



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

AGENDA

Meeting of: **Environment Committee**

Date: **Monday, 12th July 2021** Time: **7.30pm**

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

J.	Goodman	(Chairman)
K.	Atwill	(Vice Chairman)
J.	Bayford	
S.	Hicks	
A.	Kilmartin	
C.	Lager	
M.	Lager	
C.	Livermore	
M.	Weeks	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Environment Committee held on 27th January 2020 (previously circulated), excluding delegated decisions previously taken under the Covid-19 Governance Overview.

3. INTERESTS

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

4. QUESTIONS AND STATEMENTS FROM THE PUBLIC

An opportunity for members of the press and public to make representations, answer questions and give evidence in respect of any business on the agenda

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. COMMITTEE INCOME, EXPENDITURE & BUDGET REPORT

To receive the committee income & expenditure report for the period 1st April 2020 – 31st March 2021 and for 1st April 2021 – 31st May 2021 ([attached](#) at page 4)

6. CLERK'S REPORT

To receive a report ([attached](#) at page 6)

7. OPEN SPACES MANAGEMENT SUB-COMMITTEE MINUTES

To receive the minutes from the Open Spaces Management Sub-Committee meeting held 21st April 2021 ([attached](#) at page 7)

8. TREE GROUP MINUTES

To receive the minutes from Witham Tree Group of 15th June 2021 ([attached](#) at page 10)

9. HIGHWAYS DEVOLUTION SCHEME

To receive an update on the scheme and seek Members' comments on suitable tasks.

10. LOCAL HERITAGE LIST REVIEW GROUP

To review the group since last meeting on 9th January 2020.

11. HIRE OF OPEN SPACES POLICY

To receive and review the Hire of Open Spaces Policy ([attached](#) at page 14)

12. COMMEMORATIVE ITEMS ON THE RIVER WALK

To receive and review the Commemorative items on the River Walk policy ([attached](#) at page 15)

13. SNOW CLEARANCE POLICY

To receive a report on and to review the Snow Clearance policy ([attached](#) at page 16)

14. BUS SHELTERS

To receive a report ([attached](#) at page 18)

15. REVIEW OF STREET FURNITURE

To receive a report ([attached](#) at page 22)

Order Note: Corporate Strategy Objective

A handwritten signature in black ink, appearing to read "James Sheehy". The signature is written in a cursive, flowing style.

James Sheehy
Town Clerk

HA/GK/5.7.2021

Item 5

30/06/2021

Witham Town Council 2020-2021

Page 1

16:09

Detailed Income & Expenditure by Budget Heading 31/03/2021

Month No: 12

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
400 Environment							
1400 Commemorative Trees	175	0	(175)			0.0%	
1401 Dog Bin Sponsorship Scheme	400	300	(100)			133.3%	
Environment :- Income	575	300	(275)			191.7%	0
4400 Operations PAYE/LGPS	123,629	115,000	(8,629)		(8,629)	107.5%	
4420 Equipment Supplies & Maintenan	5,486	4,000	(1,486)		(1,486)	137.2%	
4425 Lighting Maintenance & Utility	5,430	3,000	(2,430)		(2,430)	181.0%	
4430 Allotments	0	1,000	1,000		1,000	0.0%	
4431 Toilet Block - Town Park	9,289	9,000	(289)		(289)	103.2%	
4432 New Tree Planting	995	1,000	5		5	99.5%	
4433 Tree Maintenance	11,450	26,000	14,550		14,550	44.0%	
4435 Commemorative Trees	415	500	85		85	83.0%	
4436 Dog Bin Maintenance	1,153	4,000	2,847		2,847	28.8%	
4444 Fleet	4,376	4,000	(376)		(376)	109.4%	
4445 Open Spaces General	1,525	1,500	(25)		(25)	101.7%	295
4446 James Cooke Wood	0	500	500		500	0.0%	
4447 River Walk	1,180	3,000	1,820		1,820	39.3%	
4448 Whetmead LNR	264	600	336		336	44.0%	
4449 Closed Churchyard	66	200	134		134	32.8%	
4451 River Walk Extension	0	2,000	2,000		2,000	0.0%	
4452 River Walk Improvements	0	3,000	3,000		3,000	0.0%	
4455 Witham in Bloom	11,819	12,200	381		381	96.9%	
Environment :- Indirect Expenditure	177,077	190,500	13,423	0	13,423	93.0%	295
Net Income over Expenditure	(176,502)	(190,200)	(13,698)				
7000 plus Transfer from EMR							295
Movement to/(from) Gen Reserve	(176,207)						
Grand Totals:- Income	575	300	(275)			191.7%	
Expenditure	177,077	190,500	13,423	0	13,423	93.0%	
Net Income over Expenditure	(176,502)	(190,200)	(13,698)				
plus Transfer from EMR							295
Movement to/(from) Gen Reserve	(176,207)						

