

COUNCIL – 29th October 2020

Public Questions

Question 1 from Tricia Cowdrey to the Leader of the Council

Question

Kursaal Ward has a high number of Houses of Multiple Occupancy. Whilst many private landlords are caring and conscientious, there are a significant number of bad, exploitative landlords operating in Southend.

In opposition and now in administration, the Labour group has attempted to introduce Landlord Licensing as one step in addressing these issues. Residents agree with me that this, alongside the introduction of Article 4 directions, will provide the additional protections needed to safeguard residents who experience issues with anti-social behaviour, crime, and noise pollution both as neighbours to or residents of HMOs where often some of our most vulnerable residents live at risk of exploitation.

With regard to this, would the Leader of the Council, please provide an update as to when we might be likely to see the introduction of Landlord Licensing in the Kursaal Ward?

Answer

A Mandatory Licensing Scheme for landlords of Houses in Multiple Occupation (HMOs) already operates borough wide. Under this scheme, large HMOs require a licence. The conditions for which being if all of the following apply:

- it is rented to 5 or more people who form more than 1 household
- some or all tenants share toilet, bathroom or kitchen facilities
- at least 1 tenant pays rent (or their employer pays it for them)

The potential for a Selective Licensing scheme for landlords is currently being considered by the administration and a public consultation will begin on 2nd November 2020. If approved, the designated areas for such a scheme would be determined by performance across a range of data points such as levels of Anti-Social Behaviour, deprivation and poor property conditions. The supporting evidence to demonstrate why certain areas of the borough are being considered for a potential Selective Licensing scheme will be included in the public consultation.

Question 2 from Tricia Cowdrey to the Cabinet Member for Environment and Planning

Question

The Localism Act 2011 provides the opportunity for the registration of those places and spaces important to residents for their health and well-being and social interests of the community. As highlighted on the Southend Council website, the local community has the right to nominate important local land or buildings for listing as Assets of Community Value. This means that if they are then put up for sale, local community groups can delay the sale so they can prepare a bid to buy the asset and take it over.

Having accessed the list of community Assets of value for Southend, I am surprised to see that, despite the rich variety of places and spaces right across the Borough, the list is currently blank.

Residents in Kursaal Ward have identified a number of places and spaces which are important to them.

Would the Cabinet member for Environment and Planning, please advise the councils current appetite for nominations of Assets of Community Value by local community groups and organisations and where they stand in relation to accepting and considering nominations?

Answer

There is detailed information on the Council's website explaining the process for nominating assets to be considered for inclusion on the List of Assets of Community Value along with information on the types of assets which may be considered and who can make nominations.

Note: weblink: <https://www.southend.gov.uk/council-land-property-rights-bid-challenge/community-right-bid-assets-community-value>

The onus is on the local community to bring such properties forward. However, I have to stress that Council resources are under great pressure, so whilst we would consider and process any nominations it is imperative that applicants carefully consider the merits of an application and only submit one where nominations are likely to have a good

prospect of success and where their listing may be genuinely beneficial and achievable should the property be placed for sale.

If nominated assets are agreed to be added to the list, the listing lasts for 5 years at which point they fall away.

Question 3 from Andy Atkinson to the Cabinet Member for Environment and Planning

Question

Dr Mervyn Miller, the leading world expert on the Garden City Movement, has called for the conservation protection of Ditton Court Road as has Hamlet Court Conservation Forum and 92.5% of 240 community survey respondents.

Why has Ditton Court Road not been recommended for conservation designation and where are the reasons for this reported, in line with the Council specification for the works issued to Purcell?

Answer

A highly detailed piece of work to determine which parts of Hamlet Court Road and its surrounding area, including Ditton Court Road, might justify a Conservation Area designation has been undertaken by our specialist heritage consultants Purcell. Purcell carried out a full analysis of the area, undertook several site visits and drew conclusions based on their findings and responses received from the consultation to date, including the community survey undertaken by the Hamlet Court Conservation Forum. Purcell also undertook a site visit accompanied by council officers and a representative of the Forum, before concluding their work.

Dr Miller has not made representations to the Council directly as part of the consultations to date. However, the correspondence we have been provided with was also sent to Purcell for consideration.

On the basis of the evidence available, Purcell considers that Ditton Court Road does not warrant a Conservation Area designation. The analysis behind this and other conclusions are set out in the Draft Hamlet Court Conservation Appraisal, which will be the subject of formal consultation if approved at Cabinet on 3 November. Historic England has confirmed its support for the approach taken to date.

Dr Miller has confirmed that any link between Ditton Court Road and Sir Raymond Unwin, a leading figure in the Garden City Movement, remains unproven and coincidental. A further review of archive records at the Letchworth Garden City Heritage Foundation was also unable to evidence a link.

It should also be noted that a number of responses to the Hamlet Court Conservation Forum community survey raised points which are not able to be taken into account when determining if a Conservation Area should be designated.

