



Town Hall | 61 Newland Street | Witham | CM8 2FE
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witham.gov.uk

AGENDA

Meeting of: **Environment Committee**

Date: **Monday, 27th January 2020** Time: **7.30 p.m.**

Place: **Town Hall, 61 Newland Street, Witham.**

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:	Councillors	T.A.	Pleasance	(Chairman)
		J.C.	Goodman	(Vice Chairman)
	Mrs	S.	Ager	
		K.L.	Atwill	
		J.C.	Bayford	
		S.E.	Hicks	
	Miss	C.	Jay	
	Mrs	A.	Kilmartin	
		M.C.M.	Lager	
	Mrs	S.C.	Lager	
		C.S.	Livermore	
		R.	Williams	

1. **APOLOGIES**

To receive apologies for absence.

2. **MINUTES**

To receive the Minutes of the Meeting of the Environment Committee held 11th November 2019 (previously circulated).

3. **INTERESTS**

To receive any declarations of interests that Members may wish to give notice of on matters pertaining to any item on this Agenda.

4. QUESTIONS AND STATEMENTS FROM THE PUBLIC

An opportunity to enable members of the press and public present to comment upon any item on the Agenda.

5. REPORT(S) FROM COUNTY COUNCILLORS

To receive report(s) from County Councillors.

6. CLERK'S REPORT

To receive a report ([attached](#) at page 4).

7. ENVIRONMENT COMMITTEE BUDGET

To receive the Environment Committee Budget ([attached](#) at page 5).

8. PLANNING APPLICATIONS AND TRANSPORT SUB-COMMITTEE

To receive the Minutes of the Planning Applications and Transport Sub-Committee Meetings held 11th and 25th November, 9 and 17th December 2019 and 13th January 2020 (previously circulated).

9. WITHAM LOCAL HERITAGE LIST TASK AND FINISH GROUP

To receive the Minutes from the Witham Local Heritage Task and Finish Group Meeting held 9th January 2020 ([attached](#) at page 6).

10. DELIVERING DEVELOPERS' OBLIGATIONS TASK AND FINISH GROUP

To receive the Minutes from the Delivering Developers' Obligations Task and Finish Group Meeting held 20th November 2019 ([attached](#) page 7).

11. HIGHWAYS REPORT

To receive the updated Highways Report ([attached](#) at page 10).

12. HIGHWAYS DEVOLUTION PILOT

To receive a report ([attached](#) at page 11).

13. POTHoles

To receive a request from Councillor Mrs S.A. Ager to investigate ways of improving the County Council's service in repairing potholes.

14. TREE GROUP

To receive the Minutes for the Tree Group Meetings held 5th November, 3rd December 2019 and 7th January 2020 ([attached](#) at page 12).

EXCLUSION OF THE PRESS AND PUBLIC

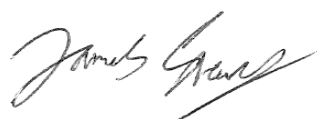
TO RESOLVE That under the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting for the following items of business on the grounds that publicity would be prejudicial to the public interest.

15. LAND MANAGEMENT

To receive a report.

16. PUBLIC DOMAIN

To consider whether the item discussed in Private Session should be moved into the Public Domain.



James Sheehy
Town Clerk

JS/GK/20.1.2020

Officer Report: Clerk's Report

Issue:

The following matters are for members to note –

Lawn Chase

To note that the original TRO application was rejected as not made during the correct application window. It was later established that an application for box junction markings is actually dealt with by the Local Highways Panel and not North Essex Parking Partnership so an application was made to LHP on 01/07/2019. The Local Highways Panel advise that it can take at least 12 months for a new scheme to go through.

Chipping Hill extended parking restrictions

To note that Highways have been contacted regarding the extended parking restrictions in Chipping Hill that have not been implemented. They advised that a consultation took place in January 2018 and several objections were received to the proposed single yellow lines. It was therefore decided not to progress this any further.

Blackwater Rail Trail

To note that following a Highways surgery meeting on 12th November 2019 there has been no further progress with regards to obtaining ownership of the Blackwater Rail Trail. Officers are still liaising with Highways regarding this.

