

Please note 7.00 p.m. start time of Meeting



Town Hall | 61 Newland Street | Witham | CM8 2FE
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AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 15th April 2024** Time: **7.00 p.m.**

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

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 -

P.	Barlow	(Chairman)	T.	Hewitt
J.C.	Coleman	(Vice Chairman)	J.	Martin
E.	Adelaja		R.	Ramage
J.M.	Coleman		A.	Sloma
L.	Headley		E.	Williams

Nikki Smith
Town Clerk

1. **APOLOGIES**

To receive and approve apologies for absence.

2. **MINUTES**

To receive the Minutes of the Meeting of the Planning & Transport Committee held 2nd April 2024 (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 REPRESENTATIONS FROM MEMBERS OF THE PUBLIC

Members of the press and public will be invited to address the Meeting.

Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)

5. PLANNING OFFICER'S REPORT

To receive a verbal report from the Planning Officer on any matters arising from previous Meeting.

6. PART 1 APPLICATIONS

There are no Part 1 applications.

7. PART 2 APPLICATIONS

To consider applications in [Part 2](#).

8. REVISED PLANS

To consider any revised plans received by Braintree District Council that have previously been commented upon.

9. DECISIONS

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#) at page 6).

10. NORTH ESSEX PARKING PARTNERSHIP

To receive the Minutes from the North Essex Parking Partnership Meeting held 21st March 2024 ([attached](#) at page 7).

PART 2 APPLICATIONS FOR MEMBERS’ DEBATE

Applications Received:

The following applications have been made to the District Council for planning permission under the Town & Country Planning Acts and referred to the Town Council as a statutory consultee. Copies of the applications and accompanying plans may be seen at the Planning Department Causeway House, Bocking End, Braintree or online at www.braintree.gov.uk

PLEASE NOTE: Under the Local Government (Access to Information) Act 1985, representations cannot be treated in confidence. Witham Town Council is not responsible for issuing planning decisions.

24/00595/TPO	25 Windsor Close, Witham, Essex	Hatfield	Notice of intent to carry out works to tree protected by Tree Preservation Order 19a/02 - Removal of branches on lower trunk and thinning of the top of the tree
24/00645/ADV	The Grove Garage, Newland Street, Witham	Central	Erection of 2no. illuminated fascia signs, 2no illuminated double-sided pylon signs and 1no. freestanding pole mounted sign

Witham Town Council – Planning Application Report

Application No:- 24/00595/TPO

Address:- 25 Windsor Close, Witham, Essex

Ward:- Hatfield

Proposal:- Notice of intent to carry out works to tree protected by Tree Preservation Order 19a/02 - Removal of branches on lower trunk and thinning of the top of the tree

Relevant Site History:-

Representations:-

Summary:- The applicant has applied to remove the lower branches of the silver birch tree in their front garden and to thin out the top of the tree. The last application which refused the felling of the tree was met with the suggestion to position bird scarers in the tree so these will be added too.

Recommendation:- My concern about this application is that there is no mention about the number of branches to be removed or how much will be thinned. I have sought the advice of the Tree Warden but would be reluctant to recommend no objection without specific details. Recommend refusal on the grounds that there are insufficient details of the proposed work.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00645/ADV

Address:- The Grove Garage, Newland Street, Witham

Ward:- Central

Proposal:- Erection of 2no. illuminated fascia signs, 2no illuminated double-sided pylon signs and 1no. freestanding pole mounted sign

Relevant Site History:- 24/00046/ADV - Signage to include:- 1 No. internally illuminated pylon sign
Internal illuminated fascia signs 6 No. non-illuminated car return signs Door vinyl - refused on the grounds that the pylon signage, by virtue of its scale, massing and illumination, fails to respond to the locality and would be unduly prominent within the street scene, to the detriment of the character of the area and the adjoining Conservation Area, furthermore the proliferation of signage would create a cluttered appearance to the application site to the detriment of visual amenity.

