



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

AGENDA
Via Zoom Meeting
Meeting ID: 828 4647 0348
Password: 622519

Meeting of: **Town Council**

Date: **Tuesday, 6th April 2021** Time: **7.00 p.m.**

To be present: Councillors

C.	Lager	(Town Mayor)
A.	Kilmartin	(Deputy Town Mayor)
S.	Ager	
K.	Atwill	
P.	Barlow	
J.	Bayford	
J.	Goodman	
S.	Hicks	
C.	Jay	
M.	Lager	
C.	Livermore	
T.	Pleasance	
P.	Ryland	
M.	Weeks	
R.	Williams	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Town Council held 8th March 2021 (previously circulated).

3. INTERESTS

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

4. QUESTIONS AND STATEMENTS FROM THE PUBLIC

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

5. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

6. AGM – DATE OF MEETING

To receive a proposal from the Leader of the Council to bring forward the date of the AGM to Tuesday, 4th May 2021.

7. MEETING SCHEDULE 2021/2022

To receive a draft Meeting Schedule for 2021/2022 and an emergency schedule should the current restrictions still be in place ([attached](#) at page 4).

8. DELEGATED DECISIONS

To receive the Delegated Decisions from 1st March 2021 ([attached](#) at page 6).

9. FINANCIAL ABUSE

To receive a Motion from Councillor Jay held in abeyance from the last Meeting ([attached](#) at page 8).

10. GRANT AID – CITIZENS ADVICE (CA)

To receive a Grant Aid request from the CA ([attached](#) at page 11).

11. TOWN CENTRE REGENERATION STEERING GROUP

To receive the Notes from the Town Centre Regeneration Steering Group held 16th March 2021 ([attached](#) at page 16).

12. CLIMATE CHANGE

- (a) To receive the attached reports and to discuss how the Town Council can progress in this matter ([attached](#) at page 17).
- (b) To consider the draft Climate Change Policy and whether it reflects the Town Council's direction with regard to Climate Change ([attached](#) at page 24).

13. PUBLIC RIGHTS OF WAY

To receive the decision from Essex County Council regarding its application for the footpath from Kings Chase to River View to be made a Public Rights of Way ([attached](#) at page 25).

14. COMMUNITY INFRASTRUCTURE LEVY

To receive a Motion from Councillor Jay regarding the Community Infrastructure Levy ([attached](#) at page 28).

15. QUALITY COUNCIL GOLD APPLICATION

To receive a report from the Town Clerk ([attached](#) at page 30).

16. TOWN MAYOR'S ENGAGEMENTS

To receive details from the Town Mayor of engagements undertaken on behalf of the Town.

17. GIMSONS

To debate the consequences of the unsuccessful attempt by the Town Council on behalf of its residents to bring a Judicial Review against Braintree District Council.

18. TREES

To receive a report ([attached](#) at page 33).



James Sheehy
Town Clerk

JS/GK/30.3.2021

WITHAM TOWN COUNCIL SCHEDULE OF MEETINGS CIVIC YEAR 2021 - 2022 MEETINGS IN COUNCIL CHAMBER AT 7.30 P.M. UNLESS OTHERWISE STATED													
COUNCIL, COMMITTEE OR SUB- COMMITTEE	2021								2022				
	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APRIL	MAY
TOWN COUNCIL	Mon 10th AGM		Mon 5th	Tues 31st		Mon 25th			Mon 10th		Mon 7th		Tues 3rd Mon 9th AGM
ENVIRONMENT COMMITTEE	Mon 24th		Mon 19th		Mon 13th		Mon 8th		Mon 24th		Mon 21st		
COMMUNITY COMMITTEE		Tues 8th		Mon 2nd	Mon 27th		Mon 22nd			Mon 7th		Mon 4th	
POLICY AND RESOURCES COMMITTEE		Mon 21st		Mon 16th		Tues 12th		Mon 6th		Tues 22nd		Tues 19th	
Meeting usually starts at 6.30 p.m. finishing at 7.25 p.m. PLANNING APPLICATIONS	Mon 10th Mon 24th	Tues 8th Mon 21st	Mon 5th Mon 19th	Mon 2nd Mon 16th Tues 31st	Mon 13th Mon 27th	Tues 12th Mon 25th	Mon 8th Mon 22nd	Mon 6th Mon 20th	Mon 10th Mon 24th	Mon 7th Tues 22nd	Mon 7th Mon 21st	Mon 4th Tues 19th	Tues 3rd
STAFFING AND ACCOMMODATION													
ANNUAL TOWN ASSEMBLY													
ESTIMATES									Tues 4th				
OPEN SPACES MANAGEMENT SUB-COMMITTEE AT 3.00 PM													