30/06/2021

Witham Town Council Current Year

Page 1

13:02

Detailed Income & Expenditure by Budget Heading 31/05/2021

Month No: 2

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Environment							
Dog & Bench Sponsorship Scheme	110	1,650	1,540			6.7%	
Environment :- Income	110	1,650	1,540			6.7%	0
Operations PAYE/LGPS	16,589	115,000	98,411		98,411	14.4%	
Equipment Supplies & Maintenan	269	4,000	3,731		3,731	6.7%	
Lighting Maintenance & Utility	452	2,500	2,048		2,048	18.1%	
Toilet Block - Town Park	(639)	7,650	8,289		8,289	(8.4%)	
New Tree Planting	0	2,000	2,000		2,000	0.0%	
Tree Maintenance	(5,000)	9,000	14,000		14,000	(55.6%)	
Dog Bin Maintenance	15	2,000	1,985		1,985	0.7%	
Dog & Bench Schemes	71	1,200	1,129		1,129	5.9%	
Fleet	1,229	4,000	2,771		2,771	30.7%	
Open Spaces General	455	1,500	1,045		1,045	30.3%	
James Cooke Wood	9	2,000	1,991		1,991	0.4%	
River Walk	540	3,000	2,460		2,460	18.0%	
Whetmead LNR	0	2,000	2,000		2,000	0.0%	
River Walk Extension	0	2,000	2,000		2,000	0.0%	
River Walk Improvements	0	3,000	3,000		3,000	0.0%	
Litter Bins	0	1,500	1,500		1,500	0.0%	
Bus Shelters	0	1,000	1,000		1,000	0.0%	
Witham in Bloom	0	12,200	12,200		12,200	0.0%	
Environment :- Indirect Expenditure	13,991	175,550	161,559	0	161,559	8.0%	0
Net Income over Expenditure	(13,881)	(173,900)	(160,019)				
Grand Totals:- Income	110	1,650	1,540			6.7%	
Expenditure	13,991	175,550	161,559	0	161,559	8.0%	
Net Income over Expenditure	(13,881)	(173,900)	(160,019)				
Movement to/(from) Gen Reserve	(13,881)						

[Back to Agenda](#)



ITEM NO: 6

Officer Report: Clerk's Report

To note:

- Staff have commenced working on the James Cooke Wood improvement scheme with initial decisions currently being considered. A report will come back to a future Environment Committee meeting with Stage 3 -Business Case.
- There has been some vandalism on the River Walk near the duck pond in recent months. Some further graffiti has appeared on the sub-station mural which our Operations Team have been able to remove, and the dog waste bin in the area has been repeatedly damaged resulting in a dog sponsorship sticker being replaced three times. All vandalised property of Witham Town Council is dealt with and replaced quickly as priority.
- To note that the Town Clerk is due to seek advice from NALC's legal service as to the powers available to the Town Council for repairs of potholes on the highway.
- To note that the matter of utilising the Town Council's statutory powers to fine and enforce case of graffiti and fly posting was resolved on 27/01/2020 to seek relevant advice from BDC. This will be part of a long-term review and included in the business planning process later in the year.

Advice:

To receive and note.

[Back to Agenda](#)

Agenda Item 7



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MINUTES

Meeting of: **Open Spaces Management Sub-Committee**

Date: **21st April 2021**

Present: Councillors

S.E.	Hicks	(Chairman)
S.C	Lager	
T	Pleasance	
S	Brailey	
J.	Casement	(Witham Wombles)
B.	Fleet	(Tree Warden)
J.	Palombi	(CPRE)
P.	Shuttleworth	(Local Wildlife interests)
D.	Smith	(Local Wildlife interests)
Mrs H.	Andrews	(Assistant Town Clerk)
S.	Dyer	(Operations Manager)

APOLOGIES

Apologies were received from Cllr J Goodman, Cllr C Jay and A Chick

1. CLERK'S REPORT

Members received and noted the Clerk's report without comment.

2. OPERATIONS MANAGER'S REPORT

The Operations Manager provided a verbal update of work that the Operations Team had been carrying out over each site. He confirmed that the grass cutting season had commenced on the River Walk and that the team had been continuing their work in James Cooke Wood with required tree reduction which is opening up the site well. He also confirmed that they will soon be doing river clearance work once their PPE is received. A gate for Whetmead is due to be installed on the other side of the river to prevent unauthorised vehicle access to the nature reserve.

He confirmed that they have also recently been carrying out clearance work in the Closed Churchyard and have removed a lot of ivy and vegetation from old gravestones, cut back ivy from trees and had been generally tidying up the area which has opened up the site providing a clear view of all of the churchyard which had received good feedback. It is currently a work in progress with some tree and vegetation debris still present but this will be used to create woodchip paths. Cllr Pleasance confirmed that he volunteers with the War Graves Commission and he is due to inspect the war graves in the churchyard soon. He reports their condition and then a working party from the War Graves Commission will tend to those tombstones requiring attention.

