



Please note earlier start time of 6 p.m.

Witham
town council

Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Tuesday, 28th October 2025** Time: **6.00 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 -

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

Nikki Smith
Town Clerk
GK/23.10.2025

1. **APOLOGIES**

To receive and approve apologies for absence.

2. **MINUTES**

To receive the Minutes of the Meeting of the Planning & Transport Committee held 13th October 2025 (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

To approve officer 'no objection' recommendations for applications listed under [Part 1](#) without debate. *Applications may be moved to Part 2 where Members are in disagreement with recommendations by giving 24 hours' notice to the Planning Officer.*

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 8).

10. TACKLING SPEEDING IN WITHAM/20s PLENTY

To receive a verbal report regarding the progress of the Speed Indicator Device.

11. NEWLAND STREET PARKING PROPOSALS

To receive proposals from the North Essex Parking Partnership to introduce payment parking in Newland Street with the first hour free. Payment by MiPermit or machine ([attached](#) at page 9).

12. CORRECTIVE APPLICATION NO 1 – LAND AT CHIPPING HILL, CL 163

To receive a letter from Essex County Council's Legal Services regarding the registration of common land at Chipping Hill ([attached](#) at page 16).

13. TRANSPORT ENGAGEMENT MEETING

To receive details of a meeting to be held on Wednesday, 19th November 2025 ([attached](#) at page 20).

14. TEMPORARY ROAD CLOSURE FOR BOXING DAY FIVE MILE ROAD RACE

To note that an application has been received for a temporary road closure for the annual Boxing Day five mile road race along Blunts Hall Road.

15. LOCAL HIGHWAYS PANEL

To receive an extract of the Minutes of the Local Highways Panel Meeting held 25th September 2025 ([attached](#) at page 21).

PART 1
APPLICATIONS WITH OFFICER ‘NO OBJECTION’
RECOMMENDATIONS TO BE CONSIDERED “EN BLOC” WITHOUT
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.

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
25/02328/HH	27 Brain Road, Witham, Essex	West	Proposed single storey front extension

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.

25/02242/TPO	Kingdom Hall Of Jehovah's Witnesses , Windsor Close, Witham	Hatfield	Notice of intent to carry out works to tree protected by Tree Preservation Order 19/02. T7 and T8 Lime Trees -restore the crown to 5-6m. T1 and T2 Lime Trees- crown lift to 5-6meters
25/02021/ADV	Land Opposite, The Old Pottery Kiln, Gershwin Boulevard	South	Installation of 6 no. internally illuminated fascia signs, 1 no. non illuminated sign, 2 no. internally illuminated freestanding signs, 2 no. non illuminated freestanding digital signs, 4 no. non illuminated freestanding signs and 1 no. internally illuminated totem poles
25/02300/TPOCON	The Old Vicarage , Chipping Hill, Witham	North	Notice of intent to carry out works to trees in a Conservation Area: Works to be carried out as per arboricultural report

Witham Town Council – Planning Application Report

Application No:- 25/02242/TPO

Address:- Kingdom Hall Of Jehovah's Witnesses , Windsor Close, Witham

Ward:- Hatfield

Proposal:- Notice of intent to carry out works to tree protected by Tree Preservation Order 19/02. T7 and T8 Lime Trees -restore the crown to 5-6m. T1 and T2 Lime Trees- crown lift to 5-6meters

Relevant Site History:-

Representations:-

Summary:- Following a complaint by Essex County Council, the applicant is seeking permission to crown lift T1,T2,T7 and T8 to 5 to 6 metres so as not to obstruct road sign and street lamp. The applicant states that T1 & t2 are not directly on their property but they are willing to carry out the work and are seeking permission to maintain the trees in the future.