Representations:-

Summary:- Following refusal by BDC for the previous application there is a new application to consider with two illuminated fascia signs, 2 double sided pylon signs and 1 freestanding pole mounted sign. The pylon sign will be 4m in height, the top sign will be 2.8m in width and 0.56 in height, the lower sign will be 1m in width and 0.6m in height. The fascias will go the total width of the front and side of the office measuring 12.67m and 9.48m and 0.8m in height. The non-illuminated freestanding pole will be approximately 3m in height with the sign measuring 1.2m by 0.86m.

Recommendation:- The previous pylon was 7.12m tall with the sign measuring 5.5m by 1.1m with another sign underneath 1.8m by 1m. In addition there were five non-illuminated car return signs. The plethora of signs have now been removed and a more sensible sign more suited to a town centre location has been submitted. Would suggest no objection subject to any illuminated sign being locked so that they would turn off when the business had closed.

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Application & Address	Proposal	BDC Decision	WTC Decision
23/00707/FUL - Land North Of Conrad Road Witham Essex	Erection of 6no. 2 storey dwellings (4no. detached dwelling and a semi-detached pair) with associated parking and residential curtilages. Creation of a new vehicular access.	Application Permitted	RECOMMEND REFUSAL on the grounds of impact on Conrad Road, additional traffic congestion affecting quality of life for residents and the environment with loss of green space contrary to SP7 and LPP52. Should the Planning Authority grant the application, the Section 106 agreement should be discussed with the Town Council so that improvements could be made to minimise parking issues in this area. Should this application be considered by the District Council's Planning Committee personal representations would be made by Members.
23/02460/VAR - 49 Braintree Road Witham Essex CM8 2DB	Application for approval of details as reserved by condition 2 of approved application	Application Refused	Raised no objection but were concerned that the proposed location of the ebike store could become a safety hazard as it was on a main exit to the building.
23/02329/FUL - Land South Of Haygreen Road Witham Essex	Proposed new community building, with associated landscaping and car parking	Application Permitted	Did not comment
21/00174/FUL - Witham Railway Station Albert Road Witham Essex CM8 2BS	New vehicular access crossover on Station Road to Witham Station car park	Application Permitted	Raised no objection subject to the existing exit onto Easton Road being retained so that traffic going towards Braintree does not contribute further congestion to the junctions at Avenue Road, The Avenue and Collingwood Road.

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Agenda Item 10

**NORTH ESSEX PARKING PARTNERSHIP
JOINT COMMITTEE FOR ON-STREET PARKING**

**21 March 2024 at 1.00pm
Latton Bush Centre, Southern Way, Harlow CM18 7BL**

Members Present:

Councillor Mick Barry (Tendring District Council)
Councillor Graham Butland (Braintree District Council)
Councillor Neil Hargreaves (Uttlesford District Council)
Councillor Nicky Purse (Harlow District Council)
Councillor Lee Scott (Essex County Council) [substitute]
Councillor Ken Williamson (Epping Forest District Council)

Substitutions:

Councillor Scott for Councillor Land

Apologies:

Councillors Goss and Land

Also Present:

Jake England (Parking Partnership)
Chris Hartgrove (Colchester City Council)
Jo Haynes (Essex County Council)
Amelia Hoke (Epping Forest District Council)
Owen Howell (Colchester City Council)
Dean James (Harlow District Council)
Michael Kelly (Harlow District Council)
Sarah Lewin (Uttlesford District Council)
Esme McCambridge (Braintree District Council)
Andrew Nepean (Tendring District Council)
Paul Partridge (Braintree District Council)
Andrew Small (Colchester City Council)
Mel Rundle (Colchester City Council)
Richard Walker (Parking Partnership)

171. Election of Chair

As the Chair was not present, the Joint Committee were asked to appoint one of its members to chair this meeting. Two nominations were received and seconded, for Councillors Scott and Hargreaves.

RESOLVED that Councillor Scott chair this meeting. FOUR votes in favour. TWO votes against. ZERO abstentions.