3. RIVER WALK

Cllr Lager advised that the stretch of the river from Armond Road towards the duck pond has a lot of debris in it causing blockages. The Assistant Clerk confirmed that the Council are aware of this particular section and once PPE is received to enable the Operations Team to work in the river, it will be addressed.

John Palombi gave his congratulations to the Town Council for the successful Easter Egg event that took place on the River Walk recently and wished to pass on his thanks to staff.

4. WHETMEAD NATURE RESERVE

It had been noted earlier that a further gate is due to be installed at Whetmead and a query was raised regarding whether this would actually solve the problems with unauthorised access to the site. It was confirmed that the aim was to make it as difficult as possible gaining access but the situation would be monitored.

David Smith mentioned that the leaflet to be discussed later in the meeting refers to Skylarks and he confirmed that there used to be breeding Skylarks on Whetmead but they no longer nest on the reserve because of dogs, although they can still be heard in the area. He suggested that in other locations, such as London parks, areas are fenced off to dogs to protect areas for wildlife and so encouraging nesting birds. It was suggested that in the future it could be considered to fence off areas at Whetmead from dogs to protect wildlife. The top open area where the power lines go across Whetmead towards Wickham Bishops area was suggested as a suitable location to be cordoned off as part of long-term plans. This would also highlight the wildlife diversity that can be found on the site to visitors.

5. JAMES COOKE WOODS

It was noted that James Cooke Wood was discussed at the previous evening's Environment Committee from the improvement project report. The Assistant Clerk advised the group that the report that had been discussed came from Cllr Pleasance's original report back in 2019 which had been before the Open Spaces Management Sub-Committee, and endorsed, giving suggestions to improve James Cooke Wood. A further in-depth report had then been produced by the Assistant Clerk, and circulated, looking at those suggestions. The new business plan for 2021/2022 has funds available to look at potential improvements and it was agreed at Environment Committee that the car park and entrance area would be considered first with a fully costed report to be produced and then could potentially advance with other long-term suggestions.

6. CLOSED CHURCHYARD

The Closed Churchyard had been discussed under the Operations Manager's report and no further comments were made.

7. OPEN SPACES LEAFLETS

The Assistant Clerk asks Members for feedback and advice regarding the wildlife section of the new Whetmead leaflet for factual accuracy. David Smith provided information and suggested that birds of prey should be included in the leaflet as they are numerous on the nature reserve. It was

also suggested to include water voles within the mention of mammals as they are on the endangered red-list but can be found on Whetmead.

Fishing on Whetmead was also discussed as a someone was seen entering Whetmead with fishing equipment in late March which is close season for river coarse fishing. It was noted that Environment Agency would have powers to enforce this.

8. ANY OTHER BUSINESS

Stanley Brailey commented that planning had been sought to substantially reduce the cedar trees outside the Montessori nursery in Newland Street. It was noted that this application is included on the Planning Committee's agenda for 26th April 2021 for consideration.

David Smith mentioned that Peregrine Falcons had been seen over the town centre and suggested that the Town Council in conjunction with local businesses may like to acquire and site some Peregrine Falcon nesting boxes for taller buildings in the town. They will nest if provided with suitable habitat and may help with the feral pigeon population. It was suggested that this could be looked into further.

Stanley queried whether there is any mink on Whetmead. It was discussed that there was a sighting of mink in the area several years ago which was subsequently captured and dealt with. There have been none reported recently but if spotted should be reported to Essex Wildlife Trust.

9. DATE AND TIME OF NEXT MEETING

The date and time of the next meeting will be confirmed shortly. It was agreed at Environment Committee that the Open Spaces Management Sub-Committee will now meet quarterly so dates will be circulated to the group shortly.

Meeting concluded at 2.50pm

HA26/4/2021

[Back to Agenda](#)

Agenda Item 8

Tree Group minutes for the 18th May 2021.

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

1 Apologies - Jane Noble, Ken Davies

2 Minutes of meeting of 14th April 21 accepted;

3 Matters arising - Allan has dealt with the weeds around the plane in Greenfields;

4 Planning for 2021/22

a] Memorial Park - another 41 trees would be needed in respect of the WWII service people and the Afghanistan loss; 3 trees have been lost, all different species, no apparent reasons and will need replacing; will need to discuss with Shaun;

b] other sites - we need to discuss with Shaun other potential sites, i.e. 'Little Elms' field, Spa Road near playground, border of playing field behind cricket ground, near Spa Road 'lozenges' site; depends upon funding as to number of trees available;

c] Pasture Road - Eric has surveyed - 8 trees died [liquidamber & silver birch]; possibly replace with field maple & hawthorn; possibly use WTC funds for this project ? ;

d] Luard Way - Eric has surveyed; two dead and space for reasonably sized replacements; probably need to improve the soil; possibly fund using Heart of Witham donation as relatively close to Gimsons site;

e] Eastlight/Forest Road - Allan has been in contact with Mark Garnham and hopes to hear from him following his meeting with residents;

f] In memory of Paul Ryland - Barry has been discussing with Paul's son Charlie that donations in his memory be gifted to ourselves; a memorial tree would be provided;

g] In memory of Mick Pywell - a tree to be planted within 'lozenges' area adjacent to trees donated by the family.

