknowledge that these actions exist in a world of evolving economic realities, including changing work patterns, the green agenda and significant developments in AI among other factors, all of which will impact our local economy. Southend-on-Sea also sits within the south Essex economy and is influenced by the rest of Essex and London. As we put these actions into practice, we will consistently evaluate these demands, making necessary adjustments and seizing opportunities, while also effectively addressing challenges.

Support established businesses in Southend-on-Sea to achieve sustainable economic growth

People

- Offer accessible business support, including financial and funding advice and networking and business opportunities, such as understanding the export potential of goods and services.
- Promote local talent retention opportunities and upskilling of the workforce.
- Engage and promote sector-led working groups to raise the profile of and engage with businesses and organisations.

Place

- Develop inward investment plans that identify the types of businesses and organisations we want to attract to Southend-on-Sea.
- Promote the city as the creative hub of Essex.
- Work with partners to signpost to and promote our local offer.
- Promote the delivery of spaces that businesses need to operate and grow.
- Assist businesses and organisations in their interactions with the council.

Infrastructure

- Bid for funding to support sustainable economic growth.
- Share funding opportunities and developments with businesses and organisations.
- Enhance infrastructure development, particularly in the areas of transport and digital infrastructure.
- Facilitate growth of London Southend Airport, in partnership with Rochford District Council and other stakeholders, to realise its potential as a regional transport hub, providing new employment opportunities and space for growing businesses. Mindful of the impact of night flights on communities, we will work with the airport to minimise the impact of night flights on residents who live under the airport's flight path.
- Provide businesses and organisations with guidance and support to improve their premises, reduce energy costs, cut carbon emissions and minimise their environmental impact.

Promote Southend-on-Sea as the home of micro, small and medium sized enterprises

People

- Offer a personalised approach when engaging with enterprises, to understand their individual needs and provide tailored business support and resources.
- Give stakeholders an active role in the coproduction of projects and services.
- Signpost businesses and organisations to recruitment resources and platforms within the community to access local talent.
- Identify and establish channels for businesses and organisations to access skills providers, promoting employee training and development opportunities.
- Promote apprenticeship programmes, encouraging businesses and organisations to invest in local talent development to provide hands-on experience and career pathways.

Place

- Develop plans to attract businesses and organisations to the city, including medium and large sized enterprises, focusing on sectors that bring the greatest value.
- Make sure council services respond to the needs of businesses, for example, community safety and environmental health.
- Promote the growth of community-led business hubs and networks, providing them with the support and resources to thrive and collaborate.
- Market the city as a hub for micro, small and medium sized enterprises with a wider audience.
- Champion local needs and community ownership of businesses, recognising employment hotspots in wards and empowering residents to take an active role in the economy.
- Engage businesses and organisations in shaping the city's identity and success, fostering a sense of pride and commitment to its growth.
- Use our assets and networks to facilitate idea sharing, joint working and growth among businesses and organisations.
- Marketing and events to promote businesses and organisations in partnership with others where possible.
- Advocate for the creation of coworking spaces, promote innovation and enhance digital skills to make Southend-on-Sea a top destination for remote working.
- Work with businesses and organisations to move the city to a green economy and seize green business opportunities.

Infrastructure

- Use the council's spending power to increase sourcing of goods and services locally.
- Support capital infrastructure projects that benefit micro, small and medium sized enterprises to create a more favourable environment for businesses and organisations to thrive.
- Enhance transport and digital infrastructure development – promoting accessibility with investors and partners.
- Promote use of Airport Business Park Southend and the LaunchPad innovation hub within the business park and the business support Oxford Innovation provide through the Launchpad.
- Support landlords to promote accessible workspaces that cater to the needs of micro, small and medium sized enterprises.

Support employees, business owners, jobseekers and students in Southend-on-Sea to achieve their career ambitions

People

- Increase adult qualification levels through accessible means, collaborating with partners such as South Essex College, Southend Adult Community College and University of Essex.
- Advocate for good work with fair pay, working with businesses and organisations to promote the living wage, emphasising its benefits for employee retention.
- Align career guidance from childhood to adulthood and promote pathways to employment alongside upskilling opportunities.
- Promote accessible foundational and essential skills training for individuals facing financial hardship.
- Assist in entering the workforce and addressing skills gaps by providing employability training, particularly for those who are furthest from the job market, partnering with employers to deliver training that bridges skills gaps.
- Promote the development of green skills and training courses needed to do green jobs.

Place

- Promote further and higher education and training providers offering employer-tailored training, facilitate interactions and signpost to encourage use of local providers.
- Champion flexible, vocational education and skills premises that are accessible to public education and skills providers, non-profit providers and private firms.
- Engage with national initiatives like Multiply, the government-funded programme to help adults improve their numeracy skills, and local programmes to support the development of career pathways and connect employers with suitable avenues for progression and qualification enhancement.
- Highlight the local offer of physical and virtual learning centres, aiming to increase awareness and encourage active engagement with local educational opportunities.
- Encourage enrolment in The Digital Academy Southend to foster digital career pathways, establishing a talent pipeline that bolsters the city's digital innovation ambitions and enhances its reputation as a hub for remote and hybrid working.

Infrastructure

- Engage differently across south Essex to streamline the business engagement offer and simplify access for businesses.
- Engage with the Greater Essex Local Skills Improvement Plan to make sure Southend-on-Sea is seamlessly integrated into the plan to maximise funding, efficiencies and collaboration opportunities.
- Make sure partners and stakeholders are aware of and can access funding opportunities.
- Provide and signpost individuals and organisations to guidance and support to streamline the process of applying to and accessing funding.

Other key steps for delivering this strategy

Outline our resources

Our delivery plan will outline our resourcing, including people, skills, time, budget and the role for business and partners to play. We will actively seek external funding opportunities and maximise partnership working to strengthen our ability to deliver services in line with our objectives. We recognise work may be required to build knowledge and capability within both the council and those responsible for delivering the strategy.

Engage stakeholders and partners

We will identify the key stakeholders and partners for each priority area, who will help with delivery of the strategy. We will need to develop our understanding of stakeholders to identify their spheres of influence, areas of interest and the key individuals within groups or organisations. We will use a behavioural approach to optimise the way we engage with audiences. This will include delivering more effective communication activities and taking a personalised approach to stakeholder management to establish and maintain effective working relationships with individuals and organisations.

We will collaborate with our partners to champion Southend-on-Sea and create the conditions for sustained economic growth. We will consult and share ideas with partners and make sure that an appropriate network of internal and external partners can effectively and efficiently review activities and initiatives across Southend-on-Sea.

Within the council, we will strengthen connections between services, including economic development and housing, planning and regeneration in the area, to create optimal conditions for attracting and driving economic growth and community development. We are doing this by bringing together all place-based services under one leadership team within the council.

Make the case for Southend-on-Sea

We will create a strong and consistent evidence base and key messages for the city's offer, embedding this across communications and engagement activity. Where resources enable us to do so, we will build a bank of diverse business case studies for use in communications and for external funding applications.



Monitoring and evaluation

5

It is important that we evaluate the impact of activity to understand what is working well. We should recognise and celebrate milestones that are achieved and help raise the profile of Southend-on-Sea.

The council will establish comprehensive monitoring practices on its economic growth activities, to make sure that desired progress is achieved and that economic benefits are maximised for our business and residents. A delivery plan will be created, with measures related to activities monitored by the council, so too an in-depth risk register. This will allow activity to be refined so that initiatives that are not working are stopped and those that prove most successful are invested in and rolled out more widely. It will also demonstrate progress against the economic growth strategy objectives. Therefore, the following metrics should be measured and assessed on a regular basis:

Objective	Measure
Support established businesses in Southend-on-Sea to achieve sustainable economic growth	<ul style="list-style-type: none"> • Business birth, death and survival rates • Gross value added per hour worked • Gross value added by industry • Number of businesses engaged
Promote Southend-on-Sea as the home of micro, small and medium sized enterprises	<ul style="list-style-type: none"> • Businesses by employment size • Businesses by industry group • Businesses by legal status • Businesses by turnover size • Number of VAT traders and PAYE employers
Support employees, business owners, jobseekers and students in Southend-on-Sea to achieve their career ambitions	<ul style="list-style-type: none"> • Employee jobs by industry • Employment • Employment by occupation • Gross weekly earnings for full-time employees • Job quality • Number of jobs • Number of vacancies • Proportion of the population aged 16 to 64 with level 4+ qualifications

We will evaluate impact of activity to understand what works and enable lessons learned.

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Meeting: Cabinet
Date: 4 March 2024
Classification: Part 1
Key Decision: Yes
Title of Report: The Environment and Regulatory Enforcement Policy v2
November 2023

Executive Director: Alan Richards
Report Author: Jeremy Vince
Executive Councillor: Cllr Lamb

1. Executive Summary

- 1.1. Local authorities are required to formulate and regularly review policies, protocols, procedures and technical guides on matters relating to the discharge of its statutory and operational functions.
- 1.2. The Environment and Regulatory Enforcement Policy Version 1.0 November 2020 is an overarching policy and has been reviewed so that it remains fit for purpose and complies with the discharge of our statutory and operational functions.

2. Recommendations

2.1 It is recommended that Cabinet:

- **Adopt the updated The Environment and Regulatory Enforcement Policy v2.0 November 2023 Appendix 1.**

3. Background

- 3.1. The Environment and Regulatory Enforcement Policy ('the policy') was approved by Cabinet on the 14/01/2021 (minute 740: [Agenda Template \(southend.gov.uk\)](https://www.southend.gov.uk))
- 3.2. The policy set a review period of 3 years, in line with which the policy has been reviewed and updated accordingly (Appendix 1).

4. Reasons for Recommendation

- 4.1. We have a duty to make sure our policies remain fit for purpose and comply with the discharge of our statutory and operational functions. The review of the Environment and Regulatory Enforcement policy is a requirement of these duties.

5. Other Options

- 5.1. It is possible to delay the review, however it is good practice to review in line with projected review dates and be in line with Council policy. It is essential that the policy keeps up to date with legislation, thereby reducing the risk of challenge and strengthens the legal position of the Council as enforcement matters progress through formal proceedings.

6. Financial Implications

- 6.1. None.

7. Legal Implications

- 7.1. This policy follows the principles of:
- The Regulators Code www.gov.uk/government/publications/regulators-code;
 - The Enforcement Concordant (Central and Local Government Enforcement Concordat, March 1998);
 - Enforcement contained in the Legislative and Regulatory Reform Act 2006 (“the Act”). {Any person exercising a regulatory function where regulatory activities are carried out, must have regard to the principles that are proportionate, transparent, consistent and accountable and are targeted only at cases in which action is needed (section 21 of the Act)}.

8. Policy Context

- 8.1 The aim of the policy is for the council to carry out its enforcement and regulatory approach in a fair and consistent manner across the city. In doing so the Council will act in accordance with the standards set out in the policy and any other supplementary policies.
- 8.2 The policy will be underpinned by more detailed service specific policies, where appropriate, which are not considered here.

9. Carbon Impact

- 9.1. None.

10. Equalities

- 10.1. An equalities impact assessment has been completed (attached at Appendix 2). There were no negative impacts identified as part of that assessment.
- 10.2. Officers carrying out enforcement will have had equality and diversity training.

11. Consultation

- 11.1. A consultation is current underway and ends on 26 February 2024. All responses received will be reviewed and if any necessary changes are to be made to the Environment and Regulatory Enforcement Policy, these will be brought back to Cabinet for adoption.

12. Appendices

- 12.1 Appendix 1: The Environment and Regulatory Enforcement Policy v2.0 November 2023.

Appendix 2: The Equality Impact Assessment.

12.2 Review Summary:

Version	When Reviewed	Summary of Changes Made
V1.0	November 2023	Overall: Update to City status and new corporate look Updated the 2050 ambitions to the new corporate plan Updated the legislation area list Updates made to Table 1 Other general text updates throughout.

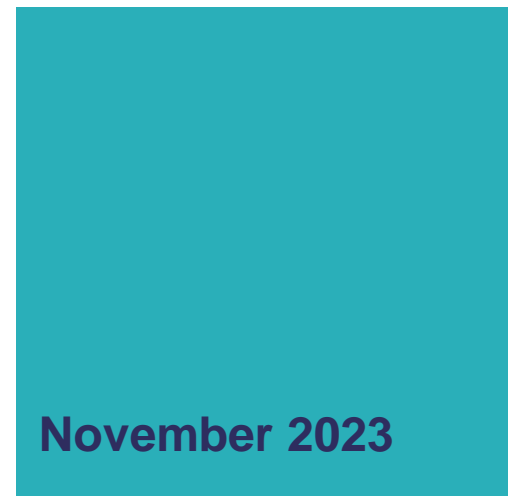
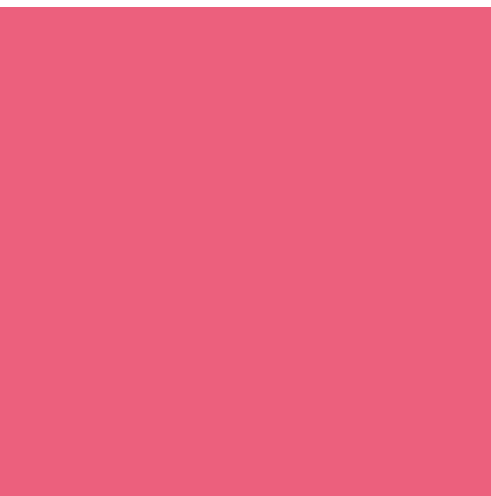
13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Gary Perry-Ambrose	22/01/24
Monitoring Officer	Kim Sawyer	22/01/24
Executive Director(s)	Alan Richards	21/12/23
Relevant Cabinet Member(s)	Cllr Lamb	21/12/23

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Environment and Regulatory Enforcement Policy



Environment and Place

Environment and Regulatory Enforcement Policy

Version	Date	Author	Rationale
1.0	November 2020	Neighbourhoods and Environment	New policy, replacing any previous policy in relation to Environment and Regulatory Enforcement
2.0	November 2023	Environment and Place	Policy Review and to update to city status

Authorised by			
Name	Date	Item	Ref
Cabinet	14/01/2021	740	Agenda for Cabinet on Thursday, 14th January, 2021, 2.00 pm (southend.gov.uk)

Next review	Date
1	2026
2	2029

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1. Introduction

The city of Southend-on-Sea is a connected, ambitious, creative and diverse place to live, work and visit. It provides a warm welcome to all. Our corporate plan for 2023 to 2027 sets out the council's focus, what we aim to deliver for our residents, businesses and millions of visitors, and how we will look to transform as an organisation.

Our plan sets out four main priorities that we want to achieve for the city. These are:

- **A growing city with a strong and prosperous community**
Our objective is to boost our local economy in a way that benefits everyone, enhance the city's role as a place for prosperity and opportunity, safeguard businesses and help those most affected by cost-of-living pressures.
- **A safe city with a good quality of life for all**
Our objective is to build strong resilient communities and create a city that is safe for all. We will ensure the right care and advice is available for those who need social care support.
- **A clean city with a resilient environment**
Our objective is to protect and enhance the street scene, tackle environmental sustainability, adaptation and resilience.
- **A transforming council delivering efficient, cost-effective services**
Our objective is to work hard to achieve better value for money for our residents, transform as an organisation and deliver against service standards.

Recently becoming a city gave us the opportunity to create something special. We can build on our strengths. We can create a more equal and inclusive Southend-on-Sea. We can create a place where everyone who lives here has an equal chance to succeed. Further information can be found on our website under [Corporate Plan](#).

This policy supports the more specific desired outcomes from the three overarching city-focused priorities, including:-

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

To help achieve these goals, our approach requires effective joined-up enforcement and regulation.

This policy explains our approach within a framework of legislation in the areas of:-

- Air Quality
- Animal Feed
- Animal Health
- Animal Welfare
- Anti-Social Behaviour
- Environmental Crime
- Environmental Protection
- Food Safety and Standards
- Health and Safety
- Highways
- Selective Licensing
- Stray Dog Service
- Trading Standards
- Private Hire/taxi licensing
- Private Sector Housing
- Public Health

This policy does not cover our approach relating to:-

- Education (school attendance and child employment)
- Finance
- Planning and Building Control
- Parking
- Social Services

For information on the above please refer to the Council's website www.southend.gov.uk

This policy is an overarching policy that applies to the services listed above. It should be noted that some of these services have specific legislative guidance and regulations which set out the enforcement requirements.

The Council has developed this guidance in accordance with the principles of:-

- The Regulators Code www.gov.uk/government/publications/regulators-code;
- The Enforcement Concordant (Central and Local Government Enforcement Concordat, March 1998);
- Enforcement contained in the Legislative and Regulatory Reform Act 2006 (enforcement is proportionate, targeted, transparent consistent and accountable).

2. Aims and Objectives

The Council's aim is to carry out its enforcement and regulatory approach in a fair and consistent manner across the city. In doing so the Council will act in accordance with the standards set out in this policy and any other supplementary policy. This policy will be underpinned by more detailed service specific policies which are not contained here but will be available on the Council's website, they will link to the standards below.

The aim of the policy is to improve the local environment for those that live, visit and work in the city. In particular:-

We may:

- Provide clear advice and guidance to those we could potentially enforce and regulate to help them meet their responsibilities, including through the Council's website, printed information, face to face visits
- Provide ways to engage with those we could potentially enforce and regulate to hear their views e.g. Stakeholder groups such as Pub Watch

We will:

- Ensure that staff are properly trained and adhere to the Council's policy and values and behaviours
- Ensure our approach is in line with the principles of good regulation
- Take immediate action where appropriate to protect people, animals and infrastructure

3. Principles

Our approach will adhere to the following principles:-

- Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence;
- Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures;
- Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by other regulators. We will seek to ensure consistency of enforcement; however, we realise that consistency is not a simple matter of uniformity. Officers will exercise their professional judgement and discretion according to the circumstances of each individual case and the relevant responsibilities and intervention systems that we maintain;
- Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return; and
- Targeted – we will focus our resources on higher risk enterprises and activities reflecting local need and national priorities and where we believe our efforts are able to have an impact;
- Regard has been given to the Regulators' Code, however there may be instances where adherence to the Code is not considered relevant, or statutory guidance and legislation specifies the action that should be taken;
- Where immediate enforcement is required the opportunity for discussion may not be given where there is a serious breach or public health or safety is at risk.

- As a public authority for the purposes of the Human Rights Act 1988 this policy and associated enforcement decisions taken account of the provisions contained in this Act. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.
- Action will be taken with due regard to the Council's Equal Opportunities Policy
- We will have regard to the provisions of The Code for Crown Prosecutors [The Code for Crown Prosecutors | The Crown Prosecution Service \(cps.gov.uk\)](#). The Code sets out the two tests that must be satisfied referred to as the Evidential Test and Public Interest Test.

Evidential test – that there is enough evidence to provide a realistic prospect of conviction against each alleged offender.

Public interest test – which will be decided on the merits of each individual case and making an overall assessment.

4. Service Standards

We will endeavour to meet the highest standards of Enforcement and Regulation. The following service standards will apply:

Accessibility and Communications

- Submitting reports and enquiries will be a clear and accessible process
- Reports and enquiries will be dealt with professionally and timely
- Advice given to prevent non-compliance, and the actions required, along with the reasons for these actions, will be clearly explained.
- Where appropriate, alternative methods of communication will be provided.

Staff Conduct and Behaviour

- Officers will always carry Identification and announce themselves except where it would impede the purpose of the visit
- Officers will provide their contact details when requested
- Officers will always be professional and courteous, adhering to the Council's values and behaviours
- Officers will be suitably qualified and trained, with ongoing access to continuous professional development
- All activity will be conducted in a manner that respects equality and diversity

Investigation and Enforcement Action

- Investigate non-compliance thoroughly and appropriately using an evidence-based approach
- Seek to build strong relationships with residents and local businesses which aid compliance and investigation
- Where non-compliance may result in further action, we will where appropriate, discuss the matter further with the individual or business concerned, unless to do so would impede the investigation or where immediate enforcement action is required
- We will consult with other Enforcement agencies or any agency it deems fit to ensure the correct action is being carried out

Appeals and complaints

- Where there are rights of appeal against formal action, relevant information will be clearly set out to maintain transparency
- We reserve the right not to investigate anonymous complaints if further evidence to support any non-compliance cannot be obtained
- Any complaint about an officer will be dealt with via the Councils Complaint Procedures which can be found on our website here: [General complaints](#).

5. Monitoring

To ensure the effectiveness of our enforcement and regulatory functions, we will:

- Provide the opportunity for individuals and businesses to report issues to us, monitoring the trend or reports to ensure we remain effective
- Regularly engage with service users so they can comment on the effectiveness of our services
- Collect and monitor the different type of enforcement and regulatory actions, including those listed in [Table 1](#)

6. Formal Actions

Formal enforcement and regulatory actions will normally be instigated where one or more (but not limited to) of the following apply:

- Informal approaches have failed
- Immediate action is required due to such seriousness that informal action is inappropriate
- To protect or remedy conditions relating to health, safety and the environment
- There is a need to ensure a decision or this policy is enforced.