Recommendation:- The work seems reasonable but advice has been sought from the Tree Warden. Would suggest no objection subject to the advice of the District Council's Landscape Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 25/02021/ADV

Address:- Land Opposite, The Old Pottery Kiln, Gershwin Boulevard

Ward:- South

Proposal:- Installation of 6 no. internally illuminated fascia signs, 1 no. non illuminated sign, 2 no. internally illuminated freestanding signs, 2 no. non illuminated freestanding digital signs, 4 no. non illuminated freestanding signs and 1 no. internally illuminated totem poles

Relevant Site History:- 24/01580/ADV - Town Council recommended refusal as Members considered the myriad of signage to be excessive, especially the internally illuminated totem pole. Members asked that if approved the illuminated signage was only lit during business opening hours. We commented too that we would not object to a scaled back version of the application. BDC granted the application but with a condition that the signage should only be illuminated during the opening hours of the premises.

Representations:-

Summary:- The applicant is seeking an amended scheme for signage at Costa Coffee. The original advertisements were approved. There is now a proposal for a second totem sign at the entrance, repositioning of a sign as it would be in conflict with landscaping. In place of one single and one triple digital screen, Costa now wishes four screens in two pairs and one will need to be moved so as not to block the delivery route.

Recommendation:- These are amendments to the original approved scheme. Members will no doubt be disappointed that the original proposals for myriad signs was approved and comment can be made to this effect but the signage is on a retail park and would therefore suggest no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 25/02300/TPOCON

Address:- The Old Vicarage , Chipping Hill, Witham

Ward:- North

Proposal:- Notice of intent to carry out works to trees in a Conservation Area: Works to be carried out as per arboricultural report

Relevant Site History:-

Representations:-

Summary:- Following a tree survey, a number of trees growing in the Old Vicarage garden need remedial work. Some of these trees are in the Conservation Area whilst others are not. The boundary runs on the northern side of the dwelling. There is a comprehensive report detailing all the trees. T4 and 5, mountain ash to reduce height and lateral spread by 1 to 1.5m, T1,2,3,4,5 & 6 Amelanchier to periodically prune to maintain crown, likewise T15, crab apple, T17, common ash, T18, Norway maple, T19, silver birch and T22, common hawthorn.

Recommendation:- The work seems reasonable but advice has been sought from the Tree Warden. Would suggest no objection subject to the advice of the District Council's Landscape Officer.

Policy References:-

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Application & Address	Proposal	BDC Decision	WTC Decision
25/01804/HH - 12 Collar Way, Witham, Essex CM8 1YX	Retention of outbuilding. Proposed re-profiling of ground levels to rear garden	Refused	Recommended refusal on the grounds of adverse impact on neighbours, contrary to LPP36d.
25/01752/HH - 32 Avenue Road Witham Essex CM8 2DP	Proposed single storey side/rear extension	Permitted	Members considered that the large dormer would have an impact and be visible from Station Mews and therefore recommended refusal due to the size of the dormer contrary to LP36d and LPP36e.
25/01986/TPOCON - 9 Old Magistrates Court Witham Essex CM8 2FT	Notice of intent to carry out works to trees in a Conservation Area: T1 - Maple Tree (Acer sp.) - Remove to ground level	Permitted	No objection subject to the advice of the District Council's Landscape Officer
25/01860/TPO - Land Opposite 33 Armiger Way, Witham, Essex CM8 2UZ	Notice of intent to carry out works to tree protected by Tree Preservation Order 5/74. T1 - Ash - Pollard by approximately 4-5m.	Part Refused, Part Granted	No objection subject to the advice of the District Council's Landscape Officer
25/01468/FUL - 137 Newland Street, Witham, Essex CM8 1BE	Proposed 1st Floor change of use from class E to 1 No. residential dwelling, alterations to fenestration and roof mounted heat pump.	Permitted	Members expressed their concerns about the possible installation of an electric charging point for bikes at the bottom of the staircase but raised no objection subject to the Listed Building's Officer being content with materials and sufficient lighting to allow safe access to the building at night.