5 Redrow & Lidl - Barry reported that he had visited both sites to check the number of dead trees. There are 15 losses at Lidl; on the front half of the Redrow Mulberries estate, there are 31 dead and possibly more in the rear half . We assume that the original planning permissions required the replacement of losses within a certain timescale , e.g. 5 years. A relative of Stanley's lives on the estate and they have been told that replacing any lost trees is the County Council's responsibility - this is surely not right ? In any case, we know that ECC has no funds for street tree replacement. We will need to check with Shaun;

6 New woodland - possibly for the Queen's 75th jubilee ? Along Gershwin Boulevard near the substation is a possibility; also Allectus Way near the playground and rail line. To be discussed with Shaun;

7 Signage - no update;

8 Cedar trees at the old police station - members were encouraged to object to the application for work to the trees if they haven't already done so;

9 Finances - no change;

10 Watering - not this week in view of the heavy rain ! Next watering day probably 27th May;

11 Website - nothing to report;

12 Mower damage - Barry will draft something , to go to the BDC councillors for Witham;

13 Any other business

a] Need to check with WTC how much the budget is this year, to assist our planning;

b] We have received an offer of a conifer tree, currently in a pot in a local resident's garden. Stanley will ask BDC if they would like it to replace a dead tree outside the Spa Road shops;

c] Stanley, Eric & Allan to arrange for weed killing around trees planted last year;

d] Gas works along Cut Throat Lane - application approved; Shaun to ensure that tree works are as approved;

e] Development behind Newland St. - we have been asked if we were aware of it / consulted. No, as WTC only refer applications specifically about trees to the tree wardens, not general applications which include tree losses [unfortunately]. Perhaps we need to monitor applications ?

f] Holm oak in Spa Road has had it's cage removed as the posts rotted; needs replacing to protect it from mowers. Eric will check stock of wire.

14 Next meeting - either 15th or 22nd June, to be confirmed. Will be at Eric's, 7.00 pm.

Barry Fleet/ 19/5/21

Tree Group Here minutes for our meeting of the 15th June:

Present: Stanley Brailey, Mark Austin, Eric Teverson, Richard Hawkes, Allan Waight, Graham Wingrove, Barry Fleet.

1 Apologies - Jane Noble, Shaun Taylor.

2 Minutes of our meeting of the 18th May accepted.

3 Matters arising - it was noted that two trees had been lost at the Memorial Park rather than three as previously thought; the Town Council budget for trees is £2000.

4 Planning for 2021/22

a) Memorial Park - Shaun had advised that he is considering having the additional trees planted by Remembrance Sunday or Armistice Day [so this may mean we start planting in October]; the timescale would depend upon whether there would be support from Bee Brook; we may have around 45 trees to plant to cover the WW2 names and the two replacements needed;

b) other sites in conjunction with BDC - our suggested sites deferred to next meeting; Shaun had advised that there may be an initiative for the Queen's Jubilee;

c) Luard Way - two dead trees need to be removed; there would be space for two new trees; possibly fund from Heart of Witham donation;

d) Forest Road estate /Eastlight - Allan will try and arrange a meeting with Mark Garnham [Eric & Barry to attend too if available].

5 Developer plantings - following Barry's report at the last meeting on the problems on the Redrow and Lidl sites, Mark had investigated the new housing estate adjacent to Forest Road and found that around 20% had died. It was agreed we should try and find out the terms of the planning permission in each case, i.e. if they are required to replace within five years, is it the following season? Perhaps Shaun will know this.

6 New woodland - perhaps for the Queen's Jubilee? We had identified possible sites along Gershwin Boulevard and at the back of the Allectus Way estate; to be discussed in due course.

7 Signage - Shaun had advised that he had been discussing this with Genesis Orwell Mencap who have done work for BDC previously, and he is awaiting a quotation for the Memorial Park naming boards.

8 Other tree matters - Barry will ask Shaun for an update re the cedars at the old police station site; Templars Residents Association [TRA] would like to discuss possible tree planting on their estate - Barry will contact them.

9 Finances - Ken had provided a detailed report to Barry, which has been filed in the minutes file.

10 Watering - agreed this Thursday as usual although may be cancelled if the forecast rain arrives.

11 Website - TRA had tried to contact us via our website but kept getting an error message so approached us via the Town Hall instead; Jane will be asked to look into this problem.