7. Types of actions to resolve non-compliance

In line with the principles and standards set out above will make use of the following as appropriate.

Table 1.

Action	Explanation
Banning Order	In addition to any penalty applied by the courts, the council may seek a Banning Order to be imposed on landlords who are convicted of Housing Act 2004 offences
Caution	A Simple Caution is a non-statutory disposal for adult offenders. It may be used for low-level offences, mainly first-time offences without a prosecution. An admission to committing the offence is required from an offender and can only be used where there is sufficient evidence to provide a realistic prospect of conviction if it were to go before the Courts. The Council will adhere to its guidance issued by the government on Simple Cautions. Simple Cautions are spent immediately they are administered but may need to be disclosed where the occupation of the individual is exempt from the Rehabilitation of Offenders Act. This means that for some licences applications the individual must declare a Simple Caution.
Civil Penalty Notice	As an alternative to Formal Notice or prosecution under the Housing Act 2004, authorised Officers of the Council may issue a Civil Penalty Notice in line with the Council's policy
Criminal Behaviour Order (CBO)	Issued by a court normally where an offence has occurred, the order intending to prevent re-occurrence
Community Protection Notice (CPN)	Authorised Officers can issue a notice with specific actions to prevent re-occurrence, a CBO may also result if this is breached
Community Protection Warning (CPW)	Authorised Officers can issue a warning, intended as first stage of compliance, which can lead to a CPN
Fixed Penalty Notice (FPN)	Authorised Officers of the Council can issue FPNs for various offences e.g. littering, dog fouling, riding on the pavement etc
Formal Notice	The Council has a wide range of powers to require compliance for a person or business. We have the power to close premises and execute work in default. Failure to comply with a notice can result in prosecution
General, education advice and guidance	Any material provided by the Council to support an individual or business in complying with their responsibilities
Management Order	In cases of licensable dwellings which have no reasonable prospect of becoming licensed or where the council has concern for the health, safety or welfare of occupiers, the council will issue an Order to take charge of the management of the dwelling during which time it will use rental income to ensure pre-existing and continuing deficiencies are removed. Where the income is insufficient, additional charges may be applied to the dwelling.
Prosecution	Prosecution in Magistrates or Crown Courts. The evidential and public interest test will be applied before a prosecution is taken. We do not always warn or issue a statutory notice before taking prosecutions, where it is considered appropriate not to do so. We will seek to recover the costs that we have incurred in bringing the prosecution.
Public Space Protection Order (PSPO)	Issued under the Anti-Social Behaviour, Crime and Policing Act 2014, Authorised Officers can issue a FPN if certain conditions are breached e.g. drinking in a no drinking zone, erecting a tent in a public place

Action	Explanation
Refusal, suspension, amendment, review or revocation of a licence	Authorised Officers can carry these actions based on legislative requirements. Where appropriate this may include a listing the matter for hearing by a licensing committee
Rent Repayment Order	In certain actions under the Housing Act 2004, the council may either seek, or assist occupiers in seeking, an Order to require repayment of some or all of rents paid while an offence continued
Surveillance	The Council operates a number of closed-circuit television cameras (CCTV) for the detection and prevention of crime, video recordings maybe used in evidence. At all times the Council will have the appropriate authorisation when using this type of surveillance
Suspension, seizure, forfeiture or voluntary surrender of goods	The Council has a wide range of powers to carry out these actions, goods can include: unsafe products, counterfeit products, unfit food, sound equipment etc. Items may also be seized where they are required for evidence
Works in default	When works are not completed following a formal notice or when delay is unacceptable, the council may carry out those works and recover the cost from the responsible parties
Written Warning	Council officers have the option to serve the offender with a written warning regarding the offence stating the necessary future conduct. The warning will note that no formal action will be taken and can be used as a factor in any future assessment where a similar offence occurs

8. Partnership Working

The application of this policy and in some cases the actions carried out by the Council are supported by (but not limited to) the following partners;

- Police
- Other relevant Government enforcement and regulatory agencies
- Other Local Authorities
- Local action and neighbourhood groups
- Housing Associations and housing representatives e.g. landlords
- Volunteers
- Businesses

9. Data Protection

Where relevant and appropriate, we may share data with partners to apply this policy. Any sharing that involves personal data will be carried out in line with Data Protection legislation (the General Data Protection Regulation and/or the Data Protection Act 2018).

10. Equalities

Enforcement decisions will be fair, impartial and objective and will not be influenced by issues such as the ethnicity or national origin, gender, religious beliefs, political views or sexual orientation of the suspect, victim, witness or offender.

Officers carrying out enforcement will have had equality and diversity training.

11. Policy Review

This policy is a living document and will be reviewed and updated if/when statute or national standards or best practice requires it. This policy will be reviewed every 3 years.

Review Summary

Version	When Reviewed	Summary of Changes Made
V1.0	November 2023	Overall: Update to City status and new corporate look Updated the 2050 ambitions to the new corporate plan Updated the legislation area list Updates made to Table 1 Other general text updates throughout.

For enquiries about this policy please contact council@southend.gov.uk



Equality Analysis

Equality Analysis Summary

Name of proposal, policy, service function, or restructure requiring an Equality Analysis	Environment and Regulatory Enforcement Policy
Department	Environment and Place
Service Area	Regulatory Services / Highways / Community Safety
Date Equality Analysis Begun:	23 November 2023
At what stage of the proposal is this Equality Analysis being conducted?	Planning Phase Midway Point Reflective Analysis ✓

Names and roles of staff carrying out this Equality Analysis:

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Regulatory Services

1. Evidence

1.1 Sources of information

Table 1

Source of information	Reason for using (e.g., likely impact on a particular group).
EA General Data Pack	Population, age, socio-economic data
Ethnic Minority Data Pack	Race
EA Business Data Pack	Effect on businesses and extrapolation to impact on socio-economic of area
Age UK:	Age

https://www.ageuk.org.uk/wp-assets/globalassets/surrey/original-blocks/about-us/latest-news/age-uk--age-uk-surrey-press-releases/nearly-five-million-older-people-targeted-by-scammers.pdf Accessed 23 11 29: 13:54	
The experience of law enforcement officers interfacing with suspects who have an intellectual disability – A systematic review. https://www.sciencedirect.com/science/article/pii/S016025272030073X accessed 23 11 23 16.00	Disability
Living Well Strategy for Southend on Sea Borough Council 2022-2027	Disabilities

1.2 Gaps in information or data

Are there any information gaps and data?
Yes

Do the gaps relate to any protected characteristics?
Yes

There is no ethnicity data available on businesses or on those that have been the subject of enforcement action. It is not possible to determine accurately the ethnicity of businesses as those running a business may not be representative of the type of cuisine being offered.

It is proposed that ethnicity data be collated when taking enforcement action to determine whether disproportionate action is being taken against any particular group, and targeted advice and support is appropriate to assist that group.

2. Analysis: How people with protected characteristics will be impacted by your proposal

2.1 Impact assessment

The Environment and Regulatory Enforcement Policy is the overarching policy across Regulatory Services, Highways and Community Safety. The activities that are undertaken affect businesses, consumers and the general public in a number of ways. This can be in supporting businesses in compliance within a regulatory scheme or ensuring that appropriate action is taken where people or businesses are found not to be compliant.

The policy sets out the expectations for those affected by regulatory activity, whether this is with compliance or by individuals impacted on by non-compliance of other individuals or businesses. It sets out what should be expected from the Council's enforcement

activities, ensuring a fair and transparent process for everyone. The policy has been developed using the principles set down in the Legislative and Regulatory Reform Act 2006 to all regulatory activities.

The policy sets out the range of action that is available to the council from no action through to prosecution and financial penalties. The policy undertakes to consider the public interest and evidential tests to be applied before action is taken.

The estimated population of Southend-on-Sea at March 2021 was 180,700, of which 19.1% of the population was aged 65+, and 63% of the population aged between 15 and 64 years. There is reported an increasing density, in 2021 there were 4,336 residents per square km and is equates to being the 3rd out of 45 East of England local authority areas. Enforcement information and access to enforcement services is likely to be communicated through digital channels. Whilst there may be access for older people to internet and email, they may lack the confidence of ability to access this information, they may be more prone to targeting by scammers through this medium. Age UK report that nearly five million older people have been targeted by scammers.

The population of Southend has identified as 87.5% white, with the remaining population identifying as Asian, Asian British, or Asian Welsh, mixed or multiple ethnic groups, Black, Black British, Black Welsh, Caribbean or African and other ethnic groups. With respect to religion 44.9% identified as having no religion, and 42.6% identified as being Christian. 3% of the population identified as Muslim and 1.1% identifying as Hindu and Jewish. The timing of inspections takes into account cultural preferences around religious worship and consideration given to food standards to respect kosher and halal foods. The service also considers the cultural preference when arranging for public health burials.

It is noted that 94.1% gave English as their first or preferred language with only 0.9% of people not having English as their main language and not able to speak English or not speak English well. There are resources available to provide information in other languages, including the availability of telephone translation services.

The Living Well Strategy for SoS reported the reported levels of physical and sensory impairment for adults aged between 18 and 64 and it outlines the support available to individuals. There are some direct examples of support through the enforcement policy, including the application of conditions relating to licensing. The service also provides materials in hard copy or in large print and access to facilities for wheelchair users. With respect to the paper on enforcement against those with intellectual disabilities it references a high prevalence of people with intellectual disability among those in police custody, (this was a US study). This can be reasonably extrapolated to regulatory functions and to counter this there is safeguarding training that is delivered across the service, and consideration given to prosecutions in line with the Code for Crown Prosecutors where vulnerability and culpability is considered.

The indices of deprivation Southend has nine Lower Super Output Areas (LSOA's) that fall into the 10% most deprived in the country, and 35 that fall into the 30% most deprived for the index of multiple deprivation and may mean that those living within those areas may need additional support to ensure that lower standards are not being applied, an example of the council's targeted enforcement work in this area, includes the application

of the selective licensing regime in lower super output areas to ensure adequate housing standards.

90.92% of Southend businesses are classified as micro-businesses which have 0-9 employees, this is slightly higher when compared both regionally and nationally. This may mean that access to compliance advice may be more limited for those individuals. It is also noted that the survival rate of new businesses follows the national trend of just under 40% within 5 years. The services provide regulatory advice which is targeted to business needs, including attending landlord and business forums, online advice and bespoke advice on request, inspection and communications.

Table 2

	Impact - Please tick				
	Yes			Not Impacted	Impact Unclear
	Positive	Negative	Neutral		
Age (including looked after children)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Disability	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	☒
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
Religion or belief	✓	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Socio-economic	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Armed Forces Service Personnel & Veterans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Care Experience	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	☒

2.2 Results of your analysis

Table 3

	Potential Impact
Age	Nearly 20% of the population are aged over 64 and communication of both support and enforcement information is communicated through digital channels where they may be less confident to access digital information.
Disability	Disabilities are broad and include both visible and invisible conditions to ensure that vulnerable people are properly protected.
Gender reassignment	None identified.
Marriage and civil partnership	None identified.
Pregnancy and maternity	None identified
Race	Where there are barriers regarding communication of information to businesses / traders and members of the public with respect to language, the organisation ensures that relevant information is written in plain English. There are also translation services available if required.
Religion or belief	Religious practices are considered.
Sex	None identified
Sexual orientation	None identified
Carers	None identified
Socio-economic	In the context of supporting businesses 90.92% of Southend businesses are classified as micro-businesses, and only 40% new businesses last more than 5 years. Smaller businesses may have more limited access to regulatory advice. Targeted activities are undertaken to support those within the super output areas.
Armed Forces Service Personnel & Veterans	None identified
Care Experience	None identified

3. Action: Can we mitigate negative impact?

3.1 Steps taken to mitigate any impact(s)

Table 4

Planned action and the outcome it will achieve	Owner	When	How will this be monitored (e.g., via team/service plans)
Monitor ethnicity of those where enforcement activity takes place to establish if additional support / advice required	Each service area	Each enforcement action	Each team will collate the activity over the next year and review.

4. Outcome: What difference has your Equality Analysis made?

4.1 Outcome

Please choose the most relevant option:

- No change – the assessment is that the policy/practice/service is/will be robust.
- Adjust the policy/ practice proposal – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.
- Continue the policy/ practice proposal despite the potential for adverse impact, and which can be mitigated/or justified
- Stop the policy/ practice proposal as adverse effects cannot be mitigated or justified.

4.2 Justification

The EA did not identify potential adverse impacts or missed opportunities to promote equality. It did however identify an area where the consideration can be given to additional support that may be required to enable businesses and individuals to comply with legislation.

There is already mitigation in place with respect age, disability and socio-economic issues.

The framework that this policy gives aims to ensure that the more vulnerable are protected from loss of property or money or through accepting lesser standards. This includes young people, older people and some people with a disability who may be more vulnerable.

The policy will ensure a fair and consistent approach to all. It encourages compliance in the first instance, so that those who fail to comply through lack of knowledge can receive guidance to ensure compliance in the future. Those who do not comply through deliberate action can receive robust action, discouraging others from offending.

Your Head of Service or Director is required to sign-off your analysis and outcome

Signed (lead officer):



Signed (Executive/Director/Head of Service): **Glyn Halksworth**

Once signed, please send a copy of the completed EA to Angela Dress
Angeladress@southend.gov.uk.

All Equality Analyses are recorded on Pentana and reported to CLT and DLT's on a quarterly basis.

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Meeting: Cabinet
Date: 4th March 2024
Classification: Part 1 / Part 2 (Confidential)
Key Decision: Yes / No
Title of Report: **Renewal of Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas Public Space Protection Order (No 1)**

Executive Director: Alan Richards (Executive Director Environment & Place)

Report Author: Daniel De Bond

Executive Councillor: Cllr James Courtenay (Cabinet Member for Public Protection)

1. Executive Summary

- 1.1. To invite Members to approve the renewal of the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 (“the 2021 PSPO”) following public consultation.

2. Recommendations

2.1 It is recommended that Cabinet:

Approve the renewal of the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 (“the 2021 PSPO”).

3. Background

- 3.1. Local Authorities have a key role to play in helping to make local areas safe places to live, work and visit. Tackling behaviour which has a detrimental impact on the quality of life of those in the locality is a key element of this role. These behaviours are sometimes called anti-social behaviour (‘ASB’); it is noted that behaviour which has a detrimental impact can be broader than that which has traditionally been described as ASB.
- 3.2. Under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

Local Authorities can use PSPO’s to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or

properties, they focus on the identified problem behaviour in a specific location.

3.3. Currently the 2021 PSPO prohibits within the restricted area:

- Urination, defecation, spitting or littering;
- Consuming alcohol and behaving in an anti-social manner or failing to surrender any containers (sealed or unsealed) which are believed to contain alcohol, in a public place, when an Authorised Officer has required such consumption to cease;
- Ingesting, inhaling. Injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances.

3.4 The full order is included at appendix A.

4. Reasons for Decisions

4.1 The 2021 PSPO was implemented due to a steep rise in Anti-Social Behaviour in the area having a detrimental effect on those living in the area as well as those visiting the area for pleasure.

4.2 Whilst the 2021 PSPO has not been used to issue Fixed Penalty Notices, it has been used by officers to educate and disperse anti-social behaviour from the restricted area consistently for the past 3 years.

4.3 The 2021 PSPO has acted as a preventative measure discouraging anti-social behaviour and it is feared that the expiry of the current order could lead to a resurgence of anti-social behaviour in the restricted area.

4.4 The 2021 PSPO forms part of the Operation Union toolkit designed to address anti-social behaviour and crime in high profile foreshore areas across the City of Southend.

4.5 Renewal will enable continued necessary control of relevant matters relating to the behaviours listed and the ability for officers to issue Fixed Penalty Notices where breaches of the Order are witnessed and those responsible are identified.

5. Other Options

5.1 The Council could choose not to renew the 2021 PSPO. This would result in the current PSPO expiring at midnight on the 31st July 2024, and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling ASB in the restricted area.

6. Financial Implications

6.1 None specific to this renewal.

7. Legal Implications

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

7.2 Section 72 of the 2014 Act provides that the Council must carry out necessary consultation before making a PSPO, the results of the consultation are below.

7.3 Before making a PSPO the Council must consider comments and representations received.

8. Policy Context

8.1 Contribution to Southend City Councils Corporate Plan.

8.2 A safe city with a good quality of life for all.

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

9. Carbon Impact

9.1 None specific to this renewal.

10. Equalities

10.1 None specific to this renewal. Please refer to the Equalities Analysis report attached with these documents

11. Consultation

11.1 The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO needs to be renewed to cover existing provisions for anti-social behaviour within the area.

Of those responding to the consultation, all had at some point experienced the antisocial behaviour identified. Littering had the highest response with a majority of people experiencing this, closely followed by consuming alcohol and behaving in an anti social manner, then urination, defecation or spitting, with drug taking/ingestion not as commonly seen.

12. Appendices

12.1 **Appendix 1: The Public Space Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 with maps.**

12.2 **Appendix 2: Public Consultation results.**

12.3 **Appendix 3: SCC Equality Analysis Leigh PSPO.**

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Joe Chesterton	2/1/24
Monitoring Officer	Kim Sawyer	2/1/24
Executive Director(s)	Alan Richards	21/12/23
Relevant Cabinet Member(s)	James Courtney	21/12/23

PSPO Old Leigh/ Chalkwell Consultation Analysis.2023 - draft

Summary

A total of 168 people accessed the campaign which ran from 10th November to 9th December 2023 of that 153 were informed which indicates they had visited the project page and viewed the survey and documents, 33 responded online,

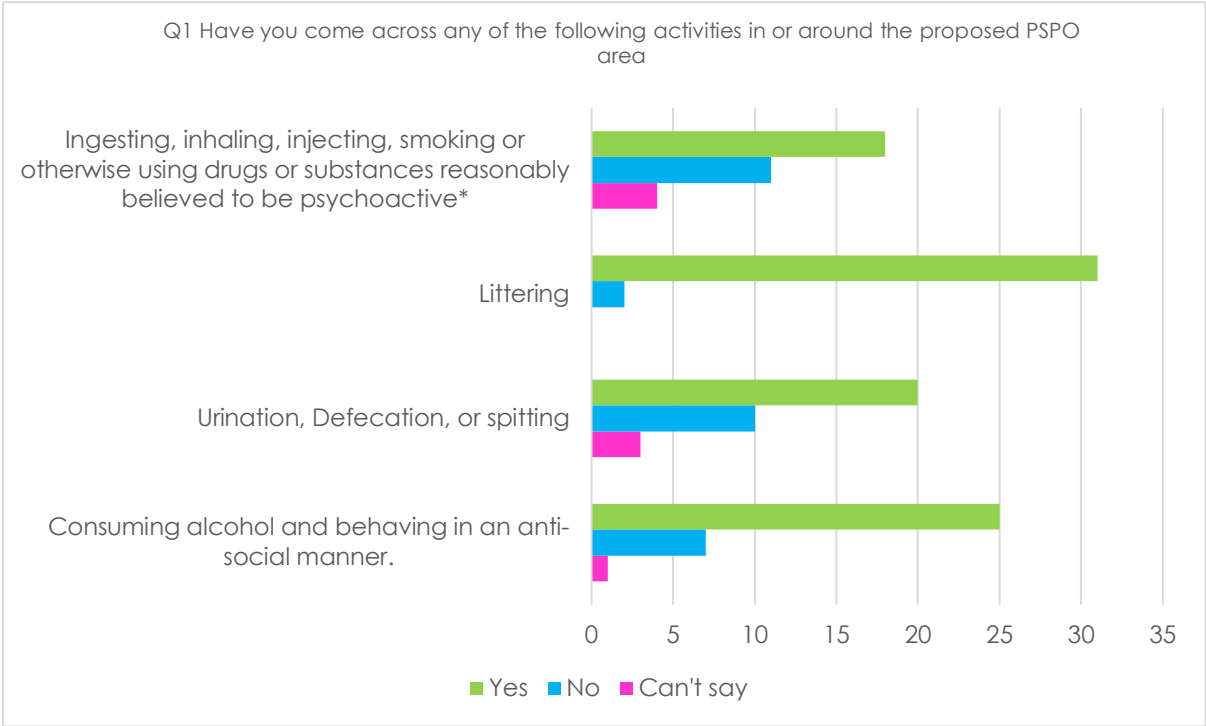
We received no hardcopy responses, 153 people were aware (clicked on the project page) but chose not to comment or look at the survey or supporting documents. Essex Police provided a response which supported the PSPO. The consultation include a survey with questions and a free text box for further comments requesting feedback on certain elements of the whole project and the Public Space Protection Order which was available to download or view online, which 15 used that option.

The consultation was promoted across social media and 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 is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO needs to be renewed to cover existing provisions for anti-social behaviour within the area.