WITHAM TOWN COUNCIL EMERGENCY MEETING SCHEDULE – via Zoom starting at 7 p.m.													
COUNCIL, COMMITTEE OR SUB- COMMITTEE	2021								2022				
	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APRIL	MAY
TOWN COUNCIL	Mon 10th AGM	Tues 1st Mon 28th	Tues 27th	Mon 23rd	Mon 20th	Mon 18th	Mon 15th	Tues 14th					
Dates for delegated decisions													
ENVIRONMENT COMMITTEE			Mon 12th			Mon 4th							
COMMUNITY COMMITTEE	Mon 17th			Mon 9th			Mon 1st						
POLICY AND RESOURCES COMMITTEE		Mon 14th			Mon 6th		Mon 29th						
Meeting usually starts at 6.30 p.m. PLANNING APPLICATIONS & TRANSPORT COMMITTEE	Mon 10th Mon 24th	Tues 8th Mon 21st	Mon 5th Mon 19th	Mon 2nd Mon 16th Tues 31st	Mon 13th Mon 27th	Tues 12th Mon 25th	Mon 8th Mon 22nd	Mon 6th Mon 20th					
STAFFING AND ACCOMMODATION													
ANNUAL TOWN ASSEMBLY													
ESTIMATES									Tues 4th				
OPEN SPACES MANAGEMENT SUB-COMMITTEE AT 3.00 PM													

30/03/2021

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Agenda Item 7

PLANNING COMMITTEE	1.3.2021	21/00424/TPOCON -10 Chipping Hill - raised no objection subject to subject to the silver birch being pruned as little as possible, the whitebeam being crown thinned a maximum of 2m overall reduction in height and the poor pruning, which has already been undertaken apparently prior to permission being granted, being tidied up and subject to the advice of the District Council's Landscape Officer
PLANNING COMMITTEE	1.3.2021	21/00523/TPOCON - 12 Chipping Hill - raised no objection subject to the advice of the District Council's Landscape Officer.
PLANNING COMMITTEE	1.3.2021	21/00173/FUL - Witham Railway Station - Easton Road entrance - raised no objection
PLANNING COMMITTEE	1.3.2021	21/00174/FUL - Witham Railway Station - Station Road entrance - raised no objection subject to 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.
PLANNING COMMITTEE	1.3.2021	21/00074/FUL - Witham Town Football Club - raised no objection subject to the hours being in keeping with those existing and the brightness of the floodlights being acceptable to the planners.
PLANNING COMMITTEE	1.3.2021	21/00249/REM - Land adjacent to Lodge Farm - recommended refusal until there is an assurance from Braintree District Council that rubbish and recycling would be collected from adjacent to all homes, that there would be an adequate cyclepath connection to Wood End Farm and an assurance that LPP77 is being applied with regard to renewal energy.
PLANNING COMMITTEE	1.3.2021	20/01948/HH - 31 Town End Field - recommended refusal on the grounds that the proposed change of garage into living accommodation would provide inadequate parking provision in line with Essex Parking Standards contrary to RLP17 and would also exacerbate the existing on-street parking situation.
PLANNING COMMITTEE	15.3.2021	21-00501HH - 8 Soutcote Road - raised no objection
PLANNING COMMITTEE	15.3.2021	21-00512HH - 22 Duncombe Road - raised no objection
PLANNING COMMITTEE	15.3.2021	21-00515HH - 36 Blunts Hall Road - no objection
PLANNING COMMITTEE	15.3.2021	21-00287HH - 48 Market Lane - no objection
PLANNING COMMITTEE	15.3.2021	21-00052FUL - 3A Cyprus Road - no objection
PLANNING COMMITTEE	15.3.2021	21-00556HH - 88 Church Street - no objection
PLANNING COMMITTEE	15.3.2021	21-00318FUL - Land Rear of 59 Bridge Street - recommended refusal on the grounds of overmassing of site, insufficient amenity space and poor access. Should planning consent be granted an archaeological survey would be required.
PLANNING COMMITTEE	15.3.2021	21-00384HH - 1 Scarletts Close - no objection