Town Park Consultation

To note that Braintree District Council are currently holding a consultation for improvements to Witham Town Park entrance at Maldon Road. The consultation will run until 14th February 2020.

Advice:

To receive and note.

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Agenda Item 7

Environment Committee Income & Expenditure Budget up to 30.11.2019						
Environment	2018/2019		2019/2020			
	Budget	Actual	Budget	Actual YTD	Projected	
Commemorative Trees	800	190	800	0	0	
Total Income	800	190	800	0	0	
				0		
Operations - Salaries & Employer N.I & LGPS	93525	90259	96820	72484	96820	
Equipment Supplies & Maintenance	9425	14933	8500	10227	15340	
Lighting Maintenance & Utility	6500	6303	1800	3550	3550	
Tree Planting	0	0	1000	0	1000	
Tree Maintenance	1000	18745	17000	1175	16500	
Toilet Block - Town Park	9000	7645	9000	1434	9000	
Commemorative Trees	800	864	800	0	0	
Dog Bin Maintenance	600	167	2500	0	2500	
Devolved Services	2000	0	0	0	0	
Open Spaces General	12415	5719	1000	1000	1500	
River Walk Extension	0	0	1000	0	0	
River Walk Improvements	0	0	3000	610	915	
James Cooke Wood	0	63	200	1000	1000	
River Walk	0	4181	3000	0	0	
Whetmead LNR	0	63	600	993	1489	
Closed Churchyard	0	36	200	0	0	
Witham in Bloom	11500	11401	11845	11414	11845	
Overhead Expenditure	146765	160379	158265	103887	161459	

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Agenda Item 9

MINUTES OF THE MEETING OF THE TASK AND FINISH GROUP (WITHAM LOCAL HERITAGE LIST PROPOSALS) AT WITHAM TOWN COUNCIL HELD 9TH JANUARY 2019 AT 10 A.M. IN THE COUNCIL CHAMBER

Present: Councillors Mrs S. Ager, J.C. Goodman and M.C.M. Lager

Mr J. Palombi

Staff: Mrs G. Kennedy - Committee Clerk

Members welcomed this significant document and needed to consider what action was now required. Originally the District Council had launched this listing by considering the Courtauld buildings gifted to the town rather than the Conservation Area and it was understood that Halstead and Witham would be considered next, however the whole district had now been reviewed with the exception of Witham. The Local Heritage List scheme had originally been led by the Essex County Council Historic Buildings Officer and would become an additional document when considering planning applications.

Mr Palombi explained that he had been on the panel which considered the Listing. Each property was considered in turn and some would be rejected, it would then be referred to the Planning Committee for adoption before a letter is sent to the property owner advising them of the decision.

Mr Palombi spoke of the difficulties in choosing what properties should be included on the list but asked that consideration should be requested for the Temple Farm estate to be included in the Conservation Area. Specific areas were discussed and it was agreed that the Jubilee Oak seat in Collingwood Road should be included in the List.

It was agreed -

- **That contact should be made with the District Council to ensure that the Witham Local Heritage List proposals are now considered,**
- **That consideration of extending the Conservation Area to include the Temple Farm estate should be requested,**
- **That publication of the document as a book for sale should be investigated for once the List has been adopted.**

Mr Palombi was thanked for the compilation of the List. He would make the necessary amendment to the Listing and send as a pdf to the Office in readiness for forwarding to the District Council.

Councillor _____
Chairman

GK.9.1.2020

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Agenda Item 10

MINUTES OF THE MEETING OF THE DELIVERING DEVELOPERS' OBLIGATIONS TASK AND FINISH GROUP AT WITHAM TOWN COUNCIL HELD 20TH NOVEMBER 2019 AT 10.00AM AT WITHAM TOWN HALL

PRESENT: - **Councillors** M C M Lager (Chair), P Barlow, K Atwill

Mrs S Burder - Braintree District Council
N Jones - Braintree District Council

STAFF: - Mrs H Andrews - Assistant Proper Officer
J Sheehy - Town Clerk

9. APOLOGIES FOR ABSENCE

No apologies for absence.