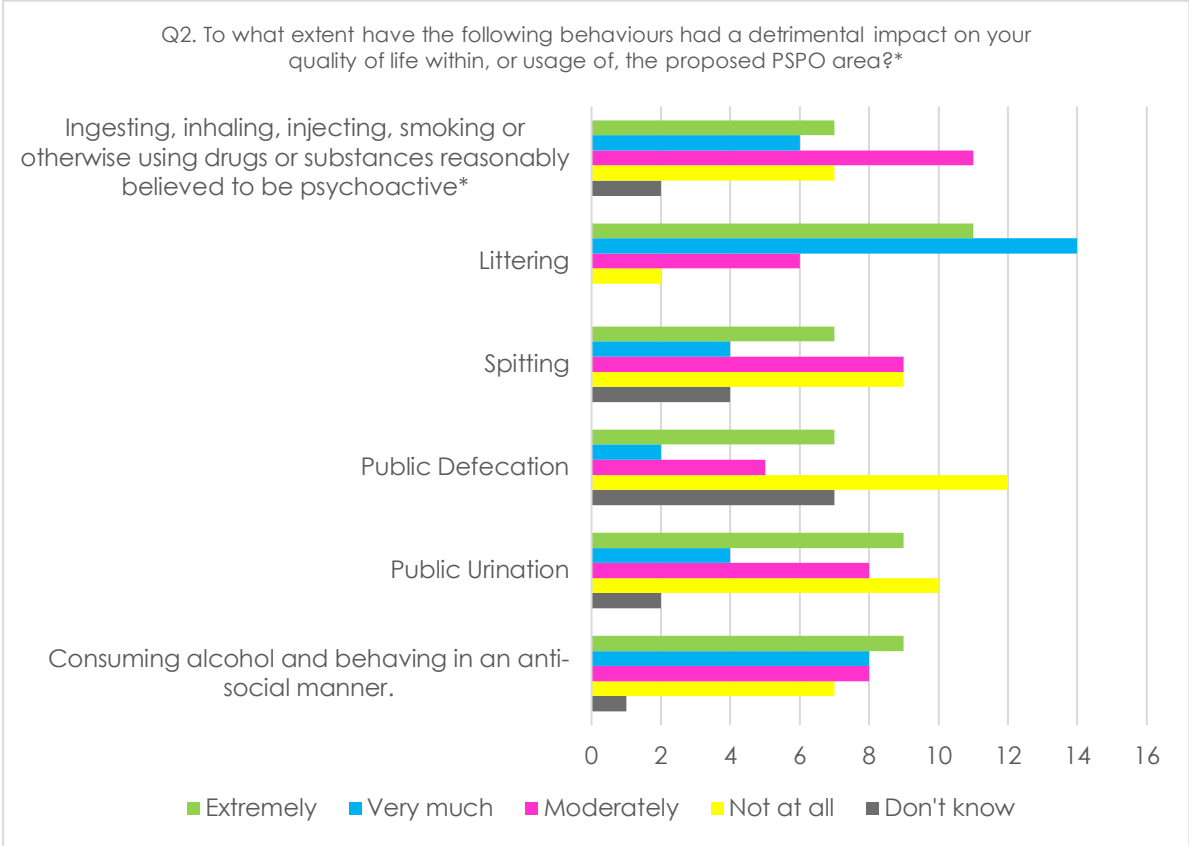
Full Breakdown of questions

1. Have you come across any of the following activities in or around the proposed PSPO area (as depicted on the map)
 - Consuming alcohol and behaving in an anti- social manner.
 - Urination, Defecation, or spitting
 - Littering
 - Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive*.



Of those responding they had all at some point experienced the antisocial behaviour identified. Littering had the highest response with a majority of people experiencing this, closely followed by consuming alcohol and behaving in an anti-social manner, then Urination, defecation or spitting, with drug taking/ingestion not as commonly seen.

2. To what extent have the following behaviours had a detrimental impact on your quality of life within, or usage of, the proposed PSPO area?



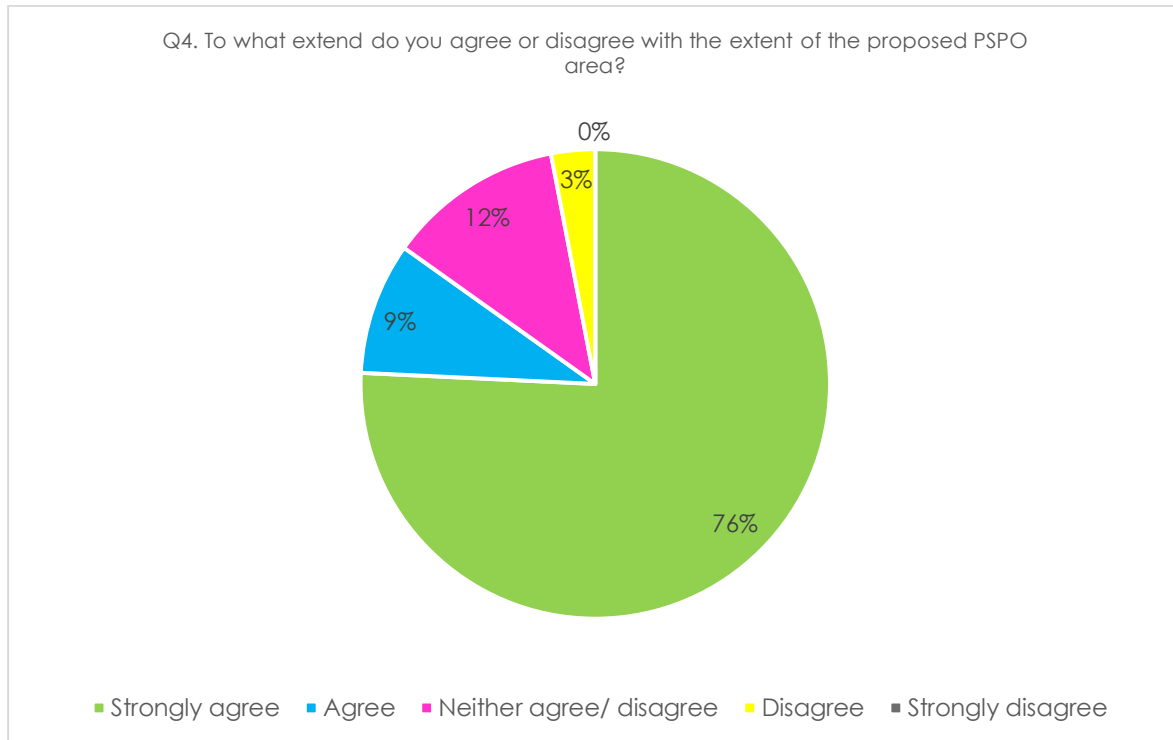
This was a single response question with each statement have a choice of impact from Don't know to Extremely. Littering has affected quality of life most within the area with those responding saying it had an extreme impact, closely followed by consuming alcohol and behaving in an anti-social manner and public urination also affecting the quality of life within the area.

3. If there are any other anti-social behaviours, you have experienced in or around the proposed PSPO area please let us know what they are in the box below.

This was an open text response with 16 individuals responding, the main comments identified are shown in the graph below, with Fighting/ Threatening behaviour/ Intimidation being the highest experienced .

1.	Drug taking/ dealing and antisocial behaviour/ trespass and nuisance
2.	Youths cycling in a dangerous manner.
3.	Huge over crowding at some Old Leigh events.
4.	Verbal abuse
5.	Fights/stabbings
6.	antisocial and out of control driving through sea front and first avenue
7.	Loud music
8.	Lots of cars parking in dead end area of Chalkwell Esplanade, quite often across driveways. The CEO's allow the drivers to pull away before tickets are issued, even though there is zero parking/stopping allowed. Noisy gatherings in Chalkwell Esplanade area particularly near the train station end. Late night drinkers on the beach in Chalkwell area. Large groups of teenagers/young adults making my family and me feel very uncomfortable.
9.	The order should prohibit weapons
10.	I only go the Old Leigh during daytime on a nice day. The drunks and druggies don't seem to come out until after dark.
11.	Loud and intimidating behaviour when children are within the vicinity
12.	Graffiti is a growing issue around the Old Leigh Conservation area. Glasses and bottles taken from the pubs and bars are littering the paths (sometimes smashed) and with no street cleaners it just sits there.
13.	General noise
14.	Bad language. Shouting.
15.	Continuous graffiti upon Gypsy Bridge
16.	Car driving. Car parking. Food smells from food providers. Smells from cockle beach.

4. To what extent do you agree or disagree with the extent of the proposed PSPO area?



This was a single response question the overall majority (85%) strongly agreed/ agreed with the extent of the proposed PSPO area, with 3% either disagreeing and 12% neither agreeing or disagreeing.

5. If you believe the proposed PSPO area needs to be changed to included different areas or to exclude some of the current proposed PSPO area please specify below.

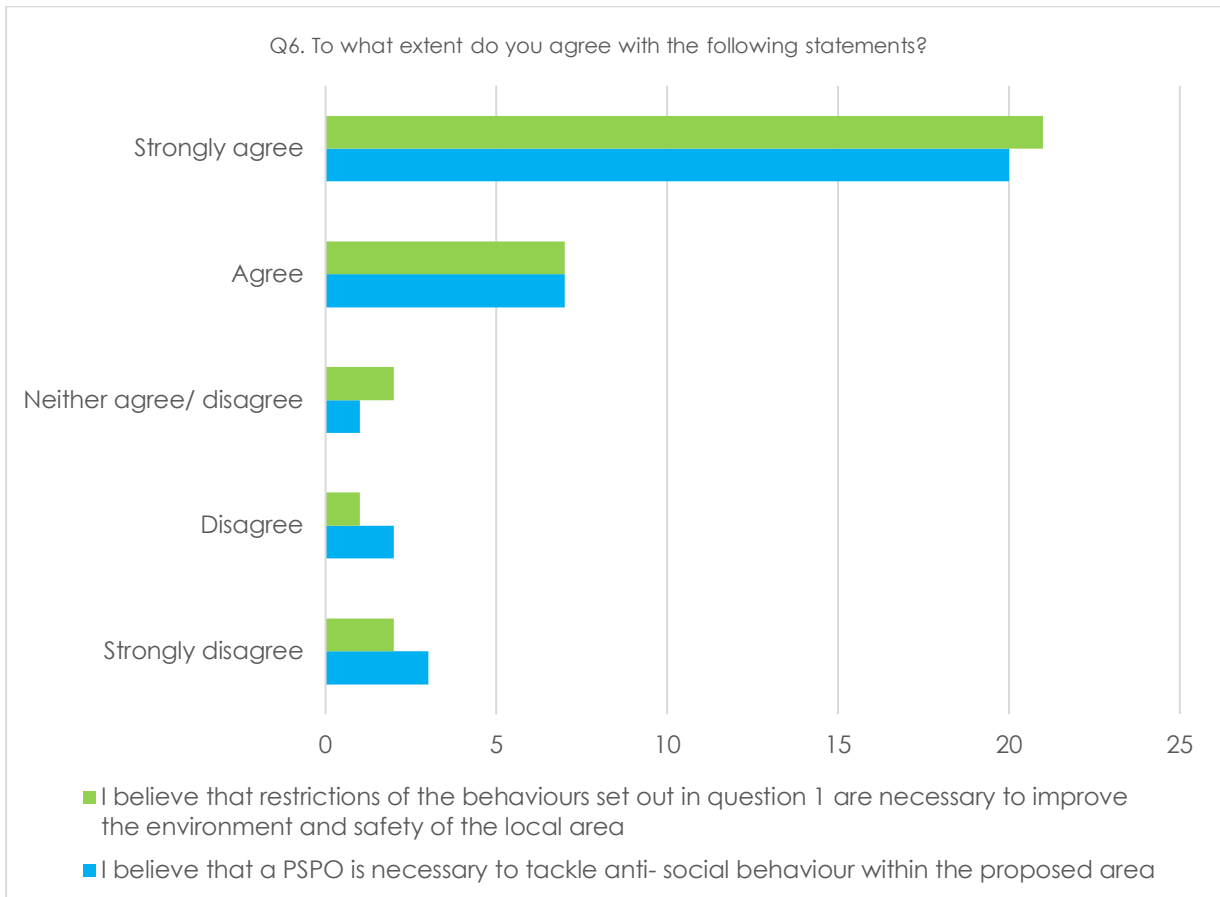
This was an open text response with 12 individuals responding, the main comments identified were that it should be extended to include Leigh Broadway/ Leigh Road and Leigh Station.

1.	the entire area should obviously include Leigh Broadway and Leigh Road
2.	Include Leigh Broadway & Leigh Road.
3.	Include up to and including Leigh Station...
4.	Please include the whole Chalkwell area, including Chalkwell park up until Westcliff station
5.	Leigh cliff east
6.	Parking infringements should be monitored by the CCTV cameras at the end of Chalkwell Esplanade and tickets issued automatically otherwise it will continue.
7.	As written above weapons especially knives should be prohibited
8.	It should include the whole of the City of Southend. If someone breaks the law by taking drugs or being drunk and disorderly there are already laws to cover this. but for some reason we are scared to use them. Do it like the old days, night in the cells, up before the magistrate first thing next morning, £200 fine, go home.
9.	I could load the map but the worst area is the green space around the bowling green, where in the summer large crowds of young people

10.	The roads leading up from the old town also need to be included, Church hill, Leigh Park Road, Uttons Avenue, Hadleigh Road, Laurel Close and Billet Lane
11.	The map of the PSPO area stated in 1 above to be depicted is not so depicted making it impossible for me to comment.
12.	All of Leigh Broadway.

6. To what extent do you agree with the following statements?

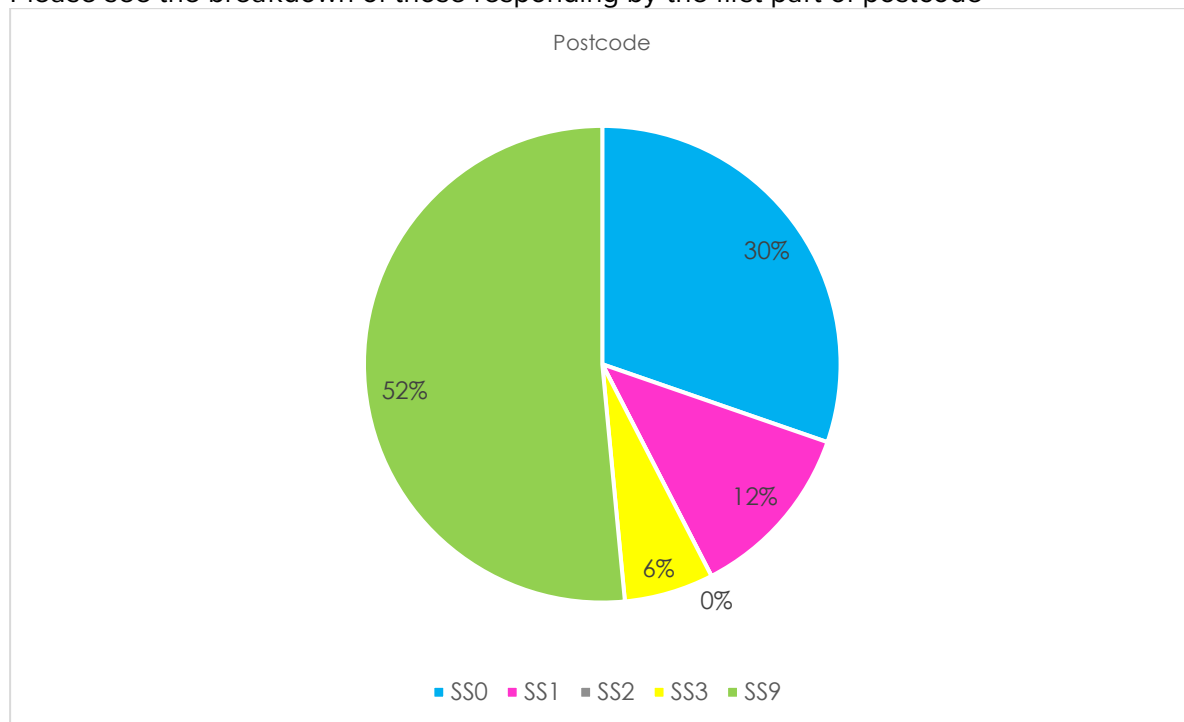
- I believe that a PSPO is necessary to tackle anti- social behaviour within the proposed area
- I believe that restrictions of the behaviours set out in question 1 are necessary to improve the environment and safety of the local area



This was a single response to each statement 82% of those responding strongly agreed that restrictions set out are necessary to improve the environment and safety of the area and 85% of those responding strongly agree that a PSPO is necessary to tackle anti-social behaviour within the proposed area.

7. Please provide your postcode

Please see the breakdown of those responding by the first part of postcode



Essex Police Response

Comment

Essex Police supports the proposal to renew the Leigh on Sea Public Space Protection Order as it gives additional on the spot powers to address anti-social behaviour in an area popular with residents and visitors alike.

There is no evidence to suggest the current PSPO is not fit for purpose and therefore support a renewal of it under its current terms.

ORDER

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by the Southend-on-Sea Borough Council (the 'Council') and shall be known as the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021

PRELIMINARY

- 1 The Council, in making this order is satisfied on reasonable grounds that

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect, of the activities

is, or is likely to be, of a persistent or continuing nature,

is, or is likely to be, such as to make the activities unreasonable, and

justifies the restrictions imposed by the notice
- 2 The Council is satisfied that the prohibitions imposed by this order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence
- 3 The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this order are lawful, necessary and proportionate

THE ACTIVITIES

- 4 The Activities prohibited by this order are:
 - i Urination, defecation, spitting or littering
 - ii Consuming alcohol and behaving in an anti-social manner or failing to surrender any containers (sealed or unsealed) which are reasonably believed to contain alcohol, in a public place, when an Authorised Officer has required such consumption to cease

- iii Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be Psychoactive Substances

THE PROHIBITION

- 5 A person shall not engage in any of the Activities anywhere within the Restricted Area as shown delineated by the red line and shaded pink on the master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the 'Restricted Area'
- 6 This Prohibition is subject to the Exceptions stated below

THE REQUIREMENTS

- 7 A person who is believed to have engaged in a breach of this order within the Restricted Area, is required to give their name and address to an Authorised Officer
- 8 A person who is believed to have engaged in a breach of this order within the Restricted Area, is required to leave the area if asked to do so by a police officer, police community support officer or other person designated by the Council and not to return for a specified period not exceeding 48 hours
- 9 A person must clear up his/her belongings and/or litter if asked to do so by a police officer, police community support officer or other person designated by the Council

THE EXCEPTIONS

- 10 Nothing in the paragraph 4(iv or v) of this order applies to alcohol being consumed within premises licensed under the Licensing Act 2003 or section 115E of the Highways Act 1980
- 11 The requirement in paragraph 4(vi) of this order does not apply where the substance
 - i) is used for a valid and demonstrable medicinal or therapeutic purpose,
 - ii) is a cigarette (tobacco) or vaporiser,
 - iii) is a food product regulated by food, health and safety legislation

OTHER

- 12 This order applies to a public place within the authority's area. The public place is delineated by the red line and shaded pink on the master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the 'Restricted Area'
- 13 The effect of the order is to impose the prohibitions and requirements detailed herein, at all times, save where specified exemptions apply or where the express permission of the Council has been given on the use of the Restricted Area

DEFINITIONS

- 14 For the purpose of this order the following definitions will apply

'Alcohol' has the meaning given by section 191 of the Licensing Act 2003

'Authorised Officer' means a constable, a police community support officer or a person authorised in writing by Southend-On-Sea Borough Council

'Interested person' means an individual who lives in the restricted area or who regularly works in or visits that area

'Public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

'Psychoactive Substances' has the meaning given by section 2 of the Psychoactive Substances Act 2016

'Restricted Area' has the meaning given by section 59(4) of the Anti-Social Behaviour, Crime and Policing Act 2014 and for the purposes of this order is shown delineated by the red line on the PSPO master plan annexed at Schedule 1 and if applicable further identified on the detailed plans inset within that plan to this order and identified as the 'Restricted Area'

PERIOD FOR WHICH THIS ORDER HAS EFFECT

15 This Order came into force at midnight (00 00) on 1st August 2021 and will expire at midnight (0.00) on 31st July 2024

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

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

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

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

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

FIXED PENALTY


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

APPEALS

- 21 Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made an Interested Person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.
- 22 Interested persons can challenge the validity of this order on two grounds that the Council did not have power to make the order, or to include particular prohibitions or requirements, or that one of the requirements of the legislation has not been complied with.
- 23 When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated 24/07/2021

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


Proper Officer of the Council



Section 67 Anti-Social Behaviour Crime and Policing Act 2014

(1) It is an offence for a person without reasonable excuse-

(a) To do anything that the person is prohibited from doing by a public spaces protection order,
or

(b) To fail to comply with a requirement to which a person is subject under a public spaces
protection order

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not
exceeding level 3 on the standard scale