PLANNING COMMITTEE	15.3.2021	21-00519HH - 6 Augustus Way - no objection subject to the house and annex being a single occupancy
PLANNING COMMITTEE	15.3.2021	21-00353HH - 1 Benton Close - recommend refusal on the grounds of insufficient parking provision in line with Essex Parking Standards and the proposed extension not being subservient to the original house.
PLANNING COMMITTEE	15.3.2021	21-00593/LBC - 16 Chipping Hill - no objection subject to the advice of the Listed Buildings Officer.
PLANNING COMMITTEE	15.3.2021	21/00270/FUL - Morrisons Supermarket - Home delivery bays - no objection subject to Morrisons meeting its obligation to open the access onto Cut Throat Lane, as required by the Planning Inspector, to ease the adverse impact on traffic conditions caused by the extension and new facilities being installed.
PLANNING COMMITTEE	15.3.2021	21/00177/FUL - Morrisons Supermarket - Garden Centre - no objection subject to Morrisons meeting its obligation to open the access onto Cut Throat Lane, as required by the Planning Inspector, to ease the adverse impact on traffic conditions caused by the extension and exacerbated by the new garden centre and subject to no further parking spaces being lost.
PLANNING COMMITTEE	15.3.2021	20/02060/OUT - Phase 4, Land off Rectory Lane - recommend refusal on the grounds of • Traffic issues identified by Rivenhall Parish Council, • Lack of amenities in Witham North including health facilities, a supermarket and employment opportunities, • No clear boundary between Witham and Rivenhall, • Damage to the green buffer separating the two communities, • Section 106 monies should be spent in Witham • Provision of a community facility with combined varied uses North/Rivenhall, • Lack of a Master Plan, • Statement of community involvement is incorrect as Witham Town Council had not be consulted, • This development should have been a single, phased development with a proper development brief. It was also agreed to contact Rivenhall Parish Council explain that the Town Council had used its transport statement in the decision to recommend refusal of the above application.
PLANNING COMMITTEE	15.3.2021	20/01754/FUL - 14 Freebournes Road - revised plan - no objection

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Helping Witham Residents to not be targets of Financial Abuse

Background

Witham Resident, Andrew, came to me before Christmas following his grandmother in law being a victim of a telephone scam. This type of scam calls a landline and by you answering the phone and staying on the call for a certain amount of time, this allows the scammer to hack your phone line and make an outgoing call to a number that carries a charge (this will appear on your next bill).

How can we help?

Andrew has looked into this issue further and wants WTC help to not only highlight this crime wider, but also ask our MP to step in due to the fact he believes phone companies should **automatically** set up the 'barrier' that can be put on landlines to stop this from happening, without having to request it (many elderly and vulnerable will not be aware this option exists).

Motion

I will be requesting to pass a two-fold motion;

1. We link in with my ECC Trading Standards colleagues for financial abuse resources, keyways people can protect themselves from this abuse/protect their relatives. This communication is then shared via
 - Social Media – particularly community groups
 - The Voice
 - Link in with Citizens Advice
2. A letter from WTC to Priti Patel requesting that she not only looks into the scamming safeguards telephone companies have in place on a national level, but what is needed to be done to encourage them to **automatically set up the 'barrier'** that can be put on landlines to avoid vulnerable people being the target of the most vile crime networks who are targeting Witham residents.

To note:

I work in Safeguarding Adults as my day job for ECC and financial abuse is on the rise, with scammers taking full advantage of the COVID pandemic, exploiting people in new and adapted ways (a total of £11million has been reported lost by victims of coronavirus-related scams so far) I think it is important to highlight regularly to Witham residents updates from Essex Trading Standards so that they can look out for themselves and relatives.

Within the Witham Community Groups so many of our residents are being targeted, or have family members who are, so it is certainly a cause for concern in our town.