12 Mower damage - Barry read out the email he had sent to the 8 BDC councillors for Witham; three had replied; the matter had been referred to cabinet member Cllr Wendy Schmitt, and this resulted in a response from Paul Partridge, Head of Operations. Mr Partridge said that the matter will be brought to the attention of all their grounds staff so that extra care is taken in future; he also said that he was grateful for the work that WTG and other volunteers do, recognising

the challenges of tree planting, which was difficult enough without the Council's own staff undermining it; it was recognised the positive impact that tree planting had on the natural environment, helping to improve diversity and tackle climate change locally; the matter is also being referred to Eastlight so they can discuss it with their contractor. BDC are planning bulb & tree planting later this year and would welcome our help so will keep us informed.

13 Any other business

- a] Enquiry received via Town Hall re a possible sponsored tree for a deceased relative - Barry will contact the lady to discuss how we may be able to help;
- b] Mark reported that the John Ray Walk is to be surfaced near to where we planted the whips, with survey work being done by County Highways; we would like to know the route across the field near the whips - perhaps Shaun may know ?;
- c] Stanley reported that several trees outside the Spa Road shops had died or were suffering dieback; he is trying to discuss this with Rikki Burt of Eastlight; apparently Cllr Bill Rose may have tried to contact Mr Burt on this too;
- d] Stanley reported that a '£45k' tree on the cemetery entrance road had died some while ago and not been replaced, it was a horse chestnut. We may need to raise this again;
- e] Barry advised that there were potentially several gaps in The Avenue that we may need to look at in due course;
- f] The latest edition of the Town Council's Voice magazine has an article on the Group, partly written by Barry and partly by the council.

Next meeting: July 13th or 14th at Eric's. Barry will confirm once we know if Shaun can make either date.

[Back to Agenda](#)

Agenda Item 11



Hire of Open Spaces Policy

This policy underpins the hire and use of certain Open Spaces managed by Witham Town Council.



Policy Overview

1. Hire and use of open spaces are considered on a case by case basis, depending on what a client wishes to hire a space for, to what extent and what purpose.

Charges for Hire

2. In all cases regardless of length and extent of hire, a refundable damage deposit of **£100.00** must be made which will be returned if no damage to open spaces areas has occurred.
3. An additional charge of **£50.00** is payable in cases where vehicular access is required, and prior arrangement and a clear indication as to the use of vehicles must be provided to the Council in conjunction with insurance schedules.
4. Use of open spaces is charged at a flat rate of **£20.00** per hour for weekdays and **£30.00** per hour for use on weekends. Assessed on a case by case basis.

General Conditions

- At no point should the hire area be left unattended.
- No footpath or public right of way will be blocked or diverted by hirers.
- A designated point of contact must be provided who will be the responsible and accountable person for the hire.
- No alcohol may be consumed on site without an appropriate licence supplied by the Licensing Authority and seen by Witham Town Council.
- Activity on any area of the River Walk hired must not impact in any way on the ecology of the site, with all natural environments not subject to any disturbance by the hirer.
- All bye-laws of open spaces must be adhered to at all times when hired.

Agreed and adopted 14.10.2019

Review date: 14/10/2020

POLICY NO: WTC/013 - ENVIRONMENT COMMITTEE

[Back to Agenda](#)

Agenda Item 12

Witham Town Council: Commemorative items on Witham Town Council open spaces

1. This policy relates to commemorative trees and benches on Witham Town Council open spaces – the River Walk, James Cooke Wood and Whetmead Nature Reserve. It updates the previous policy for the display of commemorative items on Witham’s River Walk which was approved on 27th January 2014. The revised policy refers to all Witham Town Council managed land.
2. Witham Town Council operate a Commemorative Bench Scheme for the River Walk, James Cooke Wood and Whetmead Nature Reserve. It also runs a Commemorative Tree Scheme for the River Walk which is currently dormant.
3. Commemorative items such as flowers, vases, wreaths or ornaments not permitted to be left on or around these benches or trees or on any areas on Witham Town Council land. This directive is confirmed in the terms and conditions of the Commemorative Bench Scheme application.

Commemorative plaques are not permitted next to Commemorative Trees.

4. Any such commemorative item placed on Witham Town Council managed land will be removed by the Operations Team at the Council’s discretion.

Updated: 14/06/2021
Review date: 14/06/2024

POLICY NO: WTC/22 - ENVIRONMENT COMMITTEE

[Back to Agenda](#)

Officer Report: Snow Clearance Policy

Issue:

The Snow Clearance Policy was adopted by Witham Town Council on 14th April 2010 and although records show that the adoption period should be 3 years, the policy does not appear to have since been reviewed. The attached policy is outdated and does not appear to be fit for purpose and Members should consider whether a policy for snow clearance is actually necessary.

The Operations Manager has confirmed that when there is heavy snow the pathways at the front, side and back of the Town Hall are cleared and gritted, as well as all the bridges on the River Walk, slopes near Helen Court on the River Walk and Ebenezer garage area.

Although there is a River Walk Management Plan which gives details of all aspects of the River Walk and a general seasonal maintenance schedule, the Council does not have any other specific policies like the Snow Clearance Policy stipulating how operations work is carried out.