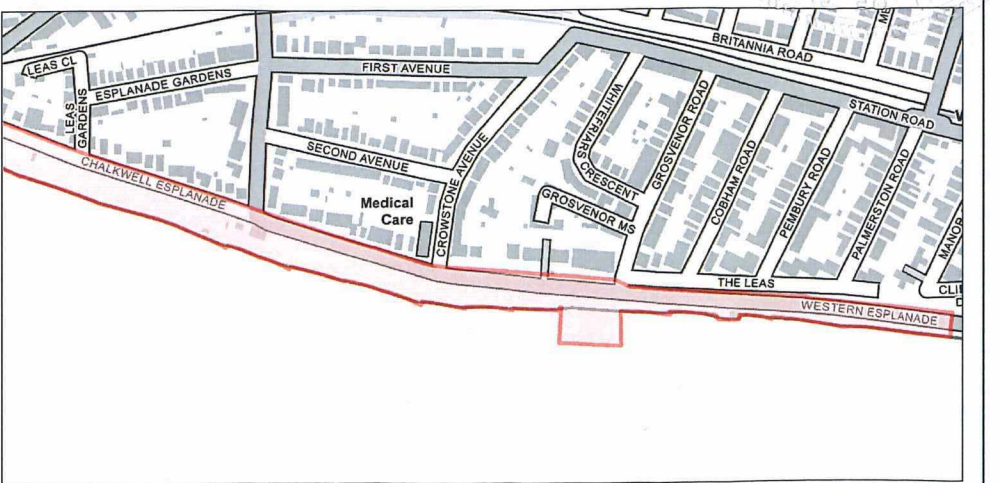
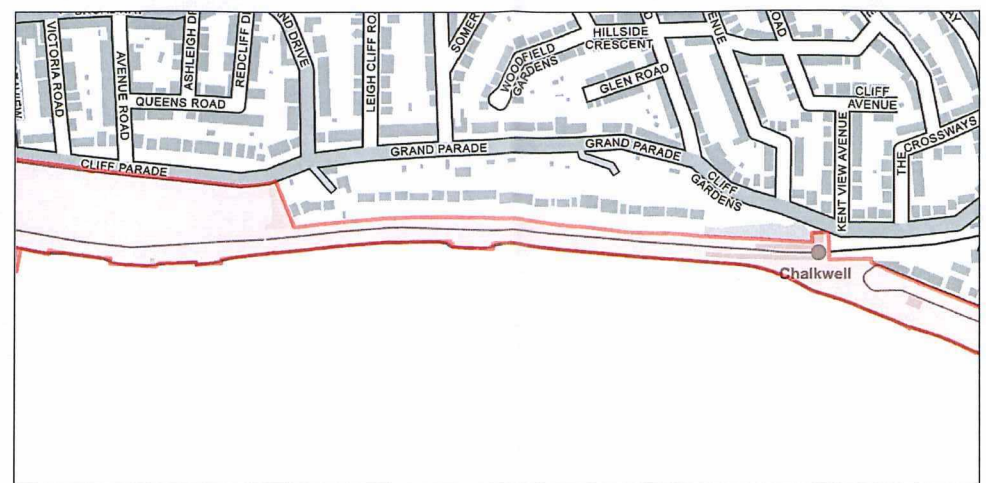
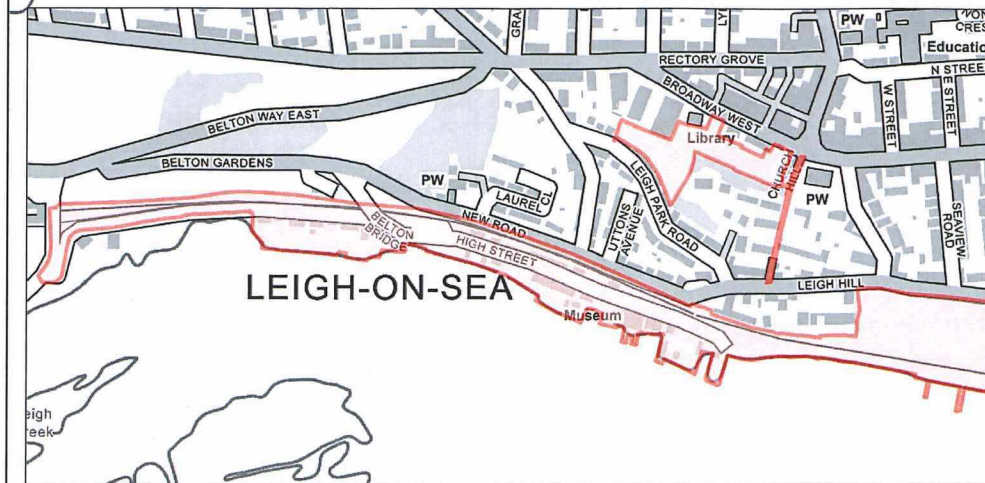
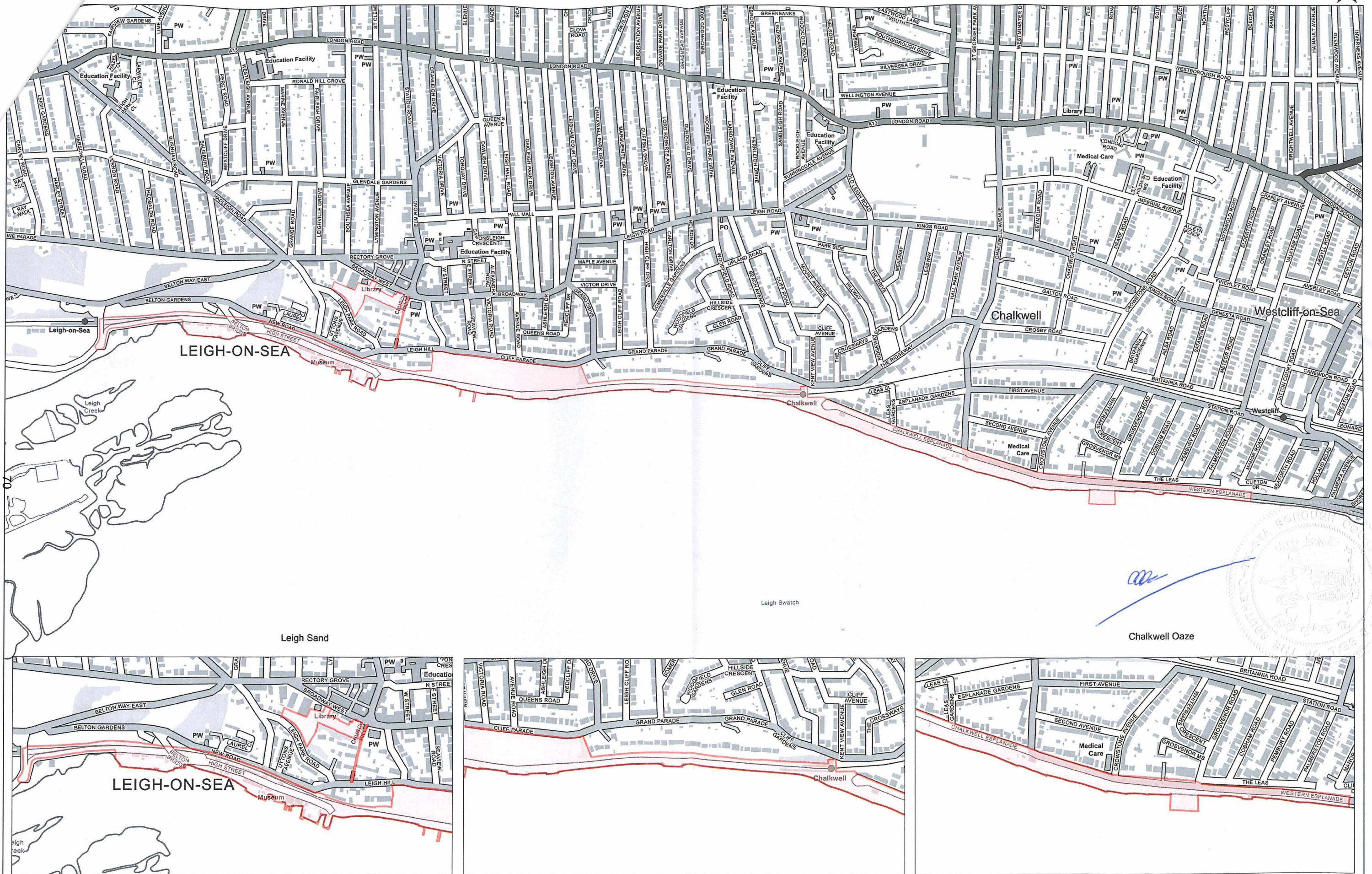
(3) A person does not commit an offence under this section by failing to comply with a prohibition or
requirement that the local authority did not have power to include in the public spaces protection
order

6

Schedule 1 to this Order

Master plan of the Restricted Area and detailed plans inset

Leigh Public Spaces Protection Order



Key
Restricted Area

Meeting: Cabinet
Date: 4th March 2024
Classification: Part 1 / Part 2 (Confidential)
Key Decision: Yes / No
Title of Report: Renewal of Southend-on-Sea City Council (Dog Control)
Public Space Protection Order 2021

Executive Director:
Alan Richards

Report Author:
Daniel De Bond

Executive Councillor:
Cllr James Courtenay

1. Executive Summary

- 1.1. To invite Members to approve the renewal of the Southend-on-Sea City Council (Dog Control) Public Spaces Protection Order of 2021, following public consultation.

2. Recommendations

2.1 It is recommended that Cabinet:

Approve the renewal of the Southend-on-Sea City Council (Dog Control) Public Spaces Protection Order of 2021 (“the 2021 PSPO”).

3. Background

- 3.1. Local Authorities have a key role to play in helping to make local areas safe places to live, work and visit. Tackling behaviour which has a detrimental impact on the quality of life of those in the locality is a key element of this role. These behaviours are sometimes called anti-social behaviour (‘ASB’); it is noted that behaviour which has a detrimental impact can be broader than that which has traditionally been described as ASB.
- 3.2. Under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

3.3 Local Authorities can use PSPO's to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location.

3.4 Currently the 2021 PSPO prohibits within the restricted area:

- If a dog defecates at any time within the Restricted Area described in schedule 1 and a Person in charge of the dog at that time fails to remove the faeces from the land forthwith or dispose of the faeces from the Restricted Area forthwith, that person shall be guilty of an offence.
- Placing the faeces in a receptacle in the Restricted Area which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.
- Being unaware of the defecation whether by reason of not being in the vicinity or otherwise, or not having a device for or other suitable means of removing the faeces shall not be an excuse for failing to remove the faeces.
- A Person in charge of a dog shall be guilty of an offence if at any time within the Restricted Area described in Schedule 1 they are in charge of more than the four dogs.
- A Person in charge of a dog shall be guilty of an offence if at any time within the Restricted Area described in Schedule 2 they do not keep the dog on the lead.
- A Person in charge of a dog shall be guilty of an offence, if at any time, in the Restricted Area described in Schedule 1, they do not comply with a direction given by an Authorised Officer to put and keep the dog on the lead.
- An Authorised Officer may only give a direction under this paragraph 5(d) to put and keep a dog on the lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person or the worrying or disturbance of any animal or bird.
- A Person in charge of a dog shall be guilty of an offence, if, at any time they take a dog onto, or permit a dog to enter or remain on, the Restricted Area as defined in Schedule 3.

3.5 The full order is included at appendix A.

4. Reasons for Decisions

4.1 The 2021 PSPO was implemented due to the behaviours listed being carried out in public places within the Council's area and that they were having a detrimental effect on the quality of life of those in the locality.

4.2 The Council acknowledges and appreciates that most dog owners are responsible, properly control their dogs and clear up any dog fouling. However, it is important to identify and address the problems caused by irresponsible dog owners, and a PSPO is a potential way to address this.

4.3 Renewal will enable continued necessary control of relevant matters relating to dogs and the ability for officers to issue Fixed Penalty Notices where breaches of the Order are witnessed and those responsible are identified.

5. Other Options

5.1 The Council could choose not to renew the 2021 PSPO. This would result in the current PSPO expiring at midnight on the 30th April 2024, and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling dog related ASB in the restricted area.

6. Financial Implications

6.1 None specific to this renewal.

7. Legal Implications

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

7.2 Section 72 of the 2014 Act provides that the Council must carry out necessary consultation before making a PSPO, the results of the consultation are below.

7.3 Before making a PSPO the Council must consider comments and representations received.

7.4 Enforcing against dog owners who are disabled must be approached with consideration, as per Equality Act 2010, acknowledging that their disability may impede their capacity to adhere to prohibition requirements, particularly in cases involving guide or assistance dogs.

8. Policy Context

8.1 Contribution to the Southend-on-Sea City Council Corporate Plan

8.2 Safe and Well agenda and activity plan (keeping people safe).

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

9. Carbon Impact

9.1 None specific to this renewal.

10. Equalities

10.1 None specific to this renewal. Please refer to the Equality Analysis report attached with these documents (and 7.4 regarding enforcement)

11. Consultation

11.1 The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO is required to be renewed to cover existing provisions for dog control.

Dog Fouling was the biggest issue throughout the City with over 84% stating they have come across it, with a high percentage stating it had a detrimental impact on the quality of life around the town.

Some of the individual comments received identified the challenge on how it is to be enforced and monitored once the PSPO is adopted (being the whole City coverage etc). This also reflects the ever increasing enforcement demand (including backroom administrative work), being placed on the Council's Community Safety Unit, who remain the only Council team enforcing against all current PSPO's across the City. (A team of six)

12. Appendices

12.1 **Appendix 1: The Public Space Protection Order (Dog Control) of 2021 with maps.**

12.2 **Appendix 2: Public Consultation results.**

12.3 **Appendix 3: SCC Equality Analysis Dog Control PSPO.**

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Joe Chesterton	2/1/24
Monitoring Officer	Kim Sawyer	2/1/24
Executive Director(s)	Alan Richards	23/12/23
Relevant Cabinet Member(s)	James Courtenay	23/12/23

PSPO Dog Control Consultation Analysis.2023 - draft

Summary

A total of 374 people accessed the campaign which ran from 10th November to 9th December 2023 of that 81 responded online and 311 people were aware, informed but chose not to comment. We had one response from a statutory body - Essex Police, who stated that they support the renewal of the PSPO for Dog Control. The consultation include a survey with questions and a free text box for further comments and the Public Space Protection Order which was available to download or view online, which 26 used that option.

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

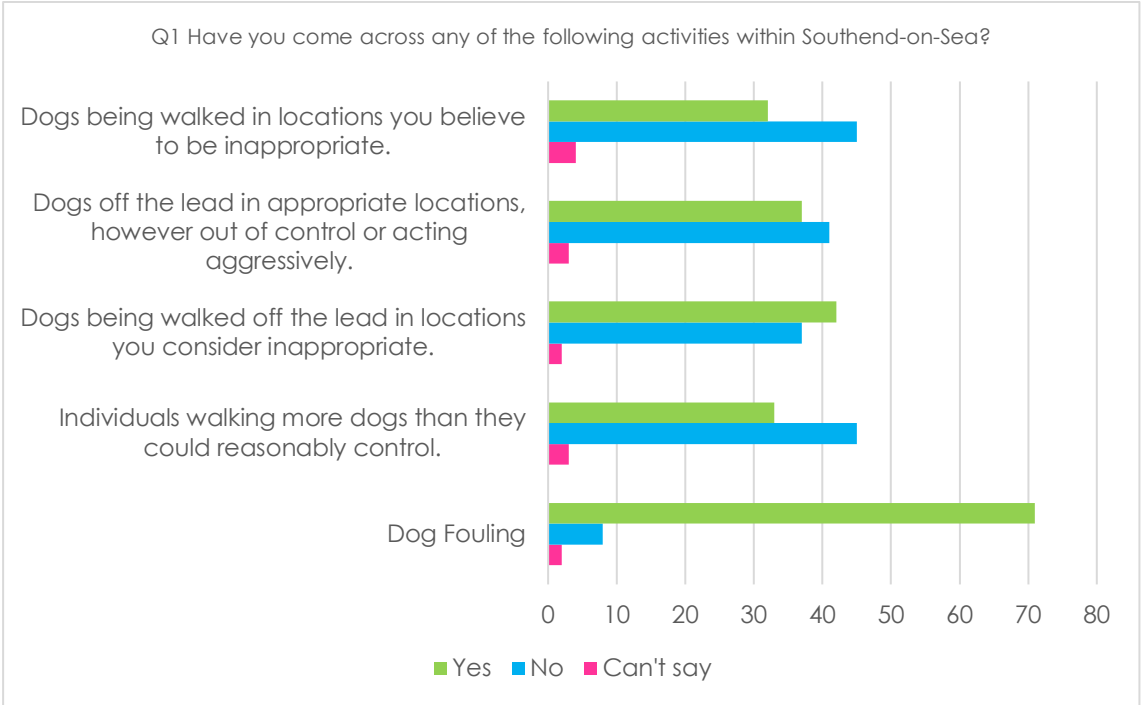
The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO is required to be renewed to cover existing provisions for dog control.

Dog Fouling was the biggest issue throughout the town with over 84% stating they have come across it, with a high percentage stating it had a detrimental impact on the quality of life around the town.

Some of the individual comments received identified the challenge on how it is to be enforced and monitored once the PSPO is adopted. There was a concern regarding owners who are not in control dogs, being off leads. There were many comments both positive and negative relating to access to the beaches for dogs outside the current restrictions.

Full Breakdown of questions

1. Have you come across any of the following activities within Southend-on-Sea?
 - Dog Fouling
 - Individuals walking more dogs than they could reasonably control.
 - Dogs being walked off the lead in locations you consider inappropriate.
 - Dogs off the lead in appropriate locations, however out of control or acting aggressively.
 - Dogs being walked in locations you believe to be inappropriate.



This was a multi-response question and of those responding Dog fouling seem to be the biggest issue with 88% having come across dog fouling on the street, 52% of respondents didn't think that dogs were being walked in inappropriate locations and 41% didn't think that individuals were walking more dogs than they could reasonable control.

2. If you have experienced any other issues regarding the behaviour of dogs and dog owners in public areas within Southend-on-Sea

This was an open text response with 35 individuals responding, majority of experienced irresponsible owners or owners that had no control of their dog. **Please see Appendix one for a full list of responses*

3. To what extent do you agree or disagree with the following statements regarding the necessity of the potential dog control PSPO?
 - A. I believe a PSPO is necessary to deal with issues regarding dog control within Southend-on-Sea
 - B. I believe the previous dog control orders adequately addressed key issues within Southend-on-Sea.

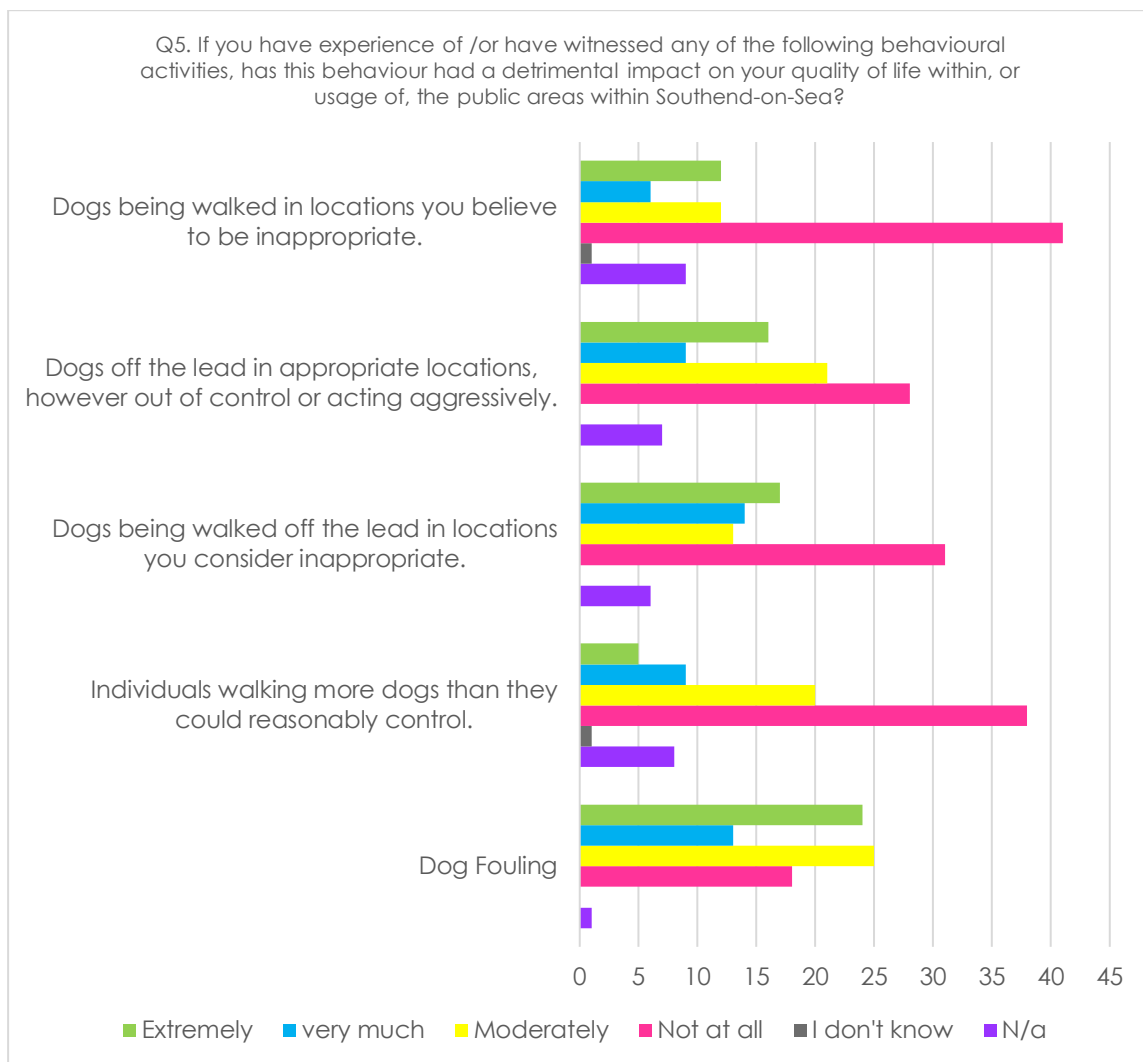


This was a single response question the overall majority agreed with the statement A with 48% strongly agreeing, but only 7% strongly agreeing with statement B. Most responses disagreed with Statement B.