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Agenda Item 11

The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.49) Order 202x

Notice is hereby given Colchester City Council acting on behalf of the North Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an Agreement dated 1st July 2022 proposes to make the above Order under Sections 1(1), 2(1) to (3), 4 (1), 4(2), 32, 35,45,46,49 and 53 and Parts III and IV of schedule 9 of the Road Traffic Regulation Act 1984

The effect of the Order:

1. To revoke Limited Waiting Mon-Sat 8am-6pm 1 hour no return within 3 hours and replace with Payment Parking Place Mon-Sat 8am-6pm max stay 2 hours no return within 2 hours in Bocking End & The Causeway, Braintree (Pay by phone or payment machine charges **first hour free** and additional hour £2.80).
2. To revoke Limited Waiting Mon-Sat 8am-6pm 1 hour no return within 2 hours and replace with Payment Parking Place Mon-Sat 8am-6pm max stay 2 hours no return within 2 hours in The Centre, Halstead (Pay by phone or payment machine charges **first hour free** and additional hour £2.00)
3. To revoke Limited Waiting Mon-Sat 8am-6pm 1 hour no return within 3 hours and replace with Payment Parking Place Mon-Sat 8am-6pm max stay 2 hours no return within 2 hours in High Street, Halstead, southeast side (Pay by phone or payment machine charges **first hour free** and additional hour £2.00).
4. To revoke Limited Waiting Mon-Thurs & Sat 8am-6pm 1 hour no return within 3 hours and replace with Payment Parking Place Mon-Thurs & Sat 8am-6pm max stay 2 hours no return within 2 hours in High Street, Halstead, northwest side (Pay by phone or payment machine charges **first hour free** and additional hour £2.00).
5. To revoke Limited Waiting Mon-Sat 8am-6pm 1 hour no return within 3 hours and replace with Payment Parking Place Mon-Sat 8am-6pm max stay 2 hours no return within 2 hours) in Newland Street, Witham between numbers 2 & 121 Newland Street, Witham (Pay by phone or payment machine charges **first hour free** and additional hour £2.80).
6. To amend Schedule 7 in The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019 to append the items set out in Schedule 1 of this Order.

This Order will be incorporated into The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019 by replacing tile numbers TL755 235, TL820 145, TL815 142 revision 0 with revision 1, TL820 147, TL755 232 & TL820 142 revision 1 with revision 2 and TL810 305 revision 2 with revision 3.

Further Details: A copy of the proposed Order with plans showing the specified lengths of roads, a Statement of Reasons for proposing to make the Order and a copy of the Order to be amended may be viewed at [https://nepp.traffweb.app/traffweb/2/PublicConsultation \(BDC49\)](https://nepp.traffweb.app/traffweb/2/PublicConsultation (BDC49)) or documents can be made available for inspection 8.30am-5.30pm Mon-Thurs and 8.30am-5pm on Friday at Essex County Council, County Hall E block main reception, Market Road, Chelmsford if so required.

Objections: Anyone who wishes to object to the proposed Orders can do so at <https://nepp.traffweb.app/traffweb/2/PublicConsultation> or via techteam@colchester.gov.uk, or by sending their grounds for objection in writing to TRO Comments, North Essex Parking Partnership, PO Box 5575, Colchester, CO1 9LT by Friday 14th November 2025.

Date: Thursday 23rd October 2025.

Jake England, Parking Partnership, Interim Head of Parking, Colchester City Council,

Rowan House, 33 Sheepen Road, Colchester, CO3 3WG

Schedule 1

Schedule 7 – On-street Payment Parking Charges:

Parking Places with Ticket Machines or Cashless Parking Solution (pay by phone)		
Column 1	Column 2	Column 3
Parking location & periods of operation	Charge period	Charge
Bocking End/The Causeway, Braintree, Monday to Saturday 8am-6pm – max stay 2 hours	1 hour	Free
	Additional hour	£2.80
Newland Street, Witham, Monday to Saturday 8am-6pm – max stay 2 hours	1 hour	Free
	Additional hour	£2.80
High Street, Halstead, Monday-Thursday & Saturday 8am-6pm – max stay 2 hours	1 hour	Free
	Up to 2 hours	£2.00
The Centre, Halstead, Monday to Saturday 8am-6pm – max stay 2 hours	1 hour	Free
	Additional hour	£2.00
High Street, Halstead, Monday- Saturday 8am-6pm – max stay 2 hours	1 hour	Free
	Additional hour	£2.00

The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.49) Order 202x

Newland Street - Witham

Paid parking schemes can encourage the use of off-street car parks and encourage motorists to consider the use of other modes of sustainable transport. The conversion of bays from 1 hour limited waiting to 2 hour limited waiting (2 hours maximum stay, **first hour free**) will allow more efficient and effective enforcement and encourage a greater turnover of spaces, which will benefit nearby businesses.