10. MINUTES OF THE PREVIOUS MEETING HELD 5TH SEPTEMBER 2019

The minutes from the previous meeting were **AGREED**.

11. DECLARATIONS OF INTEREST

No declarations of interest.

12. MALTINGS LANE DEVELOPMENT

An update on the Maltings Lane Development was given by Braintree District Council officers –

(a) It was noted that it has been difficult to attract businesses into the designated employment area of the development. A Mercedes dealership are currently in discussions regarding submitting revised pre-application plans to go onto the site. Churchmanor Estates are marketing the area and have two sales agents that market on their behalf but there has been little interest.

(b) Compulsory purchase orders were discussed with regards to the remaining unsold plot of land on the Maltings Lane Development. This is not a quick or cheap process and is used as the last resort. BDC are now revisiting the sale of the remaining land now that the community building/facility project is progressing. They have recently recruited two new members of staff so should hopefully have the resources to make more progress.

(c) The proposed community facility/building now has a steering group and Cllr Lager attended the first meeting recently. Discussions took place regarding the length of time it has taken for this facility to be realised. BDC confirmed that they are now almost in a position to deliver this as they envisage that all of the developer contributions should be received next year as this will also include the Lodge Farm development contributions. BDC confirmed that, depending on the agreement, they cannot proceed with projects until contributions are received because the developer may withdraw their funding if a project is already built as it is no longer considered necessary. The question of the Council borrowing funds was discussed but this is not considered due to the legal agreements with the developers. It was suggested that future legal agreements with new developers could have a clause added that the Council could build a particular promised S106 project if the developer is slow to deliver.

BDC confirmed that the Multi-Use Games Area/playing fields are completed and were transferred to BDC in August 2018. It is an open area with football pitch, basketball hoops, games area that is looked after by BDC Operations.

(d) The public art funding of £119k was discussed. It was confirmed that a steering group was proposed to consider this but no representatives came forward so no action has been taken. It was suggested that this could be delivered quickly and does not need to be near the community facility but could be another piece of land on the Maltings Lane development. It was **AGREED** to see if the Community Facility Steering Group would like to look at the public art project as part of their consultation, or it could be passed to the Town Centre Regeneration Steering Group for consideration.

BDC confirmed that they had received a pre-application for some community shops but there was no further news.

13. CURRENT DEVELOPMENTS IN WITHAM

Members thanked S Burder for supplying the S106 contribution data for the meeting. She confirmed that the pooling restrictions that came with S106 agreements have been lifted since September 2019 so funding for projects can now come from more than 5 agreements.

The River Walk footpaths/cycleways were discussed as they are in need of immediate attention. The data suggests that there is £72k available for this. BDC understood that Highways may already be using this particular amount for a replacement bridge but there may be some funds towards the paths. **BDC AGREED** to look into this and feedback to the group. It was suggested that WTC could also look into funds from County from the Cycle Action Plan to deal with the cycle path issue.

Members suggested that it would be helpful to know the deadlines for using each S106 contribution.¹ It was confirmed that there is an internal group within BDC which meets quarterly to monitor the amounts and their time limits.

It was confirmed that funding for the CCG is paid directly to BDC. The CCG will approach BDC with a project, it is checked that it comes under a S106 legal agreement, and then it is paid. The formula used, based on floor space, was discussed and it was confirmed that S106 funds could contribute towards the fitting of a healthcare building rather than the actual building of it.

It was established that there is separate Unilateral Undertaking (UU) money from small developments available that can be used for open spaces projects referred to in the Open Spaces Action Plan. It was suggested that WTC should review the current OSAP, look at projects that the Council can get involved in and apply for up to £10k funding for it.

The Forest Road pond project was discussed and this is an overdue area for improvement. This is owned by Greenfields and there is £34,596 available for the enhancement. It was suggested that WTC may wish to approach Greenfields to discuss the possibility of acquiring the land and deal with the project directly.