(Please see leaflet attached)



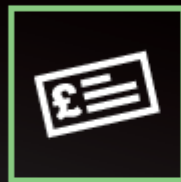
GOV.UK/coronavirus

COVID-19: SMS / Text message SCAMS

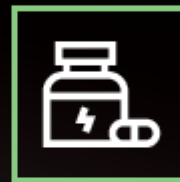
TOP 4 SMS SCAMS



Fake URL links claiming to link to GOV.UK website to claim supposed COVID-19 related payment



Lockdown fines suggesting you have breached lockdown



Offers of health supplements that will prevent you becoming infected



Financial support offers that appear to be from your bank

HOW DO SMS SCAMS WORK


Cyber criminals are preying on fears of the coronavirus and sending 'phishing' text messages that try and trick users into clicking on a bad link. Messages are short and simple and often claim to be from a known entity. Web links are harder to spot on a SMS as they are shortened so apply caution clicking on links!

Sender of UK Government SMS:

Genuine text messages from the UK Government will only come from **UK_Gov**
You will only ever be directed to **GOV.UK/coronavirus**.

HOW TO VERIFY THE MESSAGE?


- 1** Challenge - Could it be fake? It's ok to reject, refuse or ignore any requests that don't feel right. Check **GOV.UK** to ensure it's genuine.
- 2** Be wary of text messages that try to get you to send money, or important personal information such as bank details or passwords.
- 3** Take a moment to stop and think before parting with information to keep you safe or your money.
- 4** Use official government websites and refer to 'Contact Us' sections of websites to access information and services.



National Cyber Security Centre



Government Counter Fraud Function




GENUINE UK GOVERNMENT SMS



GOV.UK ALERT CORONAVIRUS
New rules in force now: you must stay at home. More info and exemptions at gov.uk/coronavirus
Stay at home. Protect the NHS. Save lives.

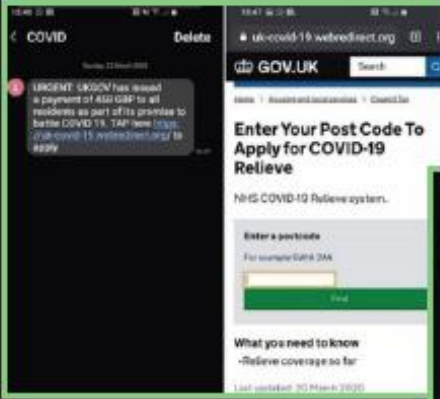
EXAMPLES OF SCAMS



URGENT: UKGOV has issued a payment of 450 GBP to all residents as part of its promise to battle COVID 19. TAP here <https://uk-covid-19.webdirect.org/ta apply>

GOV.UK ALERT CORONAVIRUS

It has come to our attention that you have been out of the house more than once. Due to this irresponsible behaviour, we are issuing you a formal warning and £250 fine. If this continues, the fine could increase to a maximum of £500 and/or an arrest. Payment will be taken automatically out of your account. Call [0800 345 9999](tel:08003459999) for any enquiries or to appeal.



Enter Your Post Code To Apply for COVID-19 Relief

NHS COVID-19 Relief system.

Enter a postcode
For example G10 2AA



URGENT: The UKGOV has issued a payment of £258 to all residents as part of its promise to battle COVID 19. TAP here <https://uk-covid-19-relief.com> to apply

RECOMMENDED STEP-BY-STEP ACTIONS TO TAKE

- ✔ Don't Respond
- ✔ Report the SMS Scam to Action Fraud
- ✔ Forward the message to 7726 ('SPAM' on a keypad)

FURTHER GUIDANCE AND SUPPORT

Public Sector Organisations: The Cabinet Office has formed a COVID-19 Fraud Response Team to assist the government with its counter fraud response. Requests for assistance should be emailed to: covid19-counter-fraud@cabinetoffice.gov.uk

Public: Please report to Action Fraud

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GRANT FUNDING SCHEME APPLICATION FORM

Contact Details

1.	Name of your organisation	Citizens Advice Braintree Halstead and Witham
2.	Primary contact name	Rachel Fahie
3.	Primary contact telephone number	01376 314207
4.	Primary contact address	The Public Hall, Collingwood Road Witham, CM8 2DY
5.	Primary contact email address	Rachel.Fahie@bhwcab.org.uk
6.	Position within the organisation	Chief Officer