Stays in the bays will be facilitated with the use of the MiPermit payment system (mobile app) or via on street payment machines, replicating how visits to local off street car parks are accommodated. Charges and payment system will be parallel to local car parking assets.

High Street - Halstead

Paid parking schemes can encourage the use of off-street car parks and encourage motorists to consider the use of other modes of sustainable transport. The conversion of bays from 1 hour limited waiting to 2 hour limited waiting (2 hours maximum stay, **first hour free**) will allow more efficient and effective enforcement and encourage a greater turnover of spaces, which will benefit nearby businesses.

Stays in the bays will be facilitated with the use of the MiPermit payment system (mobile app) or via on street payment machines, replicating how visits to local off street car parks are accommodated. Charges and payment system will be parallel to local car parking assets.

The Centre - Halstead

Paid parking schemes can encourage the use of off-street car parks and encourage motorists to consider the use of other modes of sustainable transport. The conversion of bays from 1 hour limited waiting to 2 hour limited waiting (2 hours maximum stay, **first hour free**) will allow more efficient and effective enforcement and encourage a greater turnover of spaces, which will benefit nearby businesses.

Stays in the bays will be facilitated with the use of the MiPermit payment system (mobile app) or via on street payment machines, replicating how visits to local off street car parks are accommodated. Charges and payment system will be parallel to local car parking assets.

Bocking End - Braintree

Paid parking schemes can encourage the use of off-street car parks and encourage motorists to consider the use of other modes of sustainable transport. The conversion of bays from 1 hour limited waiting to 2 hour limited waiting (2 hours maximum stay, **first hour free**) will allow more efficient and effective enforcement and encourage a greater turnover of spaces, which will benefit nearby businesses.

Stays in the bays will be facilitated with the use of the MiPermit payment system (mobile app) or via on street payment machines, replicating how visits to local off street car parks are accommodated. Charges and payment system will be parallel to local car parking assets.

On-Street Pay and Display Parking – Braintree District

As of Thursday 23rd October 2025, the North Essex Parking Partnership (NEPP) are advertising proposals to change the on-street parking regulations at select locations in Braintree, Halstead and Witham. As a local business or resident near to one of these locations, we want to make sure you're aware of what's being planned and how you can have your say. Enclosed, you'll find:

- A Notice of Intention, which explains the proposed changes and details how you can register your views,
- A map, showing where the changes would take place,
- A Q&A sheet answering common questions about what this means for you.

The public consultation runs from Thursday 23rd October to Friday 14th November 2025, and we'd welcome your feedback during this period.

Questions & Answers

The information below provides further information about the proposed changes, the reasons for the changes, and how it may affect you.

What is on-street pay and display parking?

On-street pay and display parking means parking in marked bays along the roadside, where you register your stay either digitally or by purchasing a physical ticket. These bays will have clear signs showing the rules. You can register your stay in two ways:

- Using the MiPermit app or website
- Getting a paper ticket from a nearby parking machine.

The **first hour will be free**, but motorists would still need to register their stay using MiPermit or display a ticket. If any motorist wants to stay longer, they can extend their stay by paying for extra time.

Will it cost more to park?

No – the **first hour remains free**, though motorists must cover their vehicle with a ticket or digital stay. In addition, we're proposing that motorists will be able to stay for longer if needed. For example, motorists will now be able to stay for two hours: the first hour is free, and the second hour is paid. The costs will be aligned with nearby public car parks.

How will motorists register a stay?

We would recommend using MiPermit, which is already used in local car parks across the District, as well as for resident permits. Motorists can:

- Use the MiPermit app,
- Visit the MiPermit website,
- Call the MiPermit number shown on nearby signage.

For those who are unable or prefer not to use digital options, a ticket can be obtained from a nearby machine, which NEPP would install.

How many parking machines will there be?