¹ S Burder has provided the deadline for each developer contribution held by BDC, found in the attached schedule. To note that time limits are stated as the last day of the previous month. For example, a contribution received today, 20th November 2019 with a 10 year time limit would be recorded as expiring on 31st October 2029.

Contributions relating to County Highways was discussed and BDC confirmed that payments are made directly to Highways from the Developer under a 278 agreement. However, they usually get the Developer to carry out the Highways work and then adopt once constructed.

14. ANY OTHER BUSINESS

Potential items for the next meeting were noted – updates on developments, how formulas are used for calculating S106 contributions, the extent to which WTC can be involved at an early stage of future developments.

Comments were made regarding the cycle link paths for the new Lodge Farm and Wood End developments as this was brought up at the recent Planning Applications and Transport meeting. It was **AGREED** that N Jones would look into and feedback about the proposed cycleway links in the new developments.

15. DATE OF NEXT MEETING

Staff to liaise with Braintree District Council and aim to arrange a meeting towards the end of March 2020.

Meeting closed at 11.40am.

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Councillor M C M Lager
Chairman

H.A. 25/11/19

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Agenda Item 11

Witham Town Council Environment Committee: Parking & Highways Report.

HIGHWAY / PARKING ISSUE	RAISED	FIRST RAISED	CURRENT STAGE	MIN. REF
Lawn Chase White Access Lining & Yellow Lines	PA&T	21.08.2017	LHP submitted 01.07.2019	61.21/08/2017
Chipping Dell Parking Restrictions	ENV	19.03.2018	Application successful. To be implemented Spring/Summer 2020	89.19/03/2018
Maldon Road Bus Stop Shelter & Seating	PA&T	29.10.2018	LHP Bid submitted 21.05.19. Resubmitted 04.06.19	128.29/10/2018
Newland Street Bus Stop Seat (Former Police Station)	PA&T	29.10.2018	LHP Bid submitted 21.05.19	128.29/10/2018
Paddocks parking survey	ENV	28.05.2019	Application successful. To be implemented Spring/Summer 2020	22.23/07/2019
Town Hall Access Lining	ENV	18.09.2017	TRO resubmitted 26.06.2019	33.18/09/2017
Collingwood Road - Speed Survey	PA&T	2.9.2019	LHP request submitted 9.9.2019	92.2/9/2019
Avenue Road - Speed Survey	PA&T	2.9.2019	LHP request submitted 9.9.2019	92.2/9/2019
Hatfield Rd Bus Shelter (Aldi side of road)	PA&T	17.12.2019	LHP request submitted 18.12.2019	175.17/12/2019

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Officer Report: Highways Devolution Pilot Scheme
To note:

The Highways pilot scheme was due to close on 29th February 2020 and, although official confirmation has not been received from Essex Highways, Essex Association of Local Councils have advised that the scheme should still be running after this date.

The grant given to the Council was £17,268.35 but so far only £3,336.41 has been spent. This includes costs for the Operations Manager to attend the required New Roads and Street Works course and the purchase of required traffic signs.

Members were requested to advise staff of locations in the town that required work that could meet the Highway pilot scheme criteria.

From 1st July 2019 to date 26 different jobs have been assessed and from these 22 have been carried out by our Operations team. Other jobs have been referred back to Highways as not suitable for not meeting the criteria or to Braintree District Council or Greenfields as appropriate.

We have been provided with very little guidance from Essex Highways about the pilot scheme as regards their work schedules, calculating costings and record keeping. A feedback meeting attended on 7th October 2019 was not very productive and did not answer any of our questions.

The pilot scheme has been rather slow to progress initially due to the late payment of the grant and then due to a lack of tasks being notified to the office.

If the scheme is to continue into the new year, a better method of reporting tasks will be required and more communication from Essex Highways regarding their schedules will be needed.

Advice:

To note and receive

HA/20.01.2020

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Agenda Item 14

Witham Tree Group Minutes of Meeting held 5th November 2019.