172. Have Your Say

With the permission of the Chair, a statement was read out on behalf of Mr Nick Chilvers, of Colchester. Mr Chilvers raised concerns at possible charges which might be levied on on-street parking in parts of Colchester. Mr Chilvers argued that no charging should be levied on Military Road, as he did not believe it was heavily used for parking, or long stays, and was not used as an alternative to Britannia Car Park, but by people on short visits to residential or business properties. Mr Chilvers suggested that Kendall Road did not require parking charges, as he did not believe that this was somewhere shoppers would park and only had a few parking spaces. Mr Chilvers recommended that any charge for parking at St John's Green be limited to the same rate for parking at the Britannia Car Park, after 60 minutes free parking, arguing that many people doing school pick ups used that area. Mr Chilvers believed that estimated revenues were too high, and alleged that any proposals like these were only about raising revenue.

A petition was presented to the Chair, from Councillor Paul Smith (Colchester City Council). The petition was on behalf of four residents of Ipswich Road [A1232], Colchester, who petitioned for yellow lines to be painted along the residential roadway, running alongside the main carriageway of the A1232, between numbers 483 and 489. This was in order to prevent vehicles from parking on that stretch, where parked vehicles currently block driveways and cause difficulties for residents entering and exiting their driveways.

173. Minutes

RESOLVED that the minutes of the meeting held on 1 February 2024 be approved as an accurate record, subject to an adjustment, to add a description of a comment from a Client Officer regarding the Partnership's exploration of sites which where on-street parking charges might be appropriate for consideration.

174. Urgent Items

Councillor Barry raised an urgent item, regarding Tendring District Council's wish to amend the period of notice for withdrawal from the NEPP, and the email which the Joint Committee Clerk had circulated to Joint Committee members, at Councillor Barry's request, to lay out the proposed changes which Councillor Barry wished to have considered. No word had been received on this since, or responses to that circulated email.

Owen Howell, Clerk to the Joint Committee, explained that he had raised the subject of amendments to the NEPP Agreement with Paul Turner, Director of Legal Services and Monitoring Officer for Essex County Council. Paul Turner had made it clear that no amendments to the NEPP Agreement would be considered, without his first being instructed formally to do this. Richard Walker, Head of Parking, confirmed that he too had sought to raise this, and had received the same response, being told that the Agreement sets out what the Joint Committee did, and not the other way around, and that this was Essex County Council's Agreement.

A Committee Member argued that all partners in the NEPP had ownership of the NEPP Agreement, and suggested that all of the issues which Joint Committee had raised need to be examined and not ignored. The Chair suggested that items be added to the agenda for the next Joint Committee meeting, to cover the two areas where amended wording had been requested; firstly, on the terms of withdrawal from the NEPP and secondly, possible amendments to remove parts of the Agreement perceived to be in possible conflict with each other, and content regarding resolving any deficits, where members believed the Agreement was unclear.

Jo Heynes, Essex County Council [ECC] Client Officer, explained that ECC was unclear as to what the requests were, regarding the requested amendments to the Agreement. ECC was of the view that there did not appear to be consensus on this at the Joint Committee and stated that, if the Joint Committee were to make a formal request, ECC's Monitoring Officer could consider this. A Committee Member underlined that the previous meeting had seen consensus reached and resolution made regarding seeking Agreement amendments, and that this had been so minuted. Accepting that the wording may not have been that needed in order to direct work to be conducted on this, the Committee member made the point that the Joint Committee had still agreed that this matter should be pursued.

RESOLVED that the JOINT COMMITTEE is to receive additional reports at its meeting on 20 June 2024, to cover: -

- a) Progressing possible changes to the NEPP Agreement to amend the requirements for a NEPP Partner to withdraw from the North Essex Parking Partnership
- b) Progressing possible changes to the NEPP Agreement to remove parts of the Agreement perceived to be in possible conflict with each other, and content regarding resolving any deficits, where members believed the Agreement was unclear, and where members wished to clarify that deficits would be shared across all partners, if and when they arise

175. Financial Report and Business Plan

Chris Hartgrove, Deputy Section 151 Officer [Colchester City Council], presented the NEPP financial position as at the end of February. Monthly financial updates

were now being given to NEPP partners, as requested by the Joint Committee. A small surplus was still expected to be shown in the outturn financial position by March 2025, with reserves of £30k predicted by that point.