Financial Background

7.	Please state the nature of your organisation (circle those that apply) and include a copy of the minutes of your latest AGM.	Local voluntary organisation and registered charity
8.	Organisation Address	The Public Hall, Collingwood Road, Witham, CM8 2DY
9.	Registered charity number if applicable	1099232
10.	What year was your organisation formed?	1974
11.	Please describe the main activities of your organisation and any services you provide to the community	We offer free, confidential and impartial advice services to the residents of the local area.
12.	How many committee members/paid staff/volunteers are involved in the running of your organisation?	There are 7 trustees, 17 volunteers and 5 trainees undergoing training to join our team of volunteer advisors. We have 10 part-time staff, the majority of whom are front line staff working with clients.

13.	Does your organisation have a registered bank account in its name?	Our accounts are held at CAF Bank
14.	What is your organisations average yearly income?	Our average income over the last 3 years is £217,250. The average income has been increased because Income for the year 20-21 was boosted by short-term additional emergency funding to support pandemic response for remote working and new short-term staff. This funding ends March 2021.
15.	What is your organisations average yearly outgoings?	Our average expenditure over the last 3 years is £212,380
16.	Have you applied for a grant from Witham Town Council in the past? If so when and how much?	We apply for a grant on a yearly basis. Our last grant was for the year 2020-21 for £10,000. A similar grant was made in 2019-20

Project Details

17.	Project title	Advice Service
18.	Project location	Witham
19.	Anticipated start and finish date	The project is on-going
20.	Description of project	<p>We can all face problems that seem complicated or intimidating. We believe no one should have to face these problems without good quality, independent advice</p> <p>We aim to work with people to try and fix the underlying cause of their problems, give them confidence to take action and help them become more knowledgeable about their rights. Our advice helps to prevent problems from escalating and enables people to regain control of their lives.</p> <p>Advice is offered through a phone first service with follow-up face-to-face appointments as needed. Appointments will resume when current restrictions are lifted and we will also set up a video conferencing system for appointments in 2021 to enable people to access face to face advice without the need to travel to our offices.</p>
21.	What evidence do you have that this project is needed by the local community?	<p>We assist around 600 Witham residents each year. The main advice areas covered are:</p> <ul style="list-style-type: none"> • Benefits • Debt • Housing • Employment • Family and relationship matters

22.	The council prioritises applications that meet one or more of the criteria detailed in the accompanying policy. Please explain all those you meet and why?	<p>Our application meets the criteria for :</p> <ul style="list-style-type: none"> • Community development • Community Health • Improving services for older people <p>Our approach to assisting residents enhances their overall wellbeing by helping them solve their problems. The wider community benefits through universal access to free and comprehensive advice.</p>
23.	If the project reaches fruition what will the benefit to the local community?	<p>The Witham community will benefit from the continuation of free, confidential and impartial advice. There is no other organisation providing the comprehensive and free services offered by Citizens Advice. No-one else sees so many people with so many different kinds of problems and that gives us a unique insight into the challenges people are facing today. We see how problems can be linked. By helping people with the underlying cause of their problems and making sure they don't get worse, we help reduce the need for public services.</p> <p>In addition we offer free legal advice sessions with a family law solicitor and we are distributors of Foodbank vouchers for the Witham Community</p>
24.	How will you ensure sustainability of the project?	One of our business plan objectives for 21-22 is to undertake financial planning for future years.
25.	How will you measure success?	<p>We have a case management system which records client numbers, issues and outcomes</p> <p>These statistics can be provided to the Council on a quarterly, six monthly or annual basis as requested.</p>

Funding Specifics

26.	What is the total project cost?	The total cost of our general advice service and money advice service is £201,175
27.	Please state the total amount of grant required from Witham Town Council	£10,000
28.	Please break down exactly how this will be spent and include 2 quotes supporting this breakdown and showing best value.	The grant will be allocated to our general advice and money advice services and will be used to support the delivery of the services in the Witham wards.
29.	How much has been raised so far for this project?	Braintree District Council is continuing its funding of Citizens Advice for 2021-22.
30.	Please detail any funding that will be given 'in kind'	None

31.	Please give details of how the balance of funding required will be sourced	Overall our total budget for 2021-22 is a break even one
32.	How many people will benefit from this funding being given, both directly and indirectly	We anticipate there will be around 600 Witham residents who will use the service. The wider community will benefit through universal access to free and comprehensive advice and the charity's presence in the town of Witham.