We appreciate that not all motorists will necessarily be able to or want to use the MiPermit system. To ensure that motorists will not have to travel far to obtain a ticket, we are proposing to install the following number of machines:

High Street, Halstead – 2 machines

Newland Street, Witham – 2 machines

Bocking End – No machines (digital only)

The Centre, Halstead – No machines (digital only)

If you have any thoughts on where these machines should be located within the areas detailed on the attached map, please let us know during the consultation period.

What about Blue Badge holders?

If you have a Blue Badge, you can continue to park for free. Just make sure your badge is clearly displayed with the expiry date and arrival time visible.

Will it have an effect on nearby businesses?

We understand there may be some concerns about parking and its impact on footfall. However, research shows that, so long as sensible tariffs are put in place, **ease of parking, time spent travelling and business offerings** are of more concern to motorists than cost. The proposed changes will:

- Let customers stay longer without needing to move their vehicle
- Encourage people to spend more time in town, visiting more shops and services

NEPP has previously altered limited waiting to pay and display restrictions in areas such as Colchester, Epping and Loughton, and these areas have continued to be well-used even without a free hour in place.

Why are these changes being proposed?

Currently, limited-wait parking bays are inefficient to monitor and require multiple visits by enforcement officers to assume a contravention has occurred. This takes up vital Civil Enforcement Officer time which could be better-spent managing safety-related issues like school zones and yellow lines. The proposed changes could reduce the amount of time spent patrolling the restrictions by 50%.

Switching to pay and display (with a free first-hour) means:

- Fewer patrols needed
- More efficient use of staff
- Better enforcement of safety areas
- Ability for motorists to stay for longer
- Encourage turnover of spaces and footfall

What happens to the income collected from these schemes?

The main purpose for this proposal is the efficiency savings, as previously outlined. There will be costs associated with these schemes, such as installation of machines and signage, and income figures are unknown. Nonetheless, it is likely that there would ultimately be some income generation, and we can advise how this would be spent.

NEPP is a partnership of local councils (Braintree District, Colchester City, Epping Forest District, Essex County, Harlow District, Tendring District and Uttlesford District), and NEPP is required to be self-funding. Furthermore, Section 55 of the Road Traffic Regulation Act 1984 requires all income generated to be ring-fenced for parking operations. As such, any revenue from paid parking sites would help to cover the cost of the service and to support traffic management across NEPP's jurisdiction, including to:

- Maintain and improve road markings,
- Install and maintain parking signage,
- Replace damaged equipment such as posts and street furniture.

Want to submit comments of support or an objection?

The full proposals will be advertised from Thursday 23rd October until Friday 14th November 2025, and include:

- A copy of the proposed Order, with plans showing the specified lengths of road,
- A Statement of Reasons for proposing to make the Order,
- A copy of the Order-to-be-amended (the current Order in place)

These documents can be viewed on the Traffweb system or via NEPP's website at the links below;

<https://nepp.traffweb.app/traffweb/2/PublicConsultation> (BDC49)
<https://north.parkingpartnership.org/traffic-regulation/> (BDC49)

If you would like to submit comments or an objection about the proposed changes, you can do so:

Online – <https://nepp.traffweb.app/traffweb/2/PublicConsultation>

Via Email – techteam@colchester.gov.uk

By Post - TRO Comments, North Essex Parking Partnership, PO Box 5575, Colchester, CO1 9LT by Friday 14th November 2025.



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Agenda Item 12

ELS
Seax House
Victoria Road South
Chelmsford
CM1 1QH



ELS
First for Public Law

Witham Town Council
Clerk to Witham Town Council
Town Hall
61 Newland Street
Witham
CM8 2FE

Our Ref: LM/CAVG/128
Your Ref:
Date: 20 October 2025

Dear Sirs

Re: Corrective Application No 1 – Land at Chipping Hill CL163

In accordance with Rule 25 of the Commons Registration (England) Regulations 2014 please find enclosed the applicant's reply in response to the representations made.

I would be grateful if you could please confirm whether the applicant's response has resolved your objection and if you wish to withdraw your objection, or whether you wish to proceed with your objection.

Please can you confirm your position by 4th November 2025.