Advice:

Members to decide whether to discard the current snow clearance policy or whether a revised policy is necessary.

Witham Town Council: Snow Clearance Policy

Policy Overview

At its Meeting on 2nd February 2010 the Resources Committee discussed whether the Town Council should clear snow in some areas or whether such intervention might lead to the Council being held responsible for any accident that occurred. Members agreed that it would be a safer environment for the snow to be cleared but were mindful of the Town Council's limited resources. It was agreed that a risk assessment be undertaken for the clearing of snow at the Town Hall and humped backed bridges on the River Walk.

Town Hall

The public pavement in front of the Town Hall is the responsibility of Essex County Council and any snow clearance and gritting should be left to it. Our Operatives will clear, salt and grit the driveway leading from Newland Street to our car park and a walkway leading to the side entrance to the Town Hall and to the kitchen. That should minimise the risk of slipping by staff and visitors to the Town Hall. It is not considered necessary to clear the whole car park. This work should take priority over the bridges (see below).

Bridges

There are four humped backed bridges on the River Walk:

One near Laurence Avenue leading across the river to Maldon Park Road. This is probably the most used of the four and the most hazardous given that it is shaded by large trees.

Two between Bridge Street and Guithavon Road. It is possible to pass along the River Walk between Bridge Street and Guithavon Road without using either of these bridges: they merely make interesting detours

across the river. One of them might be used by students from Maltings Academy taking a short cut to Mill Lane. However, during severe snow the Academy is likely to be closed: it was on 6th, 7th and 8th January.

One near Bramble Road.

All four bridges will be cleared of snow, salted and gritted, but, if resource constraints so dictate, the priority order will be: first, the bridge near Laurence Avenue; second, the bridge near Bramble Road: last, the two bridges between Bridge Street and Guithavon Road.

Six bags of salt and grit have been ordered and will be held by the Operatives and replenished as they are used.

The Resources Committee is invited to note and endorse the above.

Audrey Harrington (Mrs)
Town Clerk
11th February 2010

Snow

1

[Back to Agenda](#)

Officer Report: Forest Road Bus Shelter**Issue:**

Following on from the delegated decisions Community Committee meeting of 6th October 2020, it was agreed to purchase a replacement bus shelter for the damaged shelter on Forest Road at the junction of Mulberry Gardens.

Consideration was given to resourcing a redundant bus shelter to use. However, applications have previously been made during 2019 to the Local Highways Panel to utilise unused shelters in Gershwin Boulevard for other locations. These have still not been progressed due to Covid and a County wide audit of bus shelters. The difficulty with attempting to use redundant shelters meant that a bus shelter was therefore purchased.

Although a replacement was required for a shelter already in the location, it was necessary to apply for a licence from Essex Highways to carry out the installation. The correct licence application was submitted on 3rd November 2020 and granted on 8th February 2021 (see licence attached to this report).

A Littlethorpe of Leicester 'Eaton' shelter was purchased for £4,980 which is a wooden shelter design already installed in many locations in Witham, and in Essex as a whole. Littlethorpe shelters claim to have an expected lifespan in excess of 50 years, and come with a 5-year guarantee against "being kicked in or burnt down".

Consideration was given to using Witham Town Council's Operations Team to install the bus shelter. They are experienced in installing various street furniture so would have the ability to do so. However, as this would involve digging, dealing with statutory undertakings and would require additional costs in hiring equipment to complete the task, it was therefore decided to use an experienced contractor at the cost of £1,080. The local contractor employed is experienced with Littlethorpe's shelters and installs many of them throughout Essex on behalf of Essex County Council.

The shelter was subsequently installed on 23rd April 2021.



Throughout this review it has been established that Witham Town Council are now responsible for only 3 bus shelters in Witham with the additional two shelters being located outside the railway station in Albert Road. Although these are both old metal cantilever style, they are not damaged and are useable by the public. Consideration could be given to replacing these potentially over the next 5 years if budgets allow.

Advice:

To receive and note the report and licence.

ELS
Seax House
Victoria Road South
Chelmsford
Essex
CM1 1QH



Mrs Hayley Andrews
Assistant Clerk to Witham Town Council
Town Hall
61 Newland Street
Witham
Essex CM8 2FE

Our Ref: KAS/HIGH/11907
Your Ref:
Date: 8th February 2021

Dear Mrs Andrews

RE: CONSENT UNDER SECTION 5 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1953 TO WITHAM TOWN COUNCIL TO INSTALL RETAIN AND MAINTAIN A REPLACEMENT BUS SHELTER FOR THE USE OF THE PUBLIC ON THE FOOTWAY OF FOREST ROAD AT THE JUNCTION OF MULBERRY GARDENS, WITHAM

I am writing to confirm that consent is given by the County Council (subject to the below conditions), to Witham Town Council, for the installation and maintenance of one replacement bus shelter ("the bus shelter") at the back of the footway on Forest Road at the junction of Mulberry Gardens in Witham as indicated by a red cross on the attached Site Location plan ("the plan").