The underspend on Civil Enforcement Officers [CEOs] was shown, with recent recruitment of CEOs seeing an increase in spend, which was expected to bring overall positive effects. There had already been an upturn in Penalty Charge Notice [PCN] income, moving from a deficit to an expected surplus of £15k, due to the recruitment of CEOs.

ParkSafe costs were now not expected to materialise, and budget had now been set aside to cover bad debt provision. The Head of Parking explained how there could be a significant swing in a short time.

Budget assumptions were based on the most likely outcome. No vacancies had been assumed at the start of the year. The pay award assumption had been three percent in 2024-25, consistent with the assumptions in Colchester City Council's budgeting. 8.1 of the report recognised the risk of a higher pay award, and more information could be presented at a future meeting. The pay award would be negotiated and introduced in May 2024.

The Committee discussed the projected income of £140k from proposed on-street parking charges. The Head of Parking confirmed that this expected income had been factored in to the budget forecast. A Joint Committee member argued that, with delays regarding the advertising of schemes, the expected income for the year should be set as zero, and that the forecast should show a £109k deficit, rather than a £30k surplus. The Joint Committee discussed what estimates should be given for expected income. The projections took into account that some income would not be received until late in the year. The Deputy Section 151 Officer underlined that prudent estimates were used and that, if these did not come to pass, ways would be found to offset any shortfall in income. There was no expectation that the NEPP would experience an ongoing deficit. A Joint Committee member urged for readiness to make decisions at the June 2024 Joint Committee meeting, as to how to cover any shortfall if forecast income was not going to be achieved. The Group Operating Manager noted that the next agenda item would see a discussion of the enhanced consultations on areas appropriate for charging for on-street parking, site viabilities and councillor input. Income could be more or less than expected for any of the potential sites, or would be zero for any schemes that were cancelled. More information would be available following the consultations, and for the June meeting.

A request was made for modelling to be done to show the financial position expected for a range of different pay award scenarios, over a range of award levels, at 1% increments. The Deputy Section 151 Officer agreed that this was possible, but cautioned that this would give less clarity as to the expected position.

The forecast outturn in Appendix A of the report was discussed. One Committee member argued that PCN income projections were optimistic, with a £501k gap between the income generated as of the latest figures, and the forecast outturn

for 2023-24. Officers were asked how such a projection could be made, in opposition to the evidence from financial monthly periods P10 and P11, and what evidence informed it. The Deputy Section 151 Officer explained that emerging good news, following a cautious estimate for Month nine of 2023-24, had seen an uptick in the forecast. The Head of Parking explained that a cautious estimate had been kept until sustained staff recruitment was seen. There had been a net gain of five CEOs, and a significant increase in PCNs being issued. This had been going on over the past four months, but had not been added to the projections, as time had been taken to ensure that this was not a temporary change.

A Committee member noted the work that had been seen to go on, with comments being received regarding the rigour of enforcement. In light of the effect that a 6% pay award would have on the budget, rather than the 3% projection, officers were asked for context regarding CEOs. Jake England, Group Operating Manager, explained that there were currently just under 40 CEOs, with a target total of 42. Eight applicants were currently being processed. There would always be attrition on numbers, but with reorganisation and redeployment, there was confidence that the target of 42 CEOs would be met. The Head of Parking explained that initial figures on expected income were based on employing 33 CEOs. As CEO numbers increased, so did income expectations. If the current trend seen continued, this would lead to an additional £200k income, which would fill any gap in expected income from pay-for on-street parking operations. The most efficient work patterns for CEOs continued to be worked upon.