Public Engagement

33.	How do you publicise the services you offer?	We ensure that information about our service is distributed widely across Witham at venues such as community buildings, the library, the Town Council, health facilities. We link into the work of other voluntary and statutory organisations so that they know about the service we offer and how people can reach us. We will be undertaking a major publicity campaign throughout 2021 to ensure the public are aware of our advice services particularly as the local community moves out of lockdown restrictions and people need to deal with the economic and social impact of the pandemic
34.	How will you make sure that your project reaches its intended targets	Our case management system enables us to monitor client numbers and issues the addressed. We monitor these regularly and will amend our marketing plans to address any developments in client needs that we identify.

Referees

35.	Please include the names and addresses of two independent referees who are not members of your organisation but know of the group	<p>Reference 1 : Colleen Sweeney Chief Officer Citizens Advice Sudbury Keyse House Acton Lane Sudbury CO10 1QN Email: colleen.sweeney@sudburycab.org.uk</p> <p>Reference 2</p> <p>Jo Blyth Chief Officer Citizens Advice Colchester Email: job@colchestercab.org.uk</p>
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I understand that if the project changes in any way, I must inform the Deputy Town Clerk immediately.

I understand that if a completed project review report is not sent to the Deputy Town Clerk within 6 months of receiving funding that I may be required to repay all monies received.

I am authorised to make this application on behalf of the applicant organisation and confirm that I have read, understood and accept the stipulations listed above and that the information provided in this application is accurate.

Name: **Rachel Fahie**

Position within the organisation: **Chief Officer**

Telephone number: **01376 314207**

Email address: **Rachel.Fahie@bhwcab.org.uk**

Signature: *Rachel Fahie*

Checklist of Documents to be Included

Copy of previous year's bank statements	Yes
Copy of two quotes	N/A
Copy of bank details on headed paper	Yes
Completed and signed application form	Yes
Copy of latest AGM minutes	Yes
Any blank sheets used to expand on answers	

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Agenda Item 11

**NOTES FROM ZOOM MEETING OF TOWN CENTRE REGENERATION STEERING GROUP
TUESDAY 16TH MARCH 2021 AT 2PM**

Present: Councillors: K Atwill (Chair), S Ager, P Barlow, J Goodman, M Lager,

N Murphy - Landscape Architect (Braintree District Council)
J Palombi - (Witham & Countryside)
J Williams

Staff: H Andrews (Assistant Town Clerk), N Smith (Deputy Town Clerk)

Nicola Murphy confirmed that feedback had now been received from Highways to the proposed Public Realm projects with a view to progressing the planned town centre improvement work for Witham.

WTC had previously expressed their desire for a no right turn into Maldon Road from Newland Street to be implemented as part of the WP1 widening of footways, adjustment to kerb lines and reprogramming of traffic signals project. However, the feedback received from Highways regarding this condition was that historically it was not something that WTC wanted due to the closure of Newland Street outside the White Hart Hotel at the junction of Maldon Road for Puppet Festival day. Members concluded that this was no longer correct and were keen for the no right turn to be implemented as it will ease the traffic flow through the town centre. One day a year, for the Puppet Festival, would require a right turn to be allowed into Maldon Road while the road is closed outside the White Hart. As there was no fundamental change to the project that required agreement from Full Town Council, Nicola agreed to proceed on this basis and will now explore the project with civil engineers to include the provision that a temporary suspension order of the no right turn could be implemented once a year.

Nicola also confirmed that Highways were happy with the other suggested projects for lighting, furniture, wayfinding, paving repairs, cycle racks and parking posts. It was noted that WP2 lighting project did not include lamp columns at the top of Newland Street in the original plans so it was requested that this could be taken into account.

Nicola advised that at a recent Braintree District Full Council meeting it was confirmed that ECC would be taking on some of the budget for WP9 and so there would be more funds available for the whole project.

John Palombi mentioned that the pedestrian/cyclist traffic signals at Bridge Street junction of the River Walk includes no right/left turn for cyclists going into the town centre. It was suggested that this could be looked at as part of the Public Realm projects.¹

A further meeting of the group will be arranged as soon as there is more feedback/progress on the project.