This consent is subject to Witham Town Council complying with the following conditions:

Site Specific Conditions

1. The Bus Shelter will be placed on the existing concrete base of 3.0 x 1.4 metres which is situated at the back of the footway on the verge facing towards the carriageway on the southern side of Forest Road, as shown by a red cross on the plan attached.
2. The bus shelter will be constructed of timber (solid hardwood) with 2 half sides and have a bench seat running along the rear wall. The shelter is from Littlethorpe and known as 'Eaton'.
3. The bus shelter has a cedar shingle roof.
4. A Flag Bracket can be installed onto the bus shelter and a bus timetable attached to the bus shelter.

...



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5. The bus shelter is approximately 2.4 metres in length and approximately 0.7 metres in depth. The roof size is approximately 3.1 metres in length and approximately 1.6 metres in depth.
6. The bus shelter has legs that go will go through the existing concrete hard standing up to 500mm deep.

ECC Conditions

7. WITHAM TOWN COUNCIL are responsible for ensuring that no statutory undertaker's apparatus is affected by the exercise of this consent.
8. Any works within the highway to be undertaken by appropriately accredited persons.
9. The New Roads and Street Works Act Co-ordinator must be notified one week prior to starting works in order that necessary supervision can be arranged. Notification to include such accreditations and works methodology.
10. You will require a permit to work in the public highway and/or to book the road space.
11. Any variation to the approved plans and any future variations or modifications will be subject to prior written approval from the County Council.
12. WITHAM TOWN COUNCIL shall maintain the Bus Shelter in good repair and condition at all times.
13. WITHAM TOWN COUNCIL shall accept responsibility for, and indemnify and keep the Council indemnified against, all actions, proceedings, claims for incidental damage, loss or injury caused and other reasons demands, costs and expenses whatsoever, which may be brought or sustained or incurred by the Council by reason of the existence of the shelter in the highway.
14. WITHAM TOWN COUNCIL shall effect a public liability insurance policy for an amount of not less than £5 million and it shall maintain this policy in full force and effect for the total period of this consent, the full value of such insurance shall be available in relation to each shelter detailed
15. Should these terms and conditions not be met, or it is required by the Council to do so, WITHAM TOWN COUNCIL, shall at its own expense remove the Bus Shelter and restore to the County Councils satisfaction those parts of the highway affected by the erection of the Shelter to its original condition.
16. Should WITHAM TOWN COUNCIL not remove any shelter at the request of the County Council (its agents or assignees) the County Council may remove the shelter and charge the costs of so doing to WITHAM TOWN COUNCIL.
17. WITHAM TOWN COUNCIL has consulted and obtained from the local planning authority any and all appropriated consents to permit the erection and maintenance of the Bus Shelter in the highways.

18. Essex County Council its agents or assigns may add infrastructure on or within the bus shelter subject to the written agreement of the WITHAM TOWN COUNCIL and its approved contractor/supplier such agreement not to be unreasonably withheld
19. Any replacement shelter should be installed with the power cabling in place for the possible later installation of an in-shelter Real Time Passenger Information display. All replacement shelters should be installed capable of accommodating other Passenger Transport infrastructure, including but not limited to: timetable cases, bus stop flags etc. such RTPI or other infrastructure to remain the responsibility of ECC
20. Despite this consent, the area of highway upon which the bus shelter is to be installed and maintained shall always remain part of the public highway and users of the highway are still entitled to exercise their right of passage over them.

I would be grateful if you could acknowledge this consent on behalf of Witham Town Council by signing and returning to me the enclosed copy of this letter.

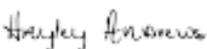
Yours sincerely



Jacqueline Millward
Legal Services Manager (Highways and Environment)

Please reply to Kerry Seward
Telephone: 03330139687
Email: kerry.seward@essex.gov.uk

I acknowledge receipt of the consent issued to Witham Town Council by Essex County Council for the installation and maintenance of a replacement bus shelter at the back of the footway on Forest Road at the junction of Mulberry Gardens, Witham.

Signed 

Designation Assistant Town Clerk

Date 09 March 2021

HIGH/11907

Agenda Item 15

Review of street furniture

The 2021/2022 Corporate Plan includes that the Environment Committee will perform a fundamental asset review of all Town Council street furniture and partnership with Braintree District & Essex County Councils on a joint brief for Newland Street.

During 2020/2021 a thorough review of the Council's assets took place which included cataloguing all the street furniture belonging to Witham Town Council. Full comprehensive records had not previously been kept, so using old documents, known information and walking around the majority of town the assets register has been reestablished.

Litter Bins

The asset review confirmed that there are 141 litter bins belonging to Witham Town Council throughout the town. There are possibly some bins belonging to Braintree District Council within this figure as there is some uncertainty on the ownership with a small number of bins. However, the final street furniture assets list has been shared with BDC and they have not provided a response to it.