The next round of consultation on the potential Conservation Area designation will be a further opportunity for interested parties to make further representations. Dr Miller will be consulted directly as part of this process

Question 4 from Andy Atkinson to the Cabinet Member for Environment and Planning

Question

When the potential conservation area designation of Hamlet Court Road comes to Cabinet will Cabinet be asked to consider the inclusion of the wider Hamlet Court area in the next public consultation, reflecting the 92.5% support from 240 respondents to the reported community survey, as opposed to the 7 respondents to the last Council survey and will the public that live and work in the area get the fair chance to give their opinion on this important local issue, and not just in the 'Any other comments' box?

Answer

The Cabinet, on 3 November will be asked to agree to formal public consultation on the draft Conservation Area Appraisal and the extent of the conservation area designation at Hamlet Court Road. This follows extensive work undertaken by Purcell, the Council's specialist heritage consultants who are currently reviewing all the conservation areas within the Borough. They have considered all of the representations made to date in relation to this work, including those of the survey referred to by yourself. The work takes account of all the engagement and research which has been carried out to date, including discussions you have had directly with Purcell, and currently concludes that Conservation Area designation is appropriate in the northern part of Hamlet Court Road only.

The purpose of this next round of consultation is to ensure that residents, businesses and any other interested parties have a further, formal opportunity to engage on this matter and express any views they wish to be considered. Before making any final decisions on what areas may or may not warrant a Conservation Area designation, Cabinet will be able to take account of responses received in respect of that consultation. I would therefore urge you to encourage these stakeholders to take part in the formal consultation process.

Question 5 from Robert McMullan to the Cabinet Member for Environment and Planning

Question

Over recent months many more people have been using and enjoying our local parks and they were essential for many residents during the 'Lockdown' period.

The council's policy to increase the number of trees in the Borough is welcome and a statement that the environment is to be at the centre of the Council's ambitions. With this in mind, and in reference to Eastwood in particular, what plans are there to make improvements in Eastwood and Oakwood Parks in respect of more tree cover, together with more benches and improved paths in Oakwood Park particularly for those less able to walk?

In addition does the Council have any plans to support and promote local community volunteer groups who wish to help improve our parks?

Answer

The increased use of the Towns Parks and Green Spaces during lockdown and the ongoing COVID-19 measures has been recognised by the Council.

The Council also understands the importance that public outdoor spaces have on the health and welling of many of our citizens.

The Council has had an ongoing policy of planting trees for many years and in 2019 committed to plant an additional 1000 standard trees in suitable locations over a three year period.

I can confirm that Tree planting has taken place in Eastwood Park over a number of years and that additional trees have been planted this autumn. Oakwood Park has also had trees planted in the past and we are currently considering the potential of this site for planting in future years.

The Parks and Open Spaces in Southend offer a range of habitats and recreational facilities which helps to maintain the Towns biodiversity and offer a range of activities for our citizens and visitors.

At this difficult financial time the Council do not have any plans to fund the installation of new paths at any of the Towns Parks and Green Spaces and this includes Oakwood Park. We also do not have any plans for new benches. However, both Eastwood Park and Oakwood Park are listed as available locations on the Councils popular donated bench scheme.

The Council already promotes and support citizens who want to add something back to the Town by volunteering, including within the parks. If Mr McMullan is interested in setting up a friends group for Oakwood Park or Eastwood Park we would be happy to assist in facilitating this.

Question 6 from Simeon Brookstone to the Cabinet Member for Environment and Planning

Question

Residents within the Kursaal Ward have cited problem tenants leading to anti-social behaviour as a recurring issue. As Landlords and tenants seem to remain un-vetted, with HMO's containing a maximum of 6 rooms apparently sitting outside of any planning, regulation or monitoring, has the Council considered imposing the Article 4 direction with Kursaal Ward?

Answer

The Council could consider the introduction of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to increase the level of control the local planning authority has over the creation of new HMO's. However, this would not provide any additional controls over existing HMO's. It would, however, require a new proposal to obtain planning permission, but would not necessarily mean that such an application would be refused permission if it was acceptable in planning terms.

For an Article 4 Direction removing permitted development rights to convert houses into HMO's to be effective, there would need to be a clear body of evidence that new HMO's for up to 6 people are being created in the Kursaal Ward in significant numbers. If residents are able to provide any further evidence that the number of HMOs being created in the area is significant, we will look at the matter further, including whether or not the imposition of an Article 4 would be the most appropriate mechanism to deal with any issues arising, such as anti-social behaviour.

Question 7 from Simeon Brookstone to the Cabinet Member for Customer Contact and Community Safety

Question

In addition, to help alleviate the impact of anti-social behaviour, will the programme of CCTV installation which was scheduled for April 2020 to include the corner of Kilworth Avenue and Hastings Road, be reinstated or can you provide any update as to why this was never implemented?

Answer

The camera proposed to be installed at this location is still planned to be installed. There had been some delays in the process leading to procurement of the wider CCTV upgrade, however this contract has now been out for tender and the submissions are currently being considered.

It is anticipated that any new locations for cameras will be installed early in the 2021/22 financial year.