Meeting concluded 2.35pm

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¹ This issue has been passed on the Highways to query as it will not be included as part of the planned Public Realm projects

Agenda Item 12

Climate Change

In May 2019 the UK Government declared a climate emergency and made a commitment to move towards being net zero by 2050. By declaring a climate emergency, the government admits that climate change exists and measures are required to reduce the effects of global warming.

To date 310 councils (District, County, Unitary or Metropolitan) have declared a climate emergency. A confirmed figure of the number of Parish/Town Councils that have also declared a climate emergency does not appear to be available but a map can be found here [Climate Emergency Declaration places - Google My Maps](#) confirming all Council types that are onboard. Most Councils have recognised that the Government's aim for net zero by 2050 is not enough and have pledged to be carbon neutral, as far as possible, by 2030.

Braintree District Council declared a climate emergency in July 2019 with an aim to make all Council functions carbon neutral by 2030. They have recently announced its draft strategy to help the district tackle the climate change challenge which will go out to public consultation in May, which will apply to the district as well as the Council. This has been created from a working group made up of councillors, businesses, residents, and community organisations across the district. It has earmarked half a million pounds for climate change initiatives to support the strategy.

Members should consider whether Witham Town Council makes a similar declaration, what this will involve, whether the net zero aim is for Council operations and activities and how this will actually be measured.

However, while Witham Town Council has not officially declared a climate emergency, carbon reductions have been carried out as part of the Council's everyday activities and future plans –

- During 2019/2020 the light fittings of all 75 lamp columns that Witham Town Council are responsible for were changed to LED bulbs. These have an estimated 30-year life span which should result in a reduction of annual electricity consumption from 16,826 units to 6,159 units, providing a cost saving as well as an energy saving.
- In 1993/1994 Witham Town Council planted a 14-acre plot of land with trees to create James Cooke Wood. The 2021/2021 Environment Committee business plan includes plans to make improvements to the site.
- Witham Town Council manage Whetmead Nature Reserve which was a former landfill site that is now a haven for wildlife. There are future ambitions in place to make further improvements to the nature reserve.
- The recently adopted new 10-year River Walk Management Plan ensures that long term climate benefits are in place.
- Witham Town Council work closely with the Witham Tree Group providing an annual grant towards tree planting throughout the town.
- The 2021/2022 business plan for the Environment Committee includes a complete review of the Town Council's fleet for carbon free alternatives and decarbonisation of the Council's operations.

A report including the above information can be published in a future edition of Witham's Voice.

The Way Forward

Councils declaring a Climate Change Emergency then put into place a basic plan. To date 310 councils (District and County) have declared a Climate Emergency. There do not appear to be figures for the number of Parish/Town Councils who have done this.

If a County, District, Town or Parish Council declares a Climate Emergency, they have acknowledged that their Council needs to act on the causes and impacts of climate change. If this happens it is a major leap forward; political commitment is often the hardest part.

The ‘Sustainable Energy and Climate Change Act’ **2006** gave parish and town councils specific powers in relation to local energy saving measures, which will reduce the greenhouse gas emissions that cause climate change.

Parish and town councils can promote and support community initiatives to reduce emissions.

Braintree District Council

This Council declares a “Climate Emergency” with an aim to make Braintree District Council activities, as far as practical, carbon neutral by 2030.

It calls for a Climate Change working group to be established to develop an action plan.

It plans to ensure all Council functions and decision making is in line with the shift to carbon neutral by 2030.

The action plan is to be brought back to Council within 12 months for approval and implementation.

Chelmsford

Council therefore resolves to:

Declare a ‘Climate and Ecological Emergency’ that requires urgent action to make the Council’s activities net-zero carbon by 2030.

Achieve 100% low carbon energy across the Council’s full range of functions by 2030

Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to net-zero carbon by 2030

Support and work with all other relevant agencies towards making the City of Chelmsford and surrounding area net-zero carbon within the same timescale

Ensure that Officers and political leadership teams within Chelmsford City Council embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council’s own activities

Ensure that any recommendations are fully costed and that the Executive and Overview & Scrutiny bodies regularly review Council activities, taking account of production and consumption emissions, and produce an action plan within 12 months together with budget actions and a measured baseline

Request that