4. Please explain your response* to question 3

This was an open text response with 81 individuals responding, the main comments identified were irresponsible dog owner, not looking after or being in control of their dog and the lack of monitoring and enforcement and not enough deterrent. **Please see Appendix one for a full list of comments received.*

5. If you have experience of /or have witnessed any of the following behavioural activities, has this behaviour had a detrimental impact on your quality of life within, or usage of, the public areas within Southend-on-Sea?
- Dog Fouling
 - Individuals walking more dogs than they could reasonably control.
 - Dogs being walked off the lead in locations you consider inappropriate.
 - Dogs off the lead in appropriate locations, however out of control or acting aggressively.
 - Dogs being walked in locations you believe to be inappropriate.

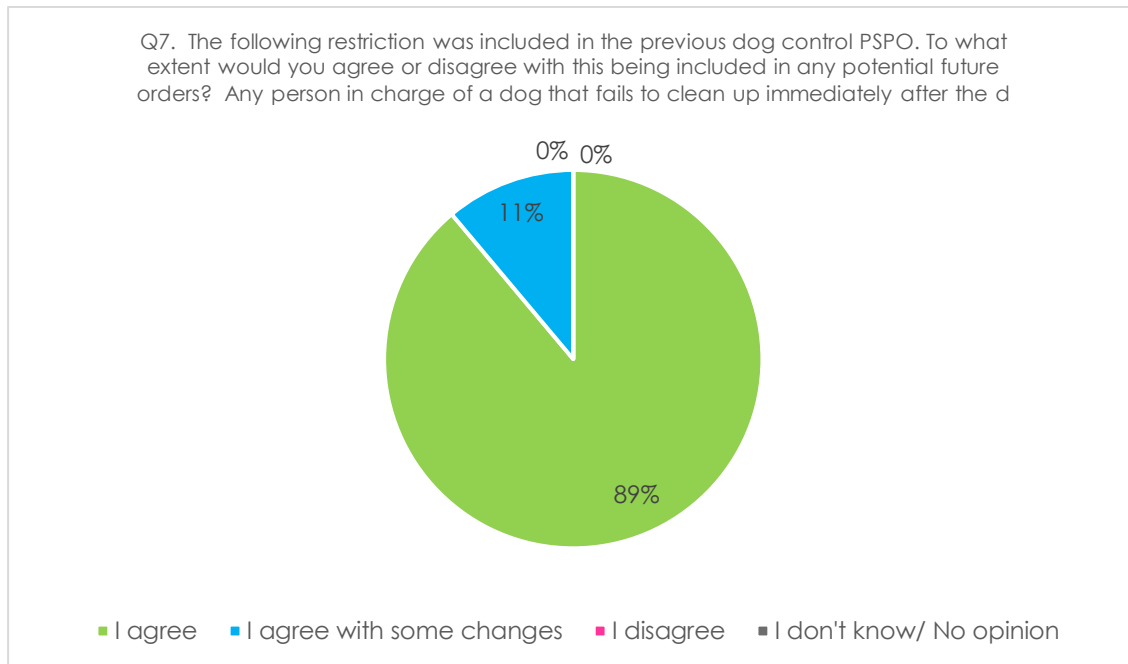


This was a single response to each statement 46% stated that dog fouling had an extreme/very much detrimental impact on quality of life. Of the other statements most identified that it had not a detrimental impact in public areas around the town.

6. Do you have an additional comments* in relation to question 5

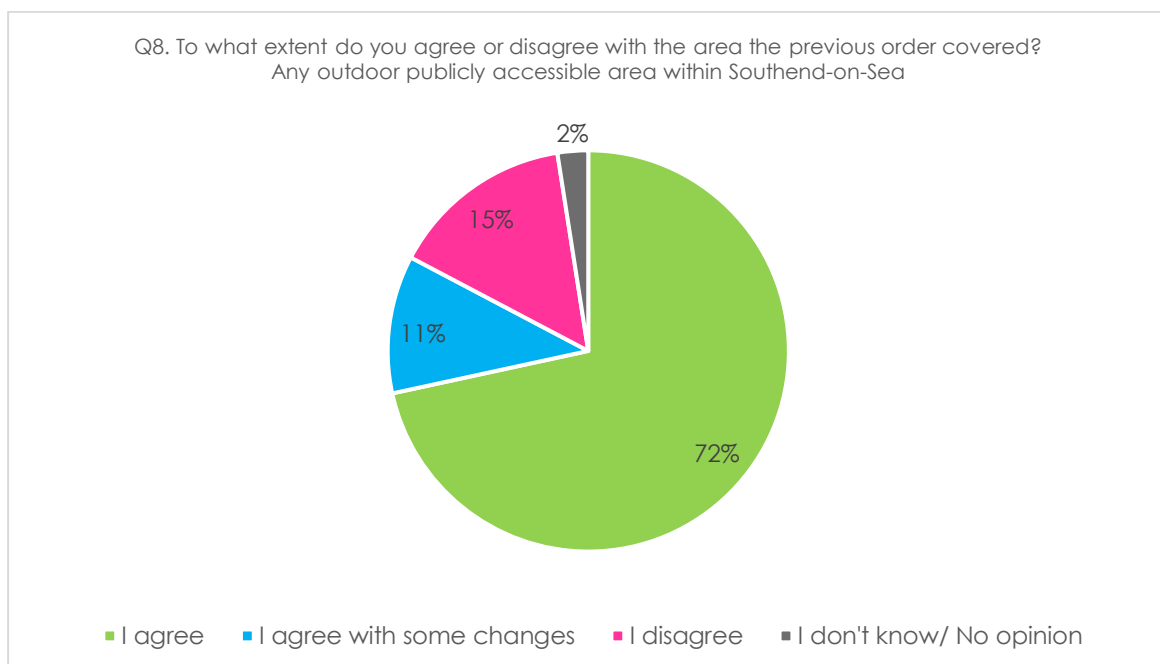
This was an open text response with 37 individuals responding, most had witnessed lack of responsibility from dog owners, allowing their dogs to run off the lead and 'jump up' at people wherever they are. Other responses referred to the beaches and there were both those who wanted a complete ban all year for dogs to those that would like a dedicated beach area for dogs. **Please see Appendix one for a full list of comments received.*

7. The following restriction was included in the previous dog control order. To what extent would you agree or disagree with this being included in any potential future orders?
- a. Any person in charge of a dog that fails to clean up immediately after the dog defecates shall be guilty of an offence.



This is a single response question, overall 89% agree that anyone who fails to clean up after their dog should be guilty of a criminal offence

8. To what extent do you agree or disagree with the area the previous order covered?
- b. Any outdoor publicly accessible area within Southend-on-Sea.



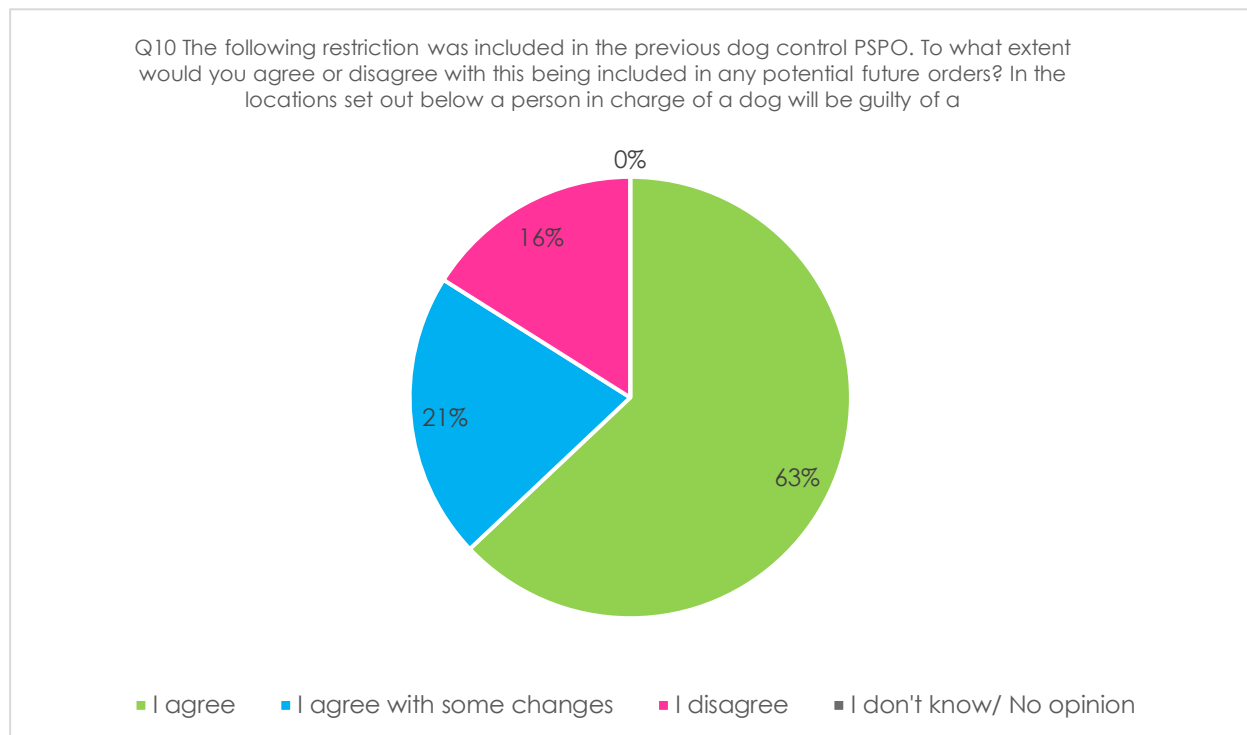
72% agreed with the previous area covered with 11% agreeing but with some changes

9. Do you have any additional comments* or suggested changes to these areas

This was an open response question which related to Q8, 23 individuals responded, there was a mixed response with those agreeing that dogs should be allowed on an area of the beach, with others requesting that there should be no dogs allowed on the beaches any time of year. Another key comment was about the lack of dog bins and dog owners clearing up after their dog. **Please see Appendix one for a full list of comments received).*

10. The following restriction was included in the previous dog control order. To what extent would you agree or disagree with this being included in any potential future orders?

in the locations set out below* a person in charge of a dog will be guilty of an offence if they do not keep the dog on a lead. ** Areas Included - All roads and adjacent pavements and verges All allotments All promenades. The following formal gardens: Chalkwell Park Formal Gardens, Southchurch Park Formal Gardens, Churchill Gardens, Leigh Library Gardens, Prittlewell Square, Southchurch Hall Gardens, The Shrubbery, Priory Park Foundation area, walled garden and Centenary garden. The following bowling greens: Belfairs Park Bowling Greens, Chalkwell Esplanade Bowling Greens, Cavendish Bowling Green, Eastwood Park Bowling Green, Priory Bowling Greens, Southchurch Park Bowling Green, Shoebury Park Bowling Green, Green Areas along beaches (during 1st May to 30th September). The following cemeteries and church yards: Sutton Road Cemetery, North Road Burial Ground, Leigh Cemetery, London Road, Crematorium and memorial grounds, St. Mary's Church Holy Trinity Church, St. Clements Churchyard, St. John's Churchyard.*

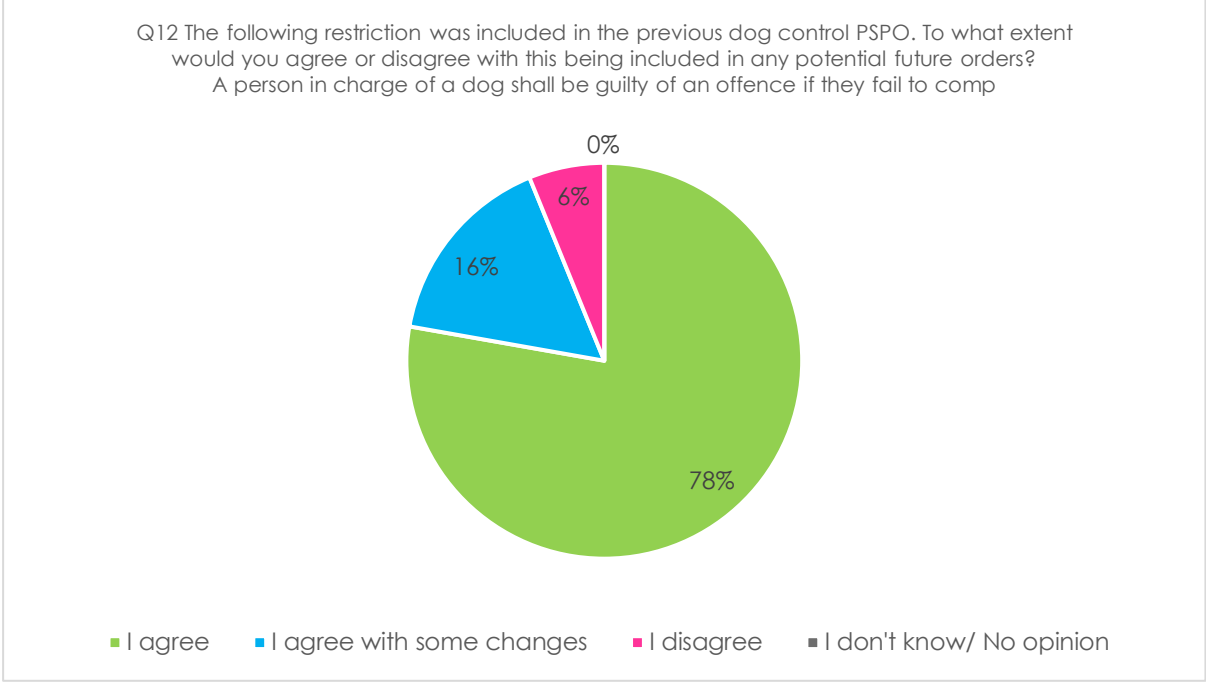


Of those people responding overall 63% of those agree with the area covered by the previous order, with 21% would like some changes only 16% disagreed with the restriction.

11. If you have any additional comments or suggested changes to these areas, please tell Us

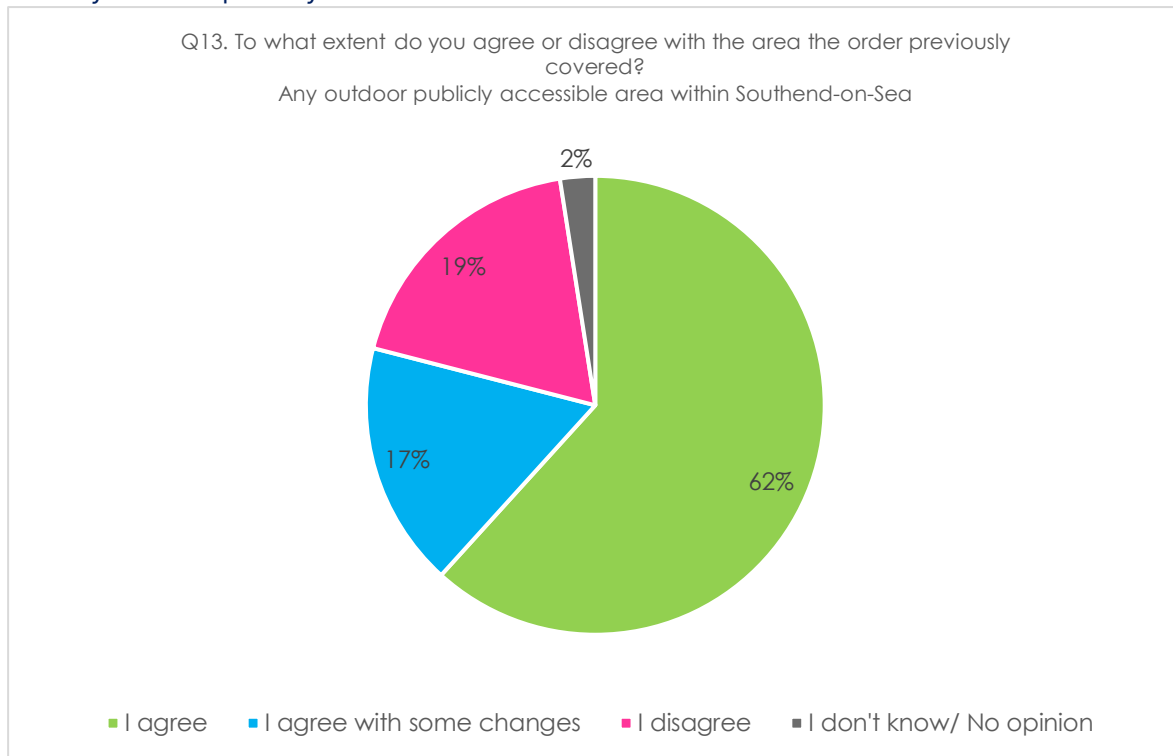
This was an open response that requested additional comments in relation to question 10. There was a list giving details of the areas identified. 30 individual comments were received and most agreed with the areas identified that there should be dogs on a lead at all times. Some also requested this this was not criminalised as some dogs are well enough behaved to be off the lead. Additional areas were requested which included beaches/ seafront area and some additional golf courses and cricket field.

12. The following restriction was included in the previous dog control order. To what extent would you agree or disagree with this being included in any potential future orders? A person in charge of a dog shall be guilty of an offence if they fail to comply with a direction to put and keep a dog on a lead from an authorised officer**. **Authorised officer refers to any police officer, community safety officer, or any other officer authorised by the Council for this purpose.



Of those responding the overall majority agreed that a person should be guilty of an offence if they fail to put a dog on the lead if requested to do so by a Community Safety Officer, Police Officer or authorised officer of the Borough Council. Only 6% of those responded disagreed with 16% agreeing with some changes.

13. To what extent do you agree or disagree with the area the order previously covered?
Any outdoor publicly accessible area within Southend-on-Sea



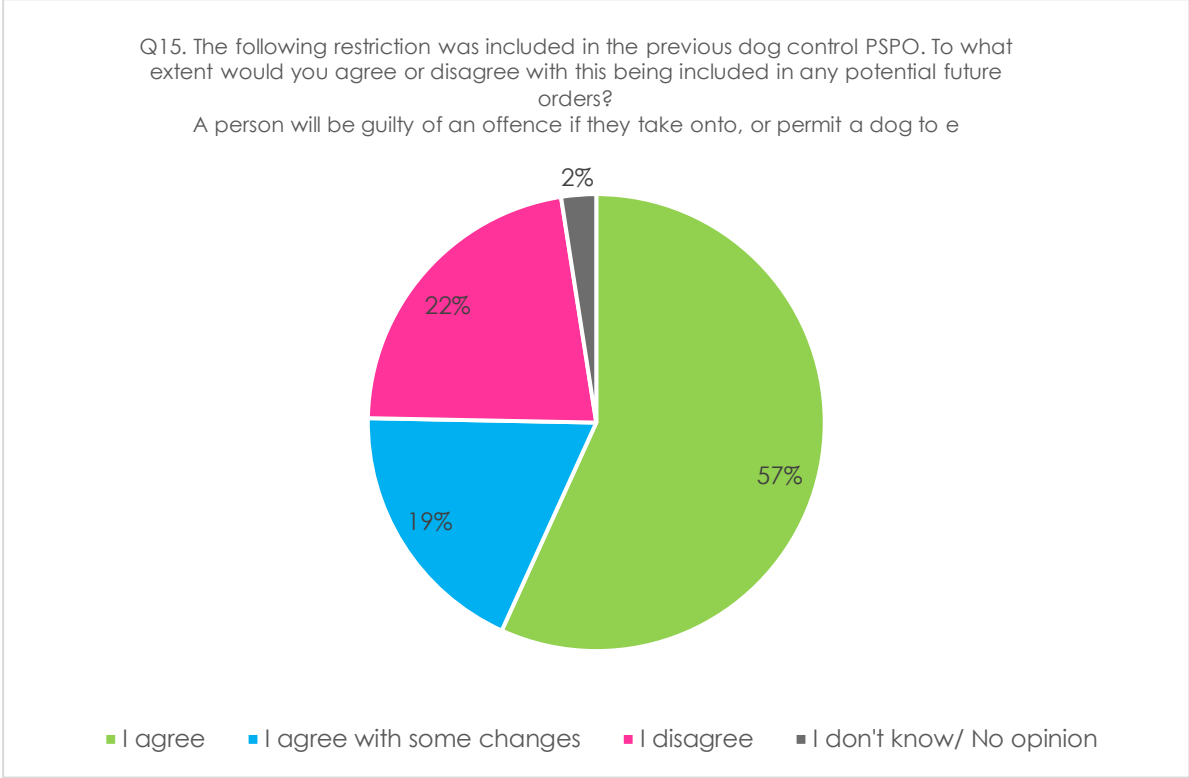
62% of those responding agree with the area the order previously covered with 17% agreeing with some changes closely followed by 19% of respondents disagreeing with the area.