Present: Stan Brailey, Richard Hawkes, Allan Waight, Eric Teverson, Ken Davies, Barry Fleet

1 **Apologies** - Jane Noble, Shaun Taylor, Graham Wingrove

2 **Minutes** of October Meeting agreed

3 **Matters arising** - none

4 **WW1 Memorial Park**

- Allan will contact Shaun to arrange a meeting with himself & Barry;
- We hope that the contractors would deliver the trees and move the compost;
- The academies are keen to participate with two teams lined up [12-14 in each, ages 14-16] ;
- We would want to supervise/actually do, the planting;
- Aegon & the British Legion would want to support the planting;
- Should we be liaising directly with the contractors [Bee Brook] ? ;
- How many trees would we have on the first day ? ;
- “ “ “ are being ordered ? ;
- Some trees could be delivered to Eric’s if necessary;
- Allan will check which days the academies could plant;
- ‘Hi-viz’ jackets - 10 purchased [£91.92] ;
- New bowser - we now have this and Eric is undertaking some enhancement work; Eric will invoice Ken when the full costs are known; the cost is part funded by the grant received from EALC.

5 **2019/20**

- Elm for The Avenue – price before our discount will probably be around £150; Barry will discuss with Mr & Mrs Bray to obtain their approval to the outlay;
- Other site issues to be discussed with Shaun.

6 **Maintenance report**

- Graham’s detailed report on the Humber Road estate was welcomed;
- A lot of the trees referred to are the Kings/Tescos funded plantings;
- Greenfields HA have tagged the trees but they do not adopt them until we remove the cages;
- After cage removal we need to put defensive posts in to defend them from mowers;
- We should introduce ourselves to the new HA manager - Allan will contact;
- No more maintenance visits needed at present;
- Re ‘£45k’ trees: when cages removed, they will also need post protection, e.g. 4 short posts around each tree.

7 Finances

- Remain healthy;
- Allan paid for jackets and services map;
- Payment due to Eric as mentioned above;
- Barry to pay in EALC cheque.
-

8 Website - Allan discussed contacts and queries received [e.g. re trees along Armond Road] .

9 Town Council/tree trust - meeting to be arranged with the Town Clerk on his return from leave.

10 County Council - as no reply received from Councillor Louis, we will write again.

11 Any other business

- Agreed that we do not need to acquire any new whips;
- Stanley reported that the ash tree in Laurence Avenue was removed as it had split. It is apparently not intended to replace it but the HA are planning to plant trees elsewhere. Stanley will check this;
- TPOs for trees outside the conservation areas, e.g. elm at Lynfield, oak on Humber Rd boundary, Greenfields land – Stanley will research.

12 Next meeting - because of importance of finalising the arrangements for the WW1 Memorial Park, we will met again on Tuesday, 19th November, 8.00, White Horse.

Witham Tree Group Minutes for Meeting held 3rd December 2019

Present: Graham Wingrove, Richard Hawkes, Stanley Brailey, Jane Noble, Eric Teverson, Allan Waight, Barry Fleet

1 **Apologies** - Shaun Taylor

2 **Minutes** of November meetings of 5th & 19th accepted

3 **Matters arising** - none

4 **WW1 Memorial Park** - 1st planting on 5th December

- Trees should be collected from Eric's by Bee Brook on behalf of BDC; Eric will liaise;
- Civic attendees - Witham Mayor, BDC Cllr Spray;
- Volunteers discussed; contractors ' role discussed;
- Eric will bring mesh & irrigation pipe;
- Shaun marking planting positions Weds 4th;
- Compost, tools, mycorrhizal should all be available; spoil to be removed by the contractors;
- Refreshments - Jane arranging for the students, Eric for the adults;
- Not been possible to arrange the briefing for the academy students;
- Jane will obtain a first aid kit;
- Meet on site 9.00 ish;
- Barry to forward to Jane & Richard his email to the local paper, to assist with article for our website.

5 **2020 planting**

- 7 trees agreed plus some planned for Spa Road [elm, field maple, alder] ;
- Barry to advise Town Hall what we are ordering;
- Eric will check re type of oak required re Dr Bob Evans;
- Aim to use Flora Road site for memorial trees; awaiting response from Air Ambulance re landing query;
- Presumably BDC will need our assistance re tree replacements at Pasture Road site;
- Allan doing gas utility check for Flora Road.