Out of the total of bins recorded, 63 of these are the old cast iron open top heritage style (as below) and 16 are located in Newland Street. These appear to have been installed during the 1990's and



could all now benefit from replacement. These style 68-litre bins are still available to purchase, unbranded, from Broxap at a cost of £399 each, so if all 63 were to be replaced like-for-like it would mean a total of £25,137. However, the open top style bin is no longer fashionable and alternatives should be considered, taking into account lidded bins and potentially recycling options.

Town Centre litter bins

Including the 16 heritage style bins in Newland Street there are a total of 38 bins within the town centre. This does not include bins in both shopping centres and other recycling bins in Newland Street that belong to Braintree District Council. The distribution of litter bins in the town centre will need to be considered as some areas appear to have a surplus of bins which does not provide a neat appearance. For example, from The Avenue junction along Newland Street to the Collingwood Road junction, there are six bins in a short stretch. There may also be other areas that currently do not have a litter bin but may benefit from having one installed.

The replacement of any street furniture in the town centre is due be considered as part of Braintree District Council's Public Realm improvements. Project WP3 includes refurbishment of benches, litter ins, power bollards, bollards and pedestrian guard railings and the project map appears to include Newland Street from Mill Lane junction along to just past the Collingwood Road junction.

Locations

Apart from our open spaces, Witham Town Council owned bins are located in various locations in Witham. Historically these bins have been installed throughout the town centre and the older housing estates in Witham which are not on Witham Town Council owned land. Members need to consider what they would like from a review of the litter bins taking into account land ownership, required locations, whether to replace outdated bins and the large cost implications involved.

	Location	Cast Iron Open Top Heritage Bin	Other style potential WTC Bin	David Olgivie Greenan Bin
Town Centre	Newland Street	16	2	
	Newlands Drive	1	4	
	Collingwood Road	2	4	
	Bridge Street	4		
	Mill Lane junction	1		
	Guithavon Street	2		
	Freebournes Court		1	
	Maldon Road junction with Newland	1		
	The Avenue		1	
	The Grove	4		
	Mayland Road	1		
	Maldon Road	2		
	Chess Lane		1	
	Pasture Road		1	
	Maldon Road Park	4	3	
	Spinks Lane	1	1	
	Pinkham Drive	1		
	Maltings Lane		2	
	Hatfield Road Estate - Allectus, Wulversford, Osbert	3		
	Stevens Road	1		
	Spa Road Shops		5	
	Spa Road	2		
	Spa Road car park		1	
	Humber Road	2	1	
	Yare Avenue		1	
	Douglas Grove		1	
	Rosebay Close	1		
	Honeysuckle Way	1		
	Bramble Road	1	4	
	Flora Road		1	
	White Horse Lane Car Park		1	
	Albert Road	1	3	
	Chipping Hill	1		
	Church Street	2		
	Braintree Road	1	4	
	Forest Road	1	1	
	Dorothy Sayers Drive	1	2	
	Rickstones Road		3	
	Cross Road		2	
	Templars shops		9	
	Conrad Road	1	1	
	Cressing Road	1		
	Pryor Close		1	
	Memorial Gardens		1	
	River Walk including 3 heritage bins on perimeter at Chipping Hill, Highfields Rd and near Asdas	3		13
	James Cooke Wood		1	1
	Whetmead			1
		63	63	15

Benches

Apart from seats on our open spaces, Witham Town Council own five other benches in Witham – a Queen Elizabeth II wooden seat in Newland Street, a twinning friendship bench in Newland Street, the Jubilee Oak bench in Collingwood Road, a WW1 Commemorative bench in Chipping Hill and a commemorative bench by Forest Road pond. The friendship bench requires some maintenance as the paintwork is quite worn but all other benches are in a satisfactory condition.

Open Spaces

The asset review included a current recording of assets on Witham Town Council's open spaces. The majority of these assets are in a good condition including replacement of all dog bins on the River Walk during 2020/2021 and three new commemorative benches installed in the past year. The large green David Ogilvie litter bins that are on Witham Town Council's open spaces are all in good order, of a good appearance and provide ample room for waste. The River Walk currently has 26 benches and out of these there are three that could be considered for replacement in the near future. They are not in a bad state but new applicants enquiring about commemorative benches will be directed to these areas first when considering a bench location so that they can be replaced.

On the River Walk, Whetmead and James Cooke Wood we are responsible for installing any street furniture and emptying of litter and dog bins so we are always aware of the condition of all of our open spaces' assets. The majority of street furniture on our open spaces is currently of a good standard and are continually monitored.



Summary

A review of the street furniture while carrying out the assets review has established that the main issue which needs addressing is the large amount of litter bins Witham Town Council own which require replacing. The Environment Committee review of street furniture objective refers to Newland Street which will be incorporated into the Public Realm project; however, Members need to consider what approach they wish to take with all Witham Town Council owned bins throughout the town with regards to replacement, costs and locations.

[Back to Agenda](#)