14. Any additional comments* or changes, please tell us

16 people responded to this with the consensus that there should be dedicated dog friendly areas identified somewhere along the foreshore and in parks. And more monitoring and education for those that ignore the rules. * Please see Appendix one for all comments received.

15. The following restriction was included in the previous dog control order. To what extent would you agree or disagree with this being included in any potential future orders?

A person will be guilty of an offence if they take onto, or permit a dog to enter and remain on, any of the land set out below. **All children's play areas within public parks within Southend-on-Sea. The following sports areas: Belfairs Park Tennis Courts, Bonchurch Park Tennis Courts, Chalkwell Park Tennis Courts, Cavendish Park Tennis and Basketball Courts, Priory Park Tennis Courts, Southchurch Park Tennis Courts, Shoebury Park Tennis Courts, Warner's Park- All Weather Pitch, Milton Road Gardens Tennis Courts, Cluny Square 5 a side pitch. All beaches out to the mean low water mark between 1st May and 30th September.*



Of those responding 57% agreed with this statement with 19% agreeing with some changes, followed by 22% disagreeing completely.

16. If you have any additional changes to the areas please tell us

34 people commented on this with most people agreeing that there should be a dedicated dog friendly areas on the beaches and parks included, but again monitoring and enforcement needed to be improved. Other comments included dogs should be allowed on the beach during the summers months early morning and late evening. **Please see Appendix one for full comments*

17. If you have any additional comments* regarding the PSPO - Dog Control please let us know in the space below

22 people added their comments to this area reiterating the issues of irresponsible dog ownership, the benefits of dog friendly beaches and more monitoring and enforcement.

**Please see Appendix one for full list of comments*

Response from Statutory Bodies

We received a response from Essex Police, supporting the renewal of the PSPO.

Comment

Essex Police supports the proposal to renew the Dog Control Public Space Protection Order as it gives additional on the spot powers to address irresponsible dog ownership and the detrimental affect the identified behaviours has on the community.

There is no evidence to suggest the current PSPO is not fit for purpose and therefore support a renewal of it under its current terms.

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

PUBLIC SPACES PROTECTION ORDER

This order is made by Southend-on-Sea Borough Council (the “Council”) and shall be known as the Southend-on-Sea Borough Council (Dog Control) Public Spaces Protection Order 2021 (“the Order”)

PRELIMINARY

- 1 The Council, in making the Order is satisfied on reasonable grounds that it is likely that the activities identified below will be carried out in public places within the Council’s area and that they will have a detrimental effect on the quality of life of those in the locality,

And that.

The likely effect of the activities
Is likely to be of a persistent or continuing nature,
Is likely to be such as to make the activities unreasonable, and
Justifies the restrictions imposed by the notice.

- 2 The Council is satisfied that the prohibitions imposed by this order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce the detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- 3 The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights, The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this order are lawful, necessary and proportionate

BY THIS ORDER

- 4 The effect of the Order is to impose the following prohibitions and/or requirements in the restricted areas at all times save where specified exemptions apply or where the express permission of the Council, or if the land is not in the ownership of the Council permission from the other relevant landowner, has been given on the use of the Restricted Areas.
- 5 The prohibitions and/ or requirements are:
 - a. If a dog defecates at any time within the Restricted Area described in Schedule 1 and a Person in charge of the dog at that time fails to remove the faeces from the land forthwith or dispose of the faeces from the Restricted Area forthwith, that person shall

be guilty of an offence.

- i For the purposes of paragraph 5(a) placing the faeces in a receptacle in the Restricted Area which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land,
 - ii being unaware of the defecation whether by reason of not being in the vicinity or otherwise, or not having a device for or other suitable means of removing the faeces shall not be an excuse for failing to remove the faeces.
- b A Person in charge of a dog shall be guilty of an offence if at any time within the Restricted Area described in Schedule 1 they are in charge of more than the four dogs
- c. A Person in charge of a dog shall be guilty of an offence if at any time within the Restricted Area described in Schedule 2 they do not keep the dog on a lead.
- d. A Person in charge of a dog shall be guilty of an offence, if at any time, in the Restricted Area described in Schedule 1, they do not comply with a direction given by an Authorised Officer to put and keep the dog on a lead.
 - i. An Authorised Officer may only give a direction under this paragraph 5(d) to put and keep a dog on the lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person or the worrying or disturbance of any animal or bird.
- e. A Person in charge of a dog shall be guilty of an offence, if, at any time they take a dog onto, or permit a dog to enter or remain on, the Restricted Area as defined in Schedule 3.

EXEMPTIONS

- 6 Nothing in paragraph 5 of this Order applies to.
- i. A disabled person (withing the meaning of the Equality Act 2010) whose disability restricts his/her ability to comply with the requirements or prohibitions set out in paragraph 5 and where the dog is their guide dog or assistance dog; or
 - ii. A person who is training an assistance dog in an official capacity
 - iii. A dog used by the police or other agencies permitted by the Council for official purposes

FURTHER REQUIREMENTS

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

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

OTHER

- 9 This order applies to a public place within Southend-on-Sea, defined in Schedules 1, 2 & 3 of this order and identified as the Restricted Area.
- 10 The effect of the Order is to impose the prohibitions and requirements detailed herein, at all times, save where specified exemptions apply or where the express permission of the Council, or if the land is not in the ownership or control of the Council the other relevant landowner, has been given on the use of the Restricted Areas.

DEFINITIONS

- 11 For the purpose of this Order the following definitions will apply.

'Assistance dog' means a dog that is trained to aid or assist a disabled person

'Authorised Officer' means a constable, a police community support officer or a person authorised in writing by Southend-on-Sea Borough Council.

'Person in charge' means a person who habitually has the dog in their possession, care or company at the time the offence is committed, or if none, the owner or person who habitually has the dog in his possession.

'Restricted Area' has the meaning given by section 59(4) of the Anti-Social Behaviour Crime and Policing Act 2014 and for the purpose of this order as described in Schedules 1, 2 and 3 of this order.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

- 12 This Order came into force at midnight on 1st May 2021 and will expire at midnight on 30th April 2024

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

- 13 Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse:
- a. To do anything that the person is prohibited from doing by a public spaces protection order, or
 - b. To fail to comply with a requirement to which the person is subject under a public spaces protection order.
- 14 A person guilty of an offence under section 67 is liable on conviction in a Magistrates Court to a fine not exceeding level 3 on the standard scale

FIXED PENALTY

15 An Authorised Officer may issue a fixed penalty notice (“FPN”) to anyone they believe has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act 2014. The offender will have 14 days to pay the fixed penalty of £100. If the fixed penalty is paid within 14 days the offender will not be prosecuted. A FPN may be appealed to the Council through the internal appeals process described on the issued notice.

APPEALS

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

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

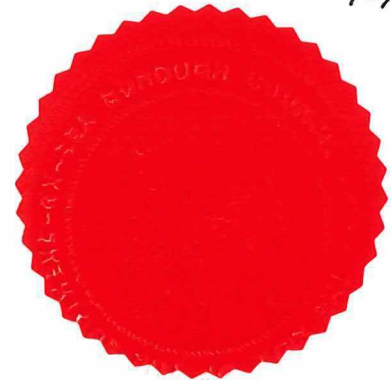
18 When an application is made the High Court can decide to suspend the operation of the order pending the Court’s decision, in part or in totality. The High Court has the ability to uphold the Order, quash it or vary it.

Dated 26th April 2021

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

Proper Officer of the Council

GILLIS W GILBERT



SCHEDULE 1 - Restricted Area 1

1. Any land in the administrative area of Southend-on-Sea Borough Council open to the air and to which the public are entitled to have access (with or without payment).

SCHEDULE 2 - Restricted Area 2

- 1 Every length of road including adjacent pavements and verges within the administrative area of Southend-on-Sea Borough Council.
2. All allotments
3. All promenades.
- 4 Green areas along the beaches (during 1st May to 30 September only)
5. The following formal gardens:
Chalkwell Park Formal Gardens
Southchurch Park Formal Gardens
Churchill Gardens
Leigh Library Gardens
Prittlewell Square
Southchurch Hall Gardens
The Shrubbery
Priory Park Foundation area walled garden and Centenary garden
6. The following bowling greens:

Belfairs Park Bowling Greens
Chalkwell Esplanade Bowling Greens
Cavendish Bowling Green
Eastwood Park Bowling Green
Priory Bowling greens
Southchurch Park Bowling Green
Shoebury Park Bowling Green
7. The following cemeteries:
Sutton Road Cemetery
North Road Burial Ground
Leigh Cemetery, London Road
Crematorium and memorial grounds
- 8 The following church yards.
St. Mary's Church
Holy Trinity Church
St. Clements Churchyard
St John's Churchyard
9. All public Car Parks, excluding those within public parks

SCHEDULE 3 - Restricted Area 3

Exclusion Zones – All Year

- 1 **Children’s Play Areas** – All separate children’s play areas within public parks in the Borough of Southend-on-Sea and designated as such at any time during the period of this order, including beach play areas

2. **Sports Areas**

Belfairs Park Tennis Courts

Bonchurch Park Tennis Courts

Chalkwell Park Tennis courts

Cavendish Park Tennis and Basketball Courts

Priory Park Tennis Courts

Southchurch Park Tennis Courts

Shoebury Park Tennis Courts

Warner’s Park – All-weather Pitch

Milton Road Gardens Tennis Courts

Cluny Square – 5 a side pitch

3. **Exclusion Zones – Part Year (1st May to 30th September)**

All beaches in the Borough of Southend-on-Sea extending out to the mean low water mark.

SCHEDULE 4 - LEGISLATION

Anti-Social Behaviour Crime and Policing Act 2014

Section 67

Offence of failing to comply with order

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

Meeting: Cabinet
Date: 4 March 2024
Classification: Part 1
Key Decision: Yes
Title of Report: Stray Dog Service Contract Award

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

1. Executive Summary

- 1.1. The Council has a statutory duty to collect and detain stray dogs. This service has been provided through the Council's animal warden, a veterinary practice and a contract for the kennelling service.
- 1.2. Changes to staffing levels and the withdrawal of an acceptance point for our stray dogs within Southend has offered the opportunity to re-procure the stray dog service in a more sustainable way. The acceptance is the point at which the Council accepts responsibility and receives the stray dog.
- 1.3. A procurement exercise has been completed which has identified that the award of the contract is a key decision as it exceeds the financial threshold of £250K over a five-year period.

2. Recommendations

It is recommended that Cabinet:

- 2.1. Approve the award of a stray dog service to provide the following services:
 - Collection of stray dogs between the hours of 8.30 am and 10pm, this being the point at which the Council accepts responsibility and receives the stray dog.
 - Kennelling of strays until re-united with their owners, they are re-homed, or the statutory requirement of the local authority ends.
- 2.2. Approve a review of the fees and charges charged to owners. This will include the statutory fee and recovery of expenses associated with seizing and detaining a stray dog.

3. Background

- 3.1. The local authority has a statutory duty under sections 149 and 150 of the Environmental Protection Act 1990 (EPA 1990) to seize and detain stray dogs found within its area. The Environmental Protection (Stray Dogs) Regulations 1992 (the 1992 Regulations) prescribe a statutory fee to be paid, which is in addition to all expenses associated with dealing with a stray dog which the EPA 1990 enables us to charge, to the owner of the seized dog before the dog is returned to them. The Clean Neighbourhoods and Environment Act 2005 removed the responsibility of the Police to seize and detain dogs and transferred that duty to the local authority.
- 3.2. At Cabinet 29 September 2022 Item 320 the current arrangements for the stray dog service were explained and options were put forward for consideration by Cabinet for the procurement of the stray dog service.
- 3.3. The decision of Cabinet was to:
- Explore the feasibility of a direct award to South Essex Property Services (SEPS) for an acceptance point, and the kennelling service to be put out to tender.
 - That in the event that a direct award was not made to SEPS, the acceptance point and kennelling service be put out to tender.

This decision was reviewed at Policy and Resources Scrutiny Committee on Thursday 13 October 2022 Item 365 and confirmed.

- 3.4. The feasibility of the provision of an acceptance point by SEPS was considered for the hours of 5pm until 8.30am and was not found to be viable for SEPS to deliver. This consideration included relevant training for those delivering this service, suitable welfare facilities being available, and the anticipated number of dogs and cost.
- 3.5. The legislation does not require authorities to offer a night-time call-out service to seize and detain dogs seen or found by the public. Using 3 years of statistics, on average, the service was receiving 120 stray dogs per annum. The hours of demand had been monitored and it was noted that the demand was 47.1% during offices hours, 55% in the evenings and weekends and 3.3% after 10pm. Due to the withdrawal of the acceptance point, the local authority has been offering an extended service until 10pm, with no collection between 10pm and 8.30am since May 2023. Enquiries have been made and there has been no evidence provided that indicates that the service is required after 10pm.
- 3.6. As a direct award was not made to SEPS, and there were no other providers able to provide an acceptance service within the city consideration was given to procuring a collection and kennelling service.

- 3.7. As previously noted the authority had undertaken two procurement exercises, the first did not result in any bidders, and this was due to the TUPE restrictions. The second was a shared service with neighbouring authorities, which did not go ahead because one authority chose not to procure jointly. The application from the animal warden for flexible retirement gave the opportunity to remove the stray dog service element from the post and give greater flexibility in the procurement of the service, as it removed the TUPE element.
- 3.8. The procurement was undertaken for a collection and kennelling service over the hours of demand 8.30am until 10pm. The procurement required the best practice requirements for the welfare of the dogs, and where dogs are not reclaimed, for the rehoming of dogs where this is possible to do so.
- 3.9. The Council has a statutory duty to hold a stray dog for seven days. The seven days commences when the Council services a statutory notice on the owner of the dog, where they are known. This responsibility cannot be passed to the contractor and must remain in-house.

4. Reasons for Decisions

- 4.1. Southend on Sea City Council has a statutory duty to deliver a service that provides for the seizure and detention of stray dogs. The financial rules require that a formal procurement process is undertaken.
- 4.2. The provision of an Acceptance Point after 5pm by SEPS was not possible for the reasons detailed in 3.4 above. To tailor the service to the hours of demand the contract is being procured, offering a collection service until 10pm, which is in line with our neighbouring authorities.
- 4.3. The provision of this service during the hours of demand (8.30am until 10pm). To both reduce the cost to the authority of providing a 24/7 service whilst minimising the risk of strays roaming and not being collected at times of high demand.

5. Other Options

- 5.1. There is no option to provide a 24/7 service with an external provider. To provide a 24/7 service the Council would need resource to cover the staffing and premises required.

6. Financial Implications

- 6.1. It was noted in the report to Cabinet 29 September 2022 Item 320 that it was anticipated that the cost of delivering this service would exceed the current budget. To meet the shortfall in budget the 0.4FTE (full time equivalent) from the animal warden post has been set aside to offset this increase.

6.2. Under section 149(5) of the EPA 1990 the authority may recover the following costs from the owner:

- Collection and return fee;
- Daily kennelling charge;
- The cost of any necessary veterinary treatment of injured or sick dog veterinary services.

Plus a further £25.00 as prescribed by the 1992 Regulations.

All fees will be calculated on conclusion of the procurement of the contract.

These payments will be made by the owner of the dog to the contracted service directly.

6.3. It should also be noted that where a dog is not reclaimed the authority is liable for all the costs associated with the contracted service, which would include 7 days of kennelling once the owner, if one can be found, had been notified.

6.4. The service is being procured on a fixed fee basis for the service to be operational 7 days / week between 8.30am and 10pm, with an additional cost per dog for the collection, return, kennelling and veterinary services. The variable element of this means that the cost of the service will flex in line with the number of strays collected, (on average 120 / year).

6.5. It is anticipated that the current budget, together with the repurposing of some of the salary budget will cover the cost of delivery of the service. The increase in fees and charges, in line with the direct costs to the Council, indicate that the service can be delivered without any additional resource.

7. Legal Implications

7.1. The Council has a statutory duty to deliver a service that provides for stray dogs, which the Council will discharge using an outside contractor. There is no legal requirement to offer a night-time call out service to seize and detain dogs seen or found by the public. Whilst there is no legal requirement to provide an Acceptance Point, the local authority's proposed service is, where practicable to provide a place where dogs can be taken outside normal office hours, in line with the demands of the service, which is until 10pm including weekends, bank and public holidays.

7.2. The authority can delegate the discharge of this service to another person but remains responsible for securing that the functions are properly discharged.

8. Policy Context

- 8.1. This service is being procured in line with corporate priorities to transform the Council to deliver an efficient cost-effective stray dog service. The procurement of the contract will be concluded in line with procurement and financial rules. It will provide a stray dog service that is based on clear standards, meeting the legislation requirements for the service. The service will look to recover the costs associated with collecting and kennelling stray dogs where it is possible to do so.
- 8.2. The service will consider future opportunities to develop a shared service with our neighbouring authorities.

9. Carbon Impact

- 9.1. The current animal warden vehicle also does not meet the current ULEZ Euro 6 standards and will be decommissioned.

10. Equalities

- 10.1. The equalities assessment has been completed and where impacts were identified there is mitigation in place.


11. Consultation

- 11.1. There is no consultation planned for the award of this statutory service. The service has been developed to provide a cost-effective service in line with the service needs. A consultation will be undertaken once the contract is in place to ensure that residents are able to access information on the service provision.

12. Appendices

Appendix 1 – Equalities impact assessment.

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Andrew Brown	22/01/2024
Monitoring Officer	Gary Perry-Ambrose	22/01/2024
Executive Director(s)	Alan Richards	20/12/2023
Relevant Cabinet Member(s)	Cllr John Lamb 	21/12/23

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Equality Analysis

Equality Analysis Summary

Name of proposal, policy, service function, or restructure requiring an Equality Analysis	Stray Dog Service Procurement						
Brief summary of your proposal	<p>This Council has a statutory duty to provide a stray dog service. The service was previously provided by the animal warden, a kennelling service, and an out of hours acceptance point by a local veterinary practice.</p> <p>The Acceptance Point is no longer available so it is proposed to provide the stray dog service during the main hours of demand as measured over a 3-year period. This changes the service from a 24/7 service to a 7-day service between the hours of 8.30am and 10pm. This in line with neighbouring authorities.</p>						
Department	Environment and Place						
Service Area	Regulatory Services						
Date Equality Analysis Begun:	12 December 2023						
At what stage of the proposal is this Equality Analysis being conducted?	<table> <tr> <td>Planning Phase</td> <td>N</td> </tr> <tr> <td>Midway Point</td> <td>N</td> </tr> <tr> <td>Reflective Analysis</td> <td>Y</td> </tr> </table>	Planning Phase	N	Midway Point	N	Reflective Analysis	Y
Planning Phase	N						
Midway Point	N						
Reflective Analysis	Y						

Names and roles of staff carrying out this Equality Analysis:

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Regulatory Services
Valerie Howells	Animal Warden	Regulatory Services
Sheira Fox	Regulatory Services Manager	Regulatory Services

1. Evidence

1.1 Sources of information

Table 1

Source of information	Reason for using (e.g., likely impact on a particular group).
UK Pet Population UK Pet Food accessed 12/12/2023 9.05am	This survey indicates that 31% of households in 2023 may have a dog.
2021 Census Profile for areas in England and Wales - Nomis (nomisweb.co.uk)	Number of households in Southend as at 2021 Census was 78,344.
RSPCA Good Practice Guide	Policy considerations

1.2 Gaps in information or data

Are there any information gaps and data?

No

Do the gaps relate to any protected characteristics?

The stray dog service is a statutory duty which the local authority must provide. The local authority will seize and detain stray dogs, including those dogs which are found by residents, and try to reconnect the owners with the dogs through identifying data on the dogs.

Where the authority does seize and detain a dog, the legislation prescribes a statutory fee that must be paid by owners of dogs and also allows for the local authority to recover additional costs. The additional costs include the collection and kenneling costs, and any associated veterinary charges that may apply.