The Head of Parking was asked what return was gained per each CEO employed, expressing the view that returns projected for new recruits seemed optimistic. The Head of Parking explained that income was based on the work carried out, with an expected rate of issuing PCNs to be between one per hour and 1.2 per hour. This had been ascertained through significant research, across many areas. The NEPP received £34 in PCN income for each PCN issued, on average based on total PCNs issued and total PCN income. There was some tiny fluctuation in this level over time, but could give projected income. Whilst the recruitment of more CEOs meant that the NEPP did not continue to make salary savings, the income generated more than covered the additional salary costs. PCN issuing was not purely to make money, but was a necessary part of paying for the cost of enforcement operations. The Group Operating Manager explained that the income projections for 2024-25 had been based on only 36 CEOs operating on on-street enforcement, and did not include those doing off-street enforcement under agreements with individual NEPP partners.

Andrew Small, Section 151 Officer [Colchester City Council], explained how projections and forecasts were updated to reflect Joint Committee decisions, and the need to decide how to address the effects of these decisions. It was expected that UK inflation, currently at 3.4%, would fall to below 2% by the end of 2024. Issues and changes would be flagged, and adjustments made when necessary.

The Joint Committee asked when details on the transformation programme would come before it. The Group Operating Manager explained that the consultation had now ended, and the results were expected to be given to the staff and to

Unison in the following week for comment. Details could then be shared with the partners of the NEPP. The decision had been taken that the restructure would focus on the core fundamentals.

RESOLVED that the JOINT COMMITTEE: -

- a) Notes the forecast outturn for 2023/24 as of 28th February 2024 (Month 11)
- b) Notes the projected impact on the Parking Reserve balance
- c) Will receive additional reports to its meeting on 20 June 2024, to give details of the ongoing restructuring of the NEPP, and to provide an update on potential areas for on-street parking charges, projected income, and potential ways to mitigate any shortfalls in income.

176. On-Street Paid parking – Forward Plan

Richard Walker, Head of Parking, informed the Joint Committee that Jason Butcher, erstwhile Group Development Manager, had left the NEPP for new employment prior to this meeting. The decision made at the previous meeting of the Joint Committee, and regarding on-street paid parking, had been called in but then resolved at the informal mediation stage.

An enhanced consultation process had been agreed, and the Head of Parking outlined a range of potential options for the schemes. 11 different approaches had been laid out, ranging from 'continue as planned', through to 'cancel all schemes.' The enhanced consultation process was laid out, and expected timings given. Advertising the consultations on schemes was planned for after the Joint Committee's meeting in June, probably to run in July, with results to be reported to the November meeting, before formal advertising of schemes that would go forward, due to happen in December 2024. The Group Operating Manager gave assurances that enhanced consultations would be tailored to each area, through initial meetings with the relevant client officers, Joint Committee members and the councillors representing the local wards and divisions, as well as stakeholders such as parish councils. Swift progress could be made where there was no opposition to proposals, but time would be taken where concerns were raised. Further assurances were given that the results of the enhanced initial consultations would be brought to the Joint Committee, prior to any statutory consultation then being engaged upon. Expectations and projections would be updated. The Group Operating Manager noted that the initial meetings would overlap with the election period, and that the NEPP was minded to wait, where necessary, to carry these out after elections, in those areas which were up for election.

RESOLVED that the JOINT COMMITTEE: -

- a) Notes the previous decisions made at the last meeting and the subsequent 'call-in' resolution requirements as detailed within the report.

b) Agrees the proposed timeline outlined in Appendix A, subject to an amendment of the April meeting dates, with these being moved to fall after the election period has ended, and noting the required engagements with local District/City/County Members, and enhanced formal consultation plan to be developed.

c) Agrees the prioritisation of sites/districts as outlined in Appendix B.

177. Update on National Parking Initiatives

Richard Walker, Head of Parking, introduced the report, covering a number of national parking matters.

The National Parking Platform project was expected to go live in October/November, which would see motorists able to use any parking app to pay for parking anywhere. This was a complex task, but would mean that motorists only needed one parking app on their devices. If the NEPP signed up for this before Easter, it would avoid the £10k fee for joining which would then apply after Easter.