6 **Greenfields** Housing Association - Allan contacting new manager to introduce the WTG.

7 **Finances**

- Eric is owed for the new bowser, to be reimbursed once total refurbishment costs known;
- Mesh & pipe purchased re Memorial Park, should be reimbursed by BDC.

8 Website

- Allan has done news piece;
- Stanley reported on trees lost;
- WW1 Memorial Park planting on the events page.

9 Town Council/tree trust - Barry & Allan hope to meet the Town Clerk shortly.

10 Essex County Council - no reminder sent to Cllr Louis yet , lack of time.

11 Any other business

- Cherry tree in Newlands precinct damaged; Stanley will report it to the centre manager Lorne Campbell;
- Stanley is pursuing the issue of TPOs for the Lynfield elm and Humber Road oak.

12 Next meeting - **Tuesday, 7th January, 8.00 p.m. at the White Horse.**

Witham Tree Group Minutes of Meeting held 7th January 2020

Present: Ken Davies, Stanley Brailey, Richard Hawkes, Shaun Taylor, Allan Waight, Jane Noble, Graham Wingrove, Eric Teverson, Mark Austin, Barry Fleet.

- 1 **Apologies & welcome** - there were no apologies and Mark was welcomed to the meeting
- 2 **Minutes** of 3rd December accepted
- 3 **Matters arising** - none
- 4 **WW1 Memorial Park**
 - Agreed that the first planting on 5th December went very well;
 - 24 more trees ordered for January planting [12 hornbeam plus hawthorn, crab apple];
 - Delivery due 10th Jan. at Eric's, assistance to unload required;
 - Bee Brook ok for 16th Jan., and will supply posts & mesh & compost & tools for volunteers;
 - Eric has pipes & some mesh, will buy mycorrhizal;
 - Barry will advise Aegon;
 - Barry will speak to Town Hall re an article in the Voice after next planting;
 - Disappointment was expressed that the Braintree & Witham Times failed to report on the initial planting despite Barry's conversations with the reporter and editor, but apparently there was a reference to it on their website.
- 5 **2020 planting**
 - Because of the problem caused by the oak processionary moth, movement of oaks is restricted and we have been unable to obtain the anticipated trees for ourselves and WTC;
 - We are expecting to receive 5 hornbeams [Flora Rd], 2 elms & 2 alders [Spa Rd], 2 tulip trees, another elm, larch, sycamore;
 - Barry will liaise with the 3 sponsors;
 - Flora Road site - Allan's letter to the residents welcomed and approved subject to minor amendments; gas services check to be done by Allan; aim to plant on 30th Jan.; to be mentioned to Aegon;
 - Pasture Road site - presumably deferred because of volume of other work.
- 6 **Greenfields** - Allan will contact Mark Garnham to arrange a meeting.

7 **Finances** - remain healthy; £621 to Eric for new bowser; £488.40 to Eric for tree order .

8 **Website** - Richard did an excellent report on the WW1 scheme and planting.

9 **Town Council** - Barry & Allan due to meet Town Clerk on 15th January.

10 Tree issues -

- Humber Road oak - appreciation was expressed to Shaun for his prompt action in protecting the tree with a TPO; Shaun advised that a radar test shows that the tree appears to be completely sound and the only work required may be removal of a side branch;
- Newlands Precinct - damage to cherry tree, Stanley has contacted the centre manager Lorne Campbell and some remedial work is planned for 7th January. The Tree Group remains concerned over the poor quality of the trees and the lack of protection making more vandalism likely.

11 Any other business

- Eric will do some repairs to the posts for the amelanchier trees in the Town Park; the small previously vandalised lime in The Avenue could now be protected too;
- Evidence of oak processionary moth may be noticed in May & June; nurseries will start to grow their own trees rather than importing.

12 Next meeting - **Tuesday, 4th February, White Horse, 8.00 pm**

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