An inquiry is to be held in relation to the application and notice of the inquiry will be made pursuant to the relevant Regulations in due course.

Yours faithfully

Essex Legal Services

Environmental and Highways
Essex Legal Services

Telephone: 03330 321874
Email: Environmental.Team@essex.gov.uk



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ELS.Enquiries@essex.gov.uk
0333 013 2305
elslegal.org.uk

ELS



Comments on objections to corrective application (April 2025) to de-register Common land at Chipping Hill

Before I comment on each objection received I would at the outset want to remind the Council that we are the only party who have a documentary right of way on foot and with vehicles over the roadway leading from Chipping Hill to the land fronting of our house. This is a statement of fact.

I maintain that the land in our application has always been part of the curtilage of the house as it currently stands and before that the 3 individual houses, I have provided documentary evidence to support that position with my application.

My reasons for our application include the following reasons:

Essex CC themselves don't consider the land in question to be Common Land based on their responses to pre contract enquiries and our Commons Registration Search at the time of our house purchase [REDACTED]. Essex CC's response on both sets of enquiries was that the area of land fronting our house and the entire roadway leading from Chipping Hill to our house was not Common Land. This is the basis upon which we decided to complete the purchase. [REDACTED] starting back in 2016 and it never sold because no purchaser was prepared to accept the land in question being registered as common land and therefore illegal to park on.

At the time of registration of the Common Land there was the owner of our property, a [REDACTED] who was of the mind that the area in question plus the roadway leading to it from Chipping Hill was in fact not Common Land but forms the curtilage of the property. He provided a Statutory Declaration dated 10th August 1982 relating to his memory of the property some 46 years prior to the date of swearing i.e. 1936. Surely if there was a proper consultation process carried out [REDACTED] would have been allowed to state his objections resulting in common sense omitting the area in question from the registration. I would suggest the entire registration process was flawed.

3. The area in question plus that of the roadway is bounded by bollards which technically separates the Common Land to that of which should be the unregistered land. In their very own words written in a letter from Essex County Council, (a copy can be provided), they state that "Common Land should not be bounded by fences or bollards unless there is a specific reason to do so". We maintain the reason for the bollards is that the bollards delineate the grass land fronting our property - the common land, and the curtilage of our property and the roadway - the land, which should never have been registered in the first place.
4. We have, since the day we bought the property, plus the owners before us, all agree and state that we maintain the area in question as not to be Common Land. No one else uses the area in question other than us. We have also had to use the land in question for the parking of our cars because of the continuous illegal parking by others on the roadway. We maintain the area in the same way as all previous owners have done by weeding it, adding new shingle from time to time and re levelling the shingle that becomes rutted by virtue of the cars being driven over it.

5. We are the only party who have a dedicated right of way over the land in question plus the roadway on foot and with vehicles which is recorded at the Land Registry on all three of our freehold titles under which we hold our property. No other party has or can gain that right. Pedestrian only access on the roadway is of course permissible by anyone else and should remain so. Had the registration of the Common Land have been carried out properly by Essex CC with the benefit of consultation with the owner of the property at the time, the land in question would have been excluded from the registration.
6. The entire situation regarding the roadway from Chipping Hill and land is further complicated by the fact that it was registered without a registered owner. Had the roadway and the land been excluded from the registration it wouldn't have been difficult to create a list of suitable parties that could be considered as suitable candidates for the title of legal owner of the remainder of the common land. Without a legal owner Essex CC have avoided their responsibility to manage the common land as is their duty as stated in a Counsels Opinion obtained in 2006.

Conclusions

Firstly I appreciate its not a massive change but I think it worth mentioning that the total number of responses this time is down from the first round submitted in 2024. Some of those "non responses" this time round are believed to be from those who regularly illegally park on the roadway [REDACTED]. One of the other responses actually said they didn't want to submit a response this time suggesting they now approve our application, whereas others just didn't bother. Plus of course we were delighted to receive one response actually saying our application should be approved!

An analysis of the objections leads to a view that the vast majority should be given little or no weight in the decision making process. None of them produce credible arguments that address the statutory criteria. Therefore after consideration of the application and the objections the correct course of action should be the full approval of the application.