Digital Traffic Regulation Orders [D-TRO] were explained. Proposals would aim to see data externalised and made accessible, for SatNav devices to show information as to where parking was available or prohibited/unavailable.

The National Persistent Evaders database would bring together data on untaxed vehicles, drivers lacking insurance or vehicles without an MOT and similar offences which, when compared to parking charge notice [PCN] data, can show quickly which offenders need to be dealt with in a particular way. The Joint Committee discussed the scenarios which might arise where a current vehicle ownership was not held on file by the DVLA [Driver and Vehicle Licensing Agency].

There was still no progress by central government regarding its approach to obstructive parking. It was unlikely that there would be any progress before the end of the Parliamentary session, as time had almost run out. The Joint Committee discussed the difficulties in educating the public as to which agencies had enforcement responsibilities for different issues, such as obstructive parking, junction protection enforcement. Clarity was needed, and the Committee members discussed different types of issue. The Head of Parking confirmed that, with a few exceptions, enforcement of traffic restrictions was a NEPP responsibility. The Essex Act could allow enforcement against parking on mown or ornamental verges, if signage was in place. The Police had responsibility to enforce against driving on the footway. The Police could also carry out enforcement against obstructive parking, if evidence of the obstruction can be shown. In response to questions about the Essex Act, the Head of Parking offered to provide a written explanation of what this was, and the current position.

The current options being considered for dealing with obstructive parking included to ban all footway parking, which would cause a large number of issues. An alternative was to reclassify obstructive parking so that offences could be treated as a shared civil and criminal offence, allowing the Police or NEPP officers to carry out enforcement actions. The third option was for discretionary powers to be given to civil organisations such as the NEPP, to allow restrictions to be applied and enforced where a need is identified. The Head of Parking described what had been carried out by the devolved governments in Wales and Scotland. Welsh experiments had found that it was not possible to separate enforcement against junction obstruction from enforcement against footway obstruction.

RESOLVED by the JOINT COMMITTEE that the North Essex Parking Partnership: -

- a) Lodges an interest in the National Parking Platform
- b) Takes steps to provide data for the Digital Traffic Regulation Order process
- c) Joins the National Persistent Evaders' Database
- d) Joint Committee receives updates on the Footway Parking topic only by exception in future

178. Forward Plan 2024-2025

Owen Howell, Clerk to the Joint Committee, summarized the additional items requested for the meeting on 20 June 2024 and confirmed that these would be added to the forward plan.

Jo Haynes, Head of Network and Safety [Essex Highways] committed to pick up matters regarding the wording of the NEPP Agreement with Paul Turner, Monitoring Officer to Essex County Council. A suggestion was made that the legal officers/monitoring officers of each partner should meet to discuss how Agreement rewording might potentially be possible. The Head of Network and Safety agreed that the partner local authorities had to agree what was required, then seek an alternative wording, to then be put forward for approval via each partner's processes. Andrew Small, Colchester Section 151 Officer suggested that the Joint Committee could lay out a proposed wording, which could then be circulated to each partner authority and written approval sought.

A request was made to equalize the gaps between Joint Committee meetings. The Clerk and Head of Parking explained some of the issues behind the meeting scheduling, such as the financial reporting schedules, and requests already made for the Client Officer and Joint Committee meetings to avoid school holidays, whilst also coinciding with production of monthly financial outturn reports, and to avoid days on which the South Essex Parking Partnership would meet.

RESOLVED that the JOINT COMMITTEE notes and approve the North Essex Parking Partnership Forward Plan for 2024-25, with the addition of items for the 20 June 2024 meeting, on: -

- a) Progressing possible changes to the NEPP Agreement to amend the requirements for a NEPP Partner to withdraw from the North Essex Parking Partnership
- b) Progressing possible changes to the NEPP Agreement to remove parts of the Agreement perceived to be in possible conflict with each other, and content regarding resolving any deficits, where members believed the Agreement was unclear, and where members wished to clarify that deficits would be shared across all partners, if and when they arise

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