Where the owner has complied with the legal requirements to identify their dog the dogs can be reunited with the owners very quickly, this reduces the costs that will be incurred by the local authority, and thus charged to the owner. Where the local authority is unable to trace the owner, because ownership details are not available this may extend the time that that the dog is held, and this increases the charges that will be incurred. There is a statutory 7-day period that the local authority has responsibility for the dog, and where an owner is notified, this commences 7-days from that notification.

No

2. Analysis: How people with protected characteristics will be impacted by your proposal

2.1 Impact assessment

Table 2

	Impact - Please tick				
	Yes			Not Impacted	Impact Unclear
	Positive	Negative	Neutral		
Age (including looked after children)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Socio-economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Armed Forces Service Personnel & Veterans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Care Experience	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2.2 Results of your analysis

Table 3

	Potential Impact
Overarching comments	The RSPCA cites research that demonstrates the positive aspects on a community of pet ownership. Indicating that pet ownership can enhance both mental and physical health, through providing companionship and

	<p>encouraging exercise. There are however irresponsible dog owners whose behaviour can cause misery and suffering to the dogs.</p> <p>If individuals comply with the legal requirements for identifying the dog's owner the charges are reduced, because early contact means a lower cost to the owner. This is because the legislation allows the local authority to charge for the costs associated with seizing and detaining stray dogs. The charges applied relate directly to the costs that are incurred by the Council in meeting its statutory obligation with respect to stray dogs.</p> <p>It is estimated that 31% of households, which for Southend would mean 24,286, could potentially own a dog. However, the overall effect on householders would be low as the demand on the service indicates that less than 0.5% of households may have to pay the costs associated with the seizure and detention of their dogs.</p>
Age	None
Disability	Those with a disability may rely on their dog as an assistance dog. Disability dogs are very highly trained, there have been no instances of assistance dogs being left to stray. If the local authority were to seize and detain and assistance dog consideration would be given to the circumstances and the fees chargeable. Evidence of an assistance dog may include registration with a reputable charity such as Guide Dogs for the Blind Association.
Gender reassignment	None
Marriage and civil partnership	None
Pregnancy and maternity	None
Race	None
Religion or belief	None
Sex	None
Sexual orientation	None
Carers	None
Socio-economic	Individuals on a low income may be less able to afford the charges, however compliance with the legal requirement on ownership identification will reduce the impact of this. There is clear guidance on the Council's website on how to check whether the Council has arranged for the collection of a dog, there is also the facility to leave a message which will be answered in office hours. Microchipping is undertaken at a low cost where the dog has not been micro-chipped.
Armed Forces Service Personnel & Veterans	None
Care Experience	None

3. Action: Can we mitigate negative impact?

3.1 Steps taken to mitigate any impact(s)

Table 4

Planned action and the outcome it will achieve	Owner	When	How will this be monitored (e.g., via team/service plans)
There are already steps in place to mitigate impact, in the provision of information on compliance with the legislation on ownership and on information on how to reclaim a stray dog.	Val Howells	Already in place	None required.
To undertake a consultation once the contract is in place to ensure that residents are able to access information on the service provision.	Elizabeth Georgeou	September 2024	Consultation

4. Outcome: What difference has your Equality Analysis made?

4.1 Outcome

Please choose the most relevant option:

- No change – the assessment is that the policy/practice/service is/will be robust.
- Adjust the policy/ practice proposal – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.
- Continue the policy/ practice proposal despite the potential for adverse impact, and which can be mitigated/or justified
- Stop the policy/ practice proposal as adverse effects cannot be mitigated or justified.

4.2 Justification

The adverse potential adverse impact on socio-economic groups is mitigated through the provision of clear guidance on the Council's web pages. Where individuals do not comply with the legislation relating to ownership details they may incur additional charges. This is proportionate and legitimate in managing resources, and charges that are made to local authority.

Your Head of Service or Director is required to sign-off your analysis and outcome

Advice is already provided to assist residents to understand the stray dog service and the charges that are applied. This includes how to access the service and find a stray dog if it has been seized and detained by the Council. The accessibility of this information will be tested through a consultation which will commence after the service has been in place for 6 months to measure its efficacy.



Signed (lead officer):



Signed (Executive/Director/Head of Service)

Once signed, please send a copy of the completed EA to Angela Dress
Angeladress@southend.gov.uk.

All Equality Analyses are recorded on Pentana and reported to CLT and DLT's on a quarterly basis.

Meeting:	Place Scrutiny Committee People Scrutiny Committee Policy & Resources Scrutiny Committee
Date:	12 February 2024 14 February 2024 15 February 2024
Classification:	Part 1
Key Decision:	No
Title of Report:	Outside Bodies Task and Finish Group – Final Report and Recommendations
Executive Director:	Claire Shuter, Executive Director of Strategy and Change
Report Author:	Stephanie Cox, Principal Democratic Services Officer
Executive Councillor:	Councillor James Moyies, Cabinet Member for Public Health, Adult Social Care & Constitutional Affairs

1. Executive Summary

To present the final report and recommendations of the Outside Bodies Task and Finish Group.

2. Recommendations

That the report and recommendations arising from the Outside Bodies Task and Finish Group, as detailed in Section 6 of the attached report, be agreed.

3. Background

- 3.1 The Scrutiny Chairs Forum met on 27 June 2023. The Membership of this forum is constituted from the Chairs and Vice-Chairs of each of the Council's three scrutiny committees.
- 3.2 At this meeting the membership and representation on Outside Bodies was identified as a potential topic for review, subject to agreement by Scrutiny Committees. The Place, People and Policy and Resources Scrutiny Committees agreed to establish the Outside Bodies Task and Finish Group at the meetings held in July 2023.

4. Reasons for Decisions

- 4.1 The Task and Finish Group reviewed all outside bodies to which Members were appointed to in the 2023/24 municipal year and looked at improving the method for reporting back on Outside Bodies to ensure they are adding value to Southend-on-Sea City Council.

4.2 Specifically the review and recommendations, had the following aims:-

- To identify which appointments continue to be beneficial.
- To identify which appointments may no longer be required, for example if the Outside Body is now defunct and no longer functioning.
- To identify any Outside Bodies which may need a different number of representatives.
- To identify any new bodies which may benefit from Member representation.
- To improve contact and relationships with Outside Bodies and strengthen internal processes, for example how Outside Bodies will be notified when new appointments are made.
- To deepen understanding of the work of each Outside Body and the capacity in which they would like Members appointed, for example a decision-making capacity (member of management committee, board of directors, committee of trustees) or in an 'observer' capacity undertaking a monitoring role.
- To investigate ways by which all appointed Members can provide regular feedback to the Council on the work of their Outside Bodies.

4.3 All 58 Outside Bodies that the Council currently appoints to were surveyed. Following the results of the review it is proposed that:

- 21 Outside Bodies to cease appointments to from 2024/25.
- 47 Outside Bodies proposed to appoint to from the municipal year 2024/25.

4.4 There were a number of recommendations arising from the review which are set out in section 6 of the final report (attached at appendix 1). These have been agreed by the Task and Finish Group Members.

4.5 The Committee is recommended to endorse the recommendations from the Outside Bodies Task and Finish Group, for agreement by Council.

4.6 The report and recommendations arising from the completion of the In-Depth Scrutiny Project will be presented to the Committee by Councillor C Mulroney, as Chair of the Outside Bodies Task and Finish Group.

5. Other Options

Not applicable

6. Financial Implications

As described in the report of the Outside Bodies Task and Finish Group (section 4.1).

7. Legal Implications

Statutory Powers – Local Government Act 1972.

8. Policy Context

8.1 It is important that Council is represented on Outside Bodies which may have a direct or indirect influence on Council decision making.

9. Carbon Impact

It is important to ensure that the most effective use of member time and reduce the need to travel and ensure the capabilities of Outside Bodies to minimise these in both their interests and the environment.

10. Equalities

It is important that when representing the Council members have the right expertise and knowledge for the particular role.

11. Consultation

All 58 Outside Bodies that the Council current appoints to were surveyed, using a combination of letters, emails and telephone calls. A good level of response was received, however there were some organisations for which little or no information could be obtained.

All Elected Members were consulted during this process, alongside the Corporate Management Team.

12. Appendices

Appendix 1: Final report of the Outside Bodies Task and Finish Group – Outside Bodies Review 2023

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Joe Chesterton	01/02/24
Monitoring Officer	Kim Sawyer	31/01/24
Executive Director(s)	Claire Shuter	30/01/24
Relevant Cabinet Member(s)	Councillor J Moyies	29/01/24

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Outside Bodies' Review 2023

To review all Outside Bodies on which members sit and to look at improving the method for reporting back to Council.

Author: Stephanie Cox, Principal Democratic Services Officer (Statutory Scrutiny Officer)

Version: 1

Date: December 2023

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Chair's Foreword

If, like me, you have in the past been appointed to an Outside Body but have had very little interaction with them, despite approaches, or felt ill prepared for the role, I hope this review will assist in future to ensure we get the best results for the Council and the Outside Body from the appointments we make.

It is important that the Council is not isolated from all the various groups and organisations that make up the life of, not just the City, but the region and indeed the country, where we can play a part.

At the forefront of our minds when working with these organisations should be the enhancement of our knowledge, input and interaction in order to provide benefit to our residents, businesses and visitors. Unless we are observers, we should play as active a part as possible, within the bounds of our Council remit, and make sure that our fellow councillors are kept informed and notified, particularly if something affects their ward.

The regime which is contained in this document and its attachments will go a long way to assist in improving our systems and knowledge and the discipline of being responsive at all times to bodies of which we form part.

This has been a mammoth task and I would like to thank Stephanie Cox for the time and effort she has put in in contacting and chasing people for information, consulting other councils and putting together a package for us to consider. It was no mean feat.

I hope once the final decision is taken the Council can move forward in these partnerships with the right people in place using their knowledge and expertise and furthering the cause of working with others for the benefit of all.



Councillor Carole Mulroney
Chair of Outside Bodies' Task and Finish Group

1. Introduction

The Outside Bodies' Task and Finish Review was suggested as a potential topic by the Scrutiny Chairs Forum. The membership of this forum is constituted from the Chairs and Vice-Chairs of each of the Council's three scrutiny committees.

It had been recognised by Councillors that, when appointed to some Outside Bodies at Appointments Council, they did not receive any meeting invitations or contact from the Outside Body. There were also no formal reporting mechanisms in place for Councillors sitting on these bodies to report back to other Councillors.

This highlighted the need to conduct a review of current processes, procedures and representation, to improve our communication and engagement with the Outside Bodies and strengthen our partnership working going forward.

The Council has a strong commitment to partnership working with many bodies and this work takes many forms. The Council may give financial or other support to an organisation, or it may commission services, or be a partnership based on a dialogue and consultation.

Outside Body representation serves many purposes, including the following:

- Enabling the Council to contribute to, and influence, the decision making of an organisation.
- Enabling the organisation to have direct information about Council policy and practice.
- Providing, through particular appointees, a local perspective.
- Satisfying a legal requirement for the Council to serve on the body.
- Providing an essential lead focus on behalf of the Council.
- Facilitate the objectives of the Council.

In July 2023 each of the Council's three Scrutiny Committees agreed the cross-cutting Outside Bodies' Task and Finish Group to be established, in accordance with proportionality allocations.

2. Scope

Purpose of the Review

To review all Outside Bodies on which Councillors sit and to look at improving the method for reporting back to Council.

Aims

- To identify which appointments continue to be beneficial.
- To identify which appointments may no longer be required, for example if the Outside Body is now defunct and no longer functioning.
- To identify any Outside Bodies which may need a different number of representatives.
- To identify any new bodies which may benefit from Councillor representation.

- To improve contact and relationships with Outside Bodies to and strengthen internal processes, for example how Outside Bodies will be notified when new appointments are made.
- To deepen understanding of the work of each Outside Body and the capacity in which they would like Councillors appointed, for example a decision-making capacity (member of management committee, board of directors, committee of trustees) or in an 'observer' capacity undertaking a monitoring role.
- To investigate ways by which all appointed Councillors can provide regular feedback to the Council on the work of their Outside Bodies.

Methodology

Group Leaders were asked to submit their nominations to the Task and Finish Group, in accordance with proportionality allocations. The Leader of the Council confirmed that the Conservative Group would offer two of their allocated seats to non-aligned Councillors to ensure representation across the Council. As a result, the Members of this Task and Finish Group were:

Councillor C Mulrone (Chair)

Councillor S Aylen

Councillor M Borton

Councillor T Cowdrey

Councillor A Jones

Councillor D Richardson

Councillor M Terry

The Task and Finish Group met on two occasions; to agree a way forward and the surveys to be sent to Councillors and Outside Bodies, to look at what other comparable Council's did and to discuss the final recommendations.

The Group agreed the following approach:

Desktop Research:

To look at other Councils and how they dealt with Outside Bodies and their reporting mechanisms.

Survey to Outside Bodies:

A questionnaire was agreed by the Group with the aims of:

- updating contact details held on file;
- confirming whether the Outside Body was still in existence;
- confirming the capacity of the role required (trustee, director, committee member and voting status); and
- confirming the time commitment required of the Councillor and meeting patterns (to ensure that appropriate appointments are made in future).

Survey to Councillors:

A survey was agreed and circulated to all Councillors to seek their views on the Outside Bodies they were representing (or had previously represented).

A Councillor 'drop-in' session was also held by Stephanie Cox (Principal Democratic Services Officer). Councillors were encouraged to contact Democratic Services by whichever method was easiest, whether through phone, email or in person.

Director Information Gathering:

The Council's Corporate Management Team (CLT) was contacted to help identify whether the current list of Outside Bodies was up-to-date, and importantly, to highlight whether there were any new organisations of which Councillors should have oversight.

During the review process Councillors had highlighted that whilst it was likely some organisations were now defunct, there were also likely to be other organisations that Councillors should be appointed to in order for the Council to have effective oversight.

3. Findings

3.1 Desktop Research

From the evidence they have received as part of this review, Councillors have noted that the issue of appointments to Outside Bodies is something that many authorities have reviewed over recent years.

Information, reviews and reports were obtained from Coventry City, Cumbria County, Dorset, Eden District, Essex County, East Cambridgeshire District, East Staffordshire Borough, South Hams District and Stroud District Councils.

All of these authorities had undertaken similar reviews and adopted comparable approaches and this information helped to gain an overview of the national picture regarding engagement with, and attendance at, Outside Bodies.

This work highlighted that Southend-on-Sea was not alone in some of the challenges faced by making appointments to Outside Bodies and monitoring the impact of this work.

Councillors felt that there was a need to report back on a regular basis, to enable the Council as a whole to be aware of any important issues discussed and to have transparency over what Elected Members were doing. Reporting forms had been produced by other local authorities and a similar form has been produced for Southend-on-Sea City Council, please see **Appendix 3**.

3.2 Responses from Outside Bodies

All 58 Outside Bodies that the Council currently appoints to were surveyed, using a combination of letters, emails and telephone calls.

A good level of response was received, however there were some organisations for which little or no information could be obtained. In these circumstances the nominated Councillors for both the 2022-23 and 2023-2024 years were contacted to ask if they could provide any feedback or knowledge, and then a judgement taken based on what was found.

The survey results were collated and a Red, Amber, Green status applied with those highlighted as:

- Red: being non-operational and appointment no longer required.
- Amber: unsure whether the appointment should continue based on response received or in some cases no responses or feedback could be obtained.

- Green: those organisations that were active, received funding from the Council or positive feedback received from the Outside Body and/or Councillors.

The Task and Finish Group reviewed this feedback in conjunction with the contributions from Councillors and compiled a list of those which the Council should continue to appoint going forward, please see **Appendix 2**.

A list of those which it was felt the Council should not continue to appoint to is set out in **Appendix 1**, along with an explanation as to why.

3.3 Feedback from Councillors

The Group consulted with each representative on an Outside Body (both current and historic) by asking them to complete a questionnaire. The evidence received was used to determine if appointments should continue to be made, only appointing representatives to those Bodies where it adds real value to the Council, Body or Community to do so.

Through this process a number of questions have been raised as to the reason for the City Council engagement with some of the Bodies concerned and the value that both the Body and the Council gains from representation.

It was apparent from responses that a significant number of Outside Bodies had not met, some for considerable time (over 2+ years). Further communication with Outside Bodies was undertaken to try to identify if this was a result of communication breakdown (Councillors not being invited to meetings or the Outside Body not aware of changes to appointments) or whether this was because such organisations were now non-operational.

It was regularly reported by Councillors that no contact had been made from a representative from the Outside Body they were appointed to, and in some cases the Councillor themselves had been contacted by a third-party organisation asking for information on a body – as a result of seeing the Councillor’s name listed on the Southend City Council website.

It was also evident that there was also a mixed approach when appointments had been made. Some Councillors had been proactive and contacted the Outside Bodies that they had been appointed to introduce themselves (and received no response), whilst other organisations had contacted the Councillors direct to ask for information and in some cases had not received the information that they required.

The review highlighted that in some instances, following appointments at Council, particular organisations needed additional forms to be completed to satisfy the Outside Body’s own governance processes (in accordance with their Terms of Reference) and Councillor photographs for their websites supplied.

As a result, the Task and Finish Group concluded that the appointments process needed to be standardised and managed by Democratic Services. A process was agreed at **Appendix 4** which would ensure effective communication going forward.

A common theme from responses was that Councillors felt that appointments to Outside Bodies should be made based on the best ‘fit’ for the role, with Councillors’ interests, skills, experience and knowledge taken into consideration when making appointments.

A summary of anonymised Councillor comments is set out below:

- Lack of clarity regarding the objectives of some of the Outside Bodies.
- Concern that there were “meetings for meetings sake” a lot of the time.
- Disappointment that there was no formal feedback or reporting process from Councillors, so the Council was unaware of any good work that may have been undertaken or issues that affected certain wards.
- That there currently was not a way of monitoring Councillor attendance (or lack thereof) on Outside Bodies.
- That appointments to Outside Bodies should largely come from ‘opposition’ or ‘back-bench’ Councillors, given that Cabinet Members already have significant commitments in their Executive functions, responsibilities and mandatory appointments to a variety of Outside Bodies.
- Whether gender balance could be considered on some panels, (such as school appeals) so that they were not male dominated. It was recognised that the school appeal panel was not an outside body, but the comments received were noted.

In addition, there were specific comments raised in relation to the following:

- **London Southend Airport Consultative Committee**
Some Members felt that representatives appointed to this Outside Body should be from wards primarily affected by the airport (e.g. Ward Councillors whose residents were living under the flight path). It was also felt that this Committee had too many members with Leigh Town Council representatives and Rochford Board of Trade, but not Southend Chamber of Commerce. However, it should be noted that the number of committee members – and where and how these are appointed – are outside of the scope of this review and are for determination by the Consultative Committee.
- **Southend Boys and Southend Girls Choir Trust**
The Trust was removed from the Outside Bodies list in May 2023. The trust no longer receives funding from the Council; however, it has advised that it would like to have a Councillor representative and it was agreed by the Task and Finish Group to add this back to the list.

During the review, some Councillors suggested other organisations that the Council could look to appoint to in future. It was agreed that these organisations should be added to the appointments list. These are set out in **Table 1**.

Table 1

Organisation	Purpose
Southend SEND Independent Forum	Commissioned group, independent of the Council, made up of volunteers, who are responsible for representing the voice of parents and carers of children with SEND. Quarterly meeting with portfolio holder and shadow portfolio holder has been suggested.
SEND Strategic Partnership Board	To consider whether an Elected Member should be appointed to this Board to

	ensure a line of communication to members as Corporate Parents.
Southchurch Hall Inspirational Parkers (S.H.I.P)	During the review this organisation contacted the Council to ask if they could have a Councillor representative to act as a 'Heritage Councillor' to oversee both the protection and raise awareness of heritage in the City.

3.4 Director Information Gathering

Following consultation with CLT, the following was identified:

- Opportunity South Essex and SELEP end on 31 March 2024 and should be deleted.
- PSP Southend LLP – no Councillors appointed, and the partnership is being dissolved - to delete.
- Southend Business and Community Charter – Charter Committee – Executive Director and appointed Councillor are not aware of any such organisation - delete.
- Essex Leaders and Chief Executives (ELCE) which is attended, as you would expect, by the Leader and CEx (or their subs). This is a slightly different name to that on the appointments list and should be amended.
- Transport East – attended by Portfolio Holder for Highways, Transport and Parking and Director of Infrastructure and Environment.
- Southend Local Bus Forum – Attended by Portfolio Holder for Highways, Transport and Parking and the main opposition group shadow councillor.
- Southend Strategic Business Partnership (Essex Chambers of Commerce) – Attended by Leader and Portfolio Holder for Economic Growth and Investment (not as formal board members)
- Local Government Association General Assembly appointments to continue in the same way, however it is proposed the LGA sub-groups, panels, special interest groups or commissions be removed from the main list and determined by the Leader/Cabinet under Cabinet appointments (currently they are Cabinet Member appointments).
- Key Cities Board – Executive Director in consultation with the Leader has agreed to withdraw from this organisation.
- British Destinations – recommended to withdraw.
- North Sea Commission – involvement to cease from 2024/25.
- Southend CITY Business Improvement District (BID) and Southend Tourism Partnership are critical to growth strategy and appointments should continue to be made.
- LGA sub-groups, special interest groups or commissions (under the LGA umbrella) – it is recommended that these should be nominated to by the Leader, as all are Cabinet Member positions. Local Government General Assembly appointments to continue in normal way, as applies to whole Council.
- Southend Boys and Southend Girls Choir Trust – it was felt that the Mayor should act as the Council representative.