Response no.7 dated 10th April 2025 relating also to their previous response dated 9th February 2024

Taking each point in turn in response to the Witham Town Council's objection I comment as follows:

- (a). The land in question has been registered as common land since 1968 and if it has been incorrectly registered then it needs to be amended.
- (b). They suggest a precedent would be set - this is irrelevant. If the commons register is wrong it needs to be amended. The land in question is within the curtilage of our property over which we have a right of way so it needs to be amended. Any other application would need to be decided on its own merits against statutory criteria.
- (c). With regard to the possibility of the land being enclosed is irrelevant. I would like to think that the Witham Town Council is aware of the existence of the Chipping Hill Conservation Area. To enclose the land will require an application being made to Braintree District Council for approval - which wouldn't be granted.
- (d). If our application was successful absolutely nothing physically or visually would change to the area in question.



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Agenda Item 13

Dear all,

You are invited to attend our upcoming **Transport Engagement Meeting and Drop-In Session** on **Tuesday, 19th November**, at the **Baptist Church in Chelmsford**. Full venue details and the agenda will be shared following registration.

Meeting Details:

 **Date:** Tuesday, 19th November

 **Time:** 10:00 AM – 12:00 PM

 **Location:** Baptist Church, Chelmsford

Registration:

Please register your attendance using this link: [Registration Form](#)

You'll be asked to indicate **who you are representing** (e.g. Cabinet Member, District/Parish/Town Council, Bus User Group, Community Group, etc.).

If you have any questions you'd like to raise ahead of the meeting, please submit them via the form **by Friday, 10th November**. Questions received after this date will not be included in the post-meeting notes.

What to Expect:

- **Presentation:** Updates from the Integrated Passenger Transport Unit (IPTU), playing on loop throughout the session.
- **Handouts:** Key updates available to take away.
- **Engagement:** Speak directly with IPTU colleagues, transport providers, and community transport operators.
- **Networking:** Connect with fellow attendees, including council representatives, bus user groups, and community organisations.
- **Summary:** A follow-up email will be shared after the meeting.

We look forward to welcoming you on the 19th!

Kind Regards

**Tatiana Cullingford - Local Bus Network Community Engagement Lead
Integrated Passenger Transport Unit**

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Agenda Item 15

An extract of the Local Highways Panel Meeting held 25th September 2025

Schemes Awaiting Funding:

Consideration was given to a 'Schemes Awaiting Funding' report, which included information about proposed schemes submitted for funding. Members of the Panel were requested to recommend schemes for inclusion in a two-year rolling programme of work covering the financial years 2025/26 and 2026/27. It was noted that the Panel's budget for the two-year programme amounted to £611,400, that schemes having a total value of £398,300 had already been approved for inclusion in the programme, and that a sum of £213,100 remained to be allocated.

As referred to in Minute 5 'Funded Schemes 2025/26' above, it was noted that scheme LBRA193005 – Zebra crossing, Rickstones Road, Witham, Allocated Budget £147,400 had been cancelled and withdrawn from the Panel's schedule of Funded Schemes. The budget apportioned to this scheme would be available for re-allocation.

It was reported, that due to associated abortive costs it would not be possible to include schemes within the programme which required a 'design only' or a 'feasibility study'. Only those schemes which could be delivered by the end of the financial year could be recommended for inclusion.

The scheme awaiting funding referred to in the report had an estimated cost of £250,100.

DECISION:

(1) That it be recommended that the following scheme be approved:-

Walking

LBRA152140 – Upgrade of existing pedestrian refuge to a signalised crossing, Hatfield Road, Witham Estimated Cost:- £250,100

(2) That it be recommended that the following schemes, the RAG status of which has been assessed as 'red' as they do not meet Essex Highways' criteria, remain on the list of potential schemes and that their status is amended to 'amber':-

Traffic Management

LBRA222038 – Contra flow route and signage for cyclists, Guithavon Street, Witham Estimated Cost:- Not applicable

LBRA222047 – HGV routes, various locations, Witham Estimated Cost:- Not applicable

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