4. Other issues

4.1 Cost implications

Given the Council's challenging financial situation, Councillors were also keen to ensure that any work with Outside Bodies was cost effective and delivering any cost savings where possible. In relation to this Councillors queried:

- whether the Council was incurring any costs in relation to travel or hotel expenses;
- The need to review any membership or subscription fees as a potential to deliver savings, although this is not the focus of the review; and
- where organisations were receiving grant funding from the Council, that Members were being appointed to these outside bodies and regularly attending meetings.

The Task and Finish Group is keen to highlight that although the focus of the review has not been the financial implications of engagement with Outside Bodies, this has been considered as part of this work.

There has been no evidence from Councillors, Directors or Outside Bodies themselves that any considerable travel expenses have been incurred from any appointments made. Councillors have reported that if there have been any travel expenses these have been nominal (such as parking charges), and no claims have been made to the local authority for hotel rooms or significant travel fares. The majority of Outside Bodies are local and based in the City, with some in the wider Essex locality. There are some regional bodies that may meet in London once a year, and others which meet quarterly, however with increasing hybrid ways of working more of these organisations appear to be meeting virtually.

The Kent and Essex Inshore Fisheries and Conservation Authority was identified as one organisation that may incur travel or hotel fees; however, no claims have been submitted to the Council and it is our understanding that any cost(s) have been reimbursed by the Outside Body directly.

During the review process a Councillor expressed concern that Councillors may be being paid additional monies to represent Outside Bodies, and as a result these appointments were more lucrative. No evidence of Councillors being paid additional sums to sit on any of the Outside Bodies listed has been found.

As part of the work undertaken, the Group looked at whether the authority was paying any subscription or membership fees to Outside Bodies – and whether the Councillors appointed to these found the work beneficial. This was one area that could potentially deliver cost savings.

4.2 Reporting Mechanisms

Feedback from Councillors highlights there is a need to put in place reporting mechanisms to allow feedback to the whole Council. This process needs to be simple and effective so as not to create a disproportionate amount of work for those Councillors attending Outside Body meetings.

The roles undertaken by Councillors across outside bodies vary and maybe relevant to the whole Council Membership, fellow Ward Members or Members in a more place-based setting.

Members are asked to consider the most appropriate way to feedback relevant information to other Councillors on the work being undertaken by the outside body they sit on. This may differ depending on whether the outside body is specific to a particular ward/local area, has a wider place-based remit such as Citywide or Essex County/Regional wide.

Some suggested ways to feedback are set out below:

- Email updates – representatives should forward Democratic Services any email updates from the outside body, for forwarding to all Councillors on a monthly update (or quarterly as appropriate).
- Through Councillor's own informal networks.
- Member briefings where a wider dissemination of information and knowledge is desirable.
- An 'Annual Feedback' form. Councillors are required to submit an 'end-of-year' report.

Councillors appointed as a representative to an outside body would be expected in future to feedback using a combination of these methods, with a minimum expectation of completing and 'Annual Feedback' form at the end of each municipal year. This would also assist with keeping the appointment list up-to-date as part of an annual 'light-touch' review.

4.3 Change of representation

As part of the review, it was evident that there needed to be an agreed process to manage any change of representation.

Any Outside Body is free to request an alternate Council representative on the understanding the replacement will be chosen by the Council, not by the Outside Body. Repeated non-attendance at meetings without good reasons offers valid grounds for an Outside Body to request an alternate Council representative.

An Outside Body is also free to inform the Council at any time that Council representation is no longer required (if its Constitution allows it to do so). Requests must be made in writing to Democratic Services.

If a Councillor wishes to stand down from their role, they should first inform Democratic Services who will then contact the Outside Body and make other necessary arrangements.

5. Conclusion

By undertaking this review, the Task and Finish Group have gained a much broader understanding of the levels of commitment required and produced a refreshed and more accurate central database of outside bodies.

Although it is suggested that it may be appropriate to reduce the levels of Council engagement with Outside Bodies, continuing to appoint representatives where it adds

real value to do so, the Task and Finish Group is aware that in their own private capacity many Members decide to take part in or sit on a range of Bodies for personal interest or as part of their ward work.

In these circumstances, the Group is keen that this local work and interest continues but wishes to highlight that Councillors need to ensure that they are clear in advising these Bodies when they are not serving on them as a representative of the City Council and its views.

The Group also wishes to take this opportunity to highlight the value that is gained from partnership working, and the need to develop and foster strong relationships both on an individual and at an organisational level, as many of the Council's priorities cannot be delivered alone, rather they are as a result of close working between a number of organisations.

The following recommendations have been developed as a result of the Task and Finish Group's review.

6. Recommendations

The Outside Bodies Task and Finish Group recommend:

- 1. That with effect from the commencement of the municipal year 2024/25, Southend City Council no longer appoint representatives to the outside bodies tabled in Appendix 1.**
- 2. That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled in Appendix 2.**
- 3. That the number of Outside Bodies to which the Council currently appoints Councillor representatives is regularly reviewed using an appropriate set of criteria for establishing whether Councillor representation is appropriate. An annual 'light-touch' review should be undertaken each year by Democratic Services and Executive Directors, with a more detailed review to be undertaken in consultation with Councillors every 4 years (or as appropriate). The criteria to which appointments should be made to an Outside Body are where:**
 - a) The authority has a statutory duty to be involved.**
 - b) It is essential to the work of the Council and delivery of its service area.**
 - c) Cabinet Members / Councillors are required to attend because of their specific role in the Council.**
 - d) The Outside Body / City Council would derive a significant benefit from the engagement of a Councillor.**
- 4. That consideration be given to appointing Councillors according to their knowledge and expertise of a subject.**
- 5. That all Councillors who are appointed to Outside Bodies will be expected to provide a monthly update (if appropriate) and an annual report to feedback any key points from their attendance on the Outside Bodies (reporting**

template attached at Appendix 3).

6. That Democratic Services support Councillors appointed to Outside Bodies by Council or Cabinet, in accordance with the process set out at Appendix 4.
7. As part of the induction process Councillors are supported in developing an understanding of their role and responsibilities regarding participation on Outside Bodies and provided with appropriate guidance. Role Profile attached at Appendix 5.
8. That an Outside Body is free to request an alternate Council representative on the understanding that the replacement will be chosen by Council, not the outside body (for example, repeated non-attendance at meetings without good reasons offers valid grounds for an Outside Body to request an alternate Council representative).
9. An Outside Body is free to inform the Council at any time that Council representation is no longer required (if its Constitution allows it to do so).
10. That for ease of reference, Cabinet Member only appointments be separated (if possible) from the main Outside Bodies appointee list but circulated for information only.
11. That nominations to Local Government Association sub-groups, special interest groups or commissions be determined by the Leader of the Council (as Cabinet Member appointments).
12. That officer only memberships should be removed from the Outside Bodies appointment list, as this is dealt with under a separate process.

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Appendix 1: Appointments to cease.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council no longer appoint representatives to the outside bodies tabled.

No.	Title	Group	Number of appointments	Notes
1	1312 (Southend-on-Sea) Squadron Air Training Corps: Civilian Welfare Committee	Other Body	1 x Councillor	No response from organisation and no Councillor attendance for 2+ years. Proposed to withdraw.
2	Active Southend	Other Body	4 x Councillors, 1 x Officer	No meetings take place. Proposed to withdraw.
3	British Destinations	National body operates in the manner of a trade association	1x Councillor, 1 x Substitute	Following consultation with Executive Directors, propose withdrawal.
4	Disabled Information Advice Line Southend	Other Body	1 x Councillor	Dial Southend – ceased operation in March 2018. To delete.
5	Essex & Southend Member Joint Project Board (Waste)	Wider Essex Body	3 x Councillors	Task Group recommend deletion as it is understood to be an inactive subgroup of Essex Waste Partnership.
6	Essex Outward Bound Association	Other Body	1 x Councillor	Defunct organisation, to delete.
7	Essex Waste Partnership - Inter Authority Member Working Group	Wider Essex Body	1 x Councillor, 1 x Substitute	Task Group recommend deletion as it is understood to be an inactive subgroup of Essex Waste Partnership.
8	Key Cities	Other Regional Body	1 x Councillor, 1 x Substitute	Executive Director has advised that Southend will be withdrawing, to remove from the list.
9	Leigh Port Partnership	Other Body	1 x Councillor	This is not a Board membership position. No meetings involving the last 2 appointed Councillors have taken place. Proposed for

Appendix 1: Appointments to cease.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council no longer appoint representatives to the outside bodies tabled.

				withdrawal and suggested that organisation to invite Councillors as and when appropriate.
11	National Association of Councillors	Other Regional Body		Proposed to withdraw.
12	North Sea Commission			Proposed to withdraw for new municipal year.
13	Opportunity South Essex	SELEP Body	1x Councillor, 1 x Substitute, 1 x Officer	This organisation will come to an end on 31 March 2024 so will not need re-electing.
14	PSP Southend LLP	Joint Venture	3 x Councillors	This partnership is being dissolved and so should be deleted.
15	SOS Domestic Abuse Project	Other Body	2 x Councillors	Organisation ceased trading in 2019. To delete.
16	South East Local Enterprise Partnership (SELEP)	SELEP Body	1x Councillor, 1 x Substitute, 1 x Officer, 1 x Officer Substitute	This organisation will come to an end on 31 March 2024 so will not need re-electing.
17	South Essex Relate Executive Committee	Other Body	1 x Councillor	No evidence this has been meeting – understood to be defunct and proposed to delete.
18	Southend Business and Community Charter - Charter Committee	Other Body	1 x Councillor	Executive Director and Cabinet Member advised that this is not in existence.
19	Southend-on-Sea Access Group	Other Body	2 x Councillors	Defunct. Relates to a policy which has been superseded. To delete.

Appendix 1: Appointments to cease.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council no longer appoint representatives to the outside bodies tabled.

20	Southend-on-Sea Compact Action Group	Other Body	5 x Councillors	Defunct. Relates to a policy which has been superseded. To delete.
21	Thames Gateway South Essex Transport Board	Thames Gateway	1 x Councillor, 1 x Substitute	No longer in operation. To delete.

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Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

No.	Title	Group	Number of appointments	Notes
1	A Better Start Southend Partnership Board	Partner Organisation	1 x Councillor, 4 x Officers	Active and Cabinet Member confirmed that they have been attending meetings.
2	Age Concern	Other Body	1 x Councillor	Active and response received.
3	Anglian Eastern Regional Flood Coastal Committee	Other Regional Body	1 x Councillor	Active, Cabinet Member appointment.
4	Chair of Audit Committees Forum - Eastern Region	Regional Body	1 x Councillor	Active and meets regularly.
5	Citizens Advice	Other Body	1 x Councillor	Councillor feedback received. Active and meets regularly.
6	East of England LGA Local Government Employers Panel	LGA Body	2 x Councillors	This is one of the various sub-groups of LGA (all of which are Cabinet Member appointments). For ease of reference, it is proposed that all LGA subgroups (Cabinet Member only appointments) are for determination by the Leader.
7	East of England Local Government Association	LGA Body	1x Councillor, 1 x Substitute	As above, for determination by the Leader
8	East of England Strategic Authority Leaders Group	East of England Body	1x Councillor, 1 x Substitute, 1 x Officer	As above, for determination by the Leader.
9	Essex Waste Partnership Board	Wider Essex Body	1 x Councillor	Active and response received. Usually meets 2/3 times per year.

Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

10	Essex Chief Executive Leaders' Group – rename to Essex Leaders and Chief Executives (ELCE)	Wider Essex Body	1x Councillor, 1 x Substitute, 1 x Officer	Advised that this body has different name to that listed.
11	Essex Heritage Trust	Other Body	1 x Councillor	Response received, active. Annual meeting held once a year. Trustees meet 3 times a year.
12	Essex Partnership University NHS Foundation Trust (EPUT)	NHS Body	1 x Councillor	Held by Cabinet Member. 4 x Council of Governors Meetings, 1 x AMM meeting per year + any other activities.
13	Essex Pension Fund Strategy Board	Wider Essex Body	1 x Councillor	Feedback received – active.
14	Essex Police, Fire and Crime Panel	Wider Essex Body	1 x Councillor	5-6 formal panel meetings per year. Held in person at County Hall, Chelmsford. Prior to each panel meet is a pre-meeting held on MS Teams. There are two sub-committees which some Panel Members are appointed to and a number of working groups, workshops and an induction session.
15	Homeless Action Resource Project (HARP)	Other body	1 x Councillor	To continue.
16	Jazz Centre UK	Other Body	1 x Councillor	Active.
17	Kent & Essex Inshore Fisheries and Conservation Authority	Other Regional Body	1 x Councillor	4 meetings per year, normally 4 hours each. Meetings are in the day time - January, May, September and November. SCC member currently holds the position of Chair.
18	Local Government Association Coastal Issues Interest Group <i>Rename to:</i>	LGA body	1 x Councillor, 1 x Officer	Amend title to LGA Coast Special Interest Group. This is one of the various sub-groups of LGA (all of which are currently held by Cabinet Members).

Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

	<i>LGA Coast Special Interest Group (SIG)</i>			For ease of reference, it is proposed that all LGA subgroups (Cabinet Member only appointments) are for determination by the Leader.
19	Local Government Association General Assembly	LGA Body	4 x Councillors	The Leader of the Council must be one of the appointed Members.
20	Local Government Association Urban Commission	LGA Body	1 x Councillor, 1 x Officer	For ease of reference, it is proposed that all LGA subgroups (Cabinet Member only appointments) are for determination by the Leader.
21	London Southend Airport Consultative Committee	Partner Organisation	4 x Councillors, 2 x Officers	Meets each quarter. 4 meetings per year, 2 hours per meeting held between 2pm-4pm. Meeting dates and reports available on the website. Cllr has provided feedback and that the meetings are beneficial.
22	Mid and South Essex Integrated Care Partnership			Cabinet Member is currently the Vice-Chair.
23	PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	Other Body	1 x Councillor	Statutory body. Requires appointment.
24	Safe Steps	SCC Commissioned Provider	1 x Councillor	Active, response received.

Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

25	South Essex Advocacy Services (SEAS)	Other Body	1 x Councillor	Active and response received. Updated contact details.
26	South Essex Alliance of Landlords and Residents (SEAL)	Other Body	1 x Councillor	Active and Councillor response received.
27	South Essex Councils	Regional body	1 x Councillor, 1 x Substitute	Active and meets regularly. Meeting minutes are regularly received by Policy & Resources Scrutiny Committee. Leader appointment.
28	South Essex Homes Board	Trading Company	3 x Councillors	To remain.
29	Southend Association of Voluntary Services	Other Body	1 x Councillor	To remain.
30	Southend Boys and Southend Girls Choir Trust	Other Body	1 x Councillor	This was removed from the Outside Bodies list at Appointments Council in May 2023. The Choirs' Trust have expressed that they would like to have a representative.
31	Southend Business Improvement District Committee Southend <i>Rename: CITY Business Improvement District</i>	Partner Organisation	1 x Councillor	Active. Part of Growth Strategy.
32	Southend Business Partnership Executive Committee	Other Body	1 x Councillor	Active.
33	Southend Community Safety Partnership Board	Other Body	1 x Councillor	Meets quarterly.

Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

34	Southend Education Board	Partner Organisation	1 x Councillor	Active, Cabinet Member appointment.
35	Southend-on-Sea Forum Management Ltd	Joint Venture	2 x Councillors	Active.
36	Southend Pier Museum Trust	Other Body	1 x Councillor	Active and response received.
37	Southend SEND Independent Forum (SSIF)			<p>Cllr Cowdrey has identified this as a potential organisation to appoint to.</p> <p>This is a commissioned group, independent of the council, made up of volunteers, who are responsible for representing the voice of parents and career of children with SEND. They would like to hold termly meetings with the portfolio holder and shadow portfolio holder to enable a two-way information sharing platform.</p>
38	Southend Strategic Business Partnership (Essex Chambers of Commerce)			Attended by Leader and Portfolio Holder for Economic Growth and Investment (not as formal board members)
39	Southend Strategic Safeguarding Board - Adults	Other Body	1 x Councillor	Active. Cabinet Member appointment.
40	Southend Strategic Safeguarding Board - Children	Other Body	1 x Councillor	Active
41	Southend Tourism Partnership	Other Body	1 x Councillor	Active. Details on website. Part of Growth Strategy.
42	Southend University Hospital NHS Foundation Trust	NHS Body	1 x Councillor	Active, meets approx. 7 times per year. Dates and minutes available on website. Cabinet Member appointment.

Appendix 2: Outside Bodies to appoint.

That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled.

43	Southend SEND Strategic Partnership Board	Partner Organisation	1 x Officer	Officer only membership. Remove from the appointment list, separate process.
44	Southchurch Hall Inspirational Parkers (S.H.I.P)			Purpose: As friends of SCC Parks we maintain and keep clean Southchurch Hall Gardens. We also keep safe and make the green historical grounds safe and inviting. We raise awareness of its historical value working alongside Essex Police we protect and raise awareness of heritage crime.
45	Southend Local Bus Forum			Attended by Portfolio Holder for Highways, Transport and Parking and the main opposition group Shadow Councillor.
46	Southend Local Bus Board			Portfolio Holder and Shadow Portfolio Holder sitting on the Board.
47	Transport East		2 x Councillor	Attended by Leader and Portfolio Holder for Economic Growth and Investment (not as formal board members)

Members on Outside Bodies

Annual Feedback Form 2023/24

Name of Councillor(s):

Name of Outside Body:

Number of meetings attended in 2023/24 and venue:

Please state the total number of meetings you were invited, and how many of these you attended.

Reporting activities undertaken in this municipal year, including type and where feedback given. Please include relevant documents if appropriate (e.g. reports and hyperlinks).

Were there any key risks to mitigate or actions needed by the Council in relation to this Outside Body during 2023/24

Please explain how this was reported and any action taken.

Do you have any comments or issues from the outside body representation to be carried forward into the next municipal year?

Were any expenses claimed:

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Appointment to Outside Body Information Sheet

What Happens Next

On appointment to an outside body, the Democratic Services team will contact that outside body to update them of your appointment and pass on your contact details

Stephanie Cox, (Principal Democratic Services Officer) will provide assistance if further forms need to be supplied to the outside body for their own governance purposes, or if photographs are required for their own website.

Training and Support

There are a range of roles undertaken by Councillors across outside bodies. If having spoken to a representative from the outside body you are appointed to, and you feel you would like further details, support, guidance or training, please do not hesitate to contact Democratic Services who will look at what provision can be put in place to support you in this role.

Feeding Back

The roles undertaken by Councillors across outside bodies vary and may be relevant to whole Council Membership, fellow Ward Members or Members in a more place-based setting.

Members are asked to consider the most appropriate way to feedback relevant information to other Councillors on the work being undertaken by the outside body they sit on.

Some suggested ways to feedback are set out below:

- Email updates – representatives should forward Democratic Services any email updates from the outside body, for forwarding to all Councillors on a monthly or quarterly update, as appropriate.
- Through Councillors own informal networks
- Member briefings where a wider dissemination of information and knowledge is desirable.
- An 'Annual Feedback' form. Representatives are required to submit an 'end-of-year' report.

Councillors appointed as a representative to an outside body would be expected in future to feedback using a combination of these methods, with a minimum expectation of completing an 'Annual Feedback' form at the end of each municipal year. This would also assist with keeping the appointment list up-to-date as part of an annual 'light-touch' review.

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Role Profile – Member Representatives on Outside Bodies

A Member representative on an Outside Body is expected to:

1. make themselves aware of what the Outside Body expects from them. In so doing, a representative may seek information from the Outside Body in relation to its Constitution, Terms of Reference, accounts etc;
2. operate within the rules and/or Constitution of the Outside Body (NB Representatives will not disclose any information that is confidential to the Outside Body);
3. attend meetings of the Outside Body to which appointed;
4. report on the activities of the Outside Body; the impact of those activities on Southend-on-Sea City and Council Service Delivery in order to keep the Council informed (NB. the production of such reports will also allow the Council to evaluate the value and benefit of its continued membership);
5. take an active and informed role in the affairs of the Outside Body;
6. make independent personal judgements in line with their Duty of Care to the Outside Body. In so doing, to ensure that they are not representing the views and political position of their own political party;
7. make decisions that are in the best interests of the Outside Body. However, representatives should always ensure that their fellow Directors / Trustees are aware of the fact that they are Councillors;
8. inform local Ward Members when matters specifically relating to their local Ward(s) are to be discussed at a future Outside Body meeting; and
9. ensure that allocated Council funding (if any) is being used wisely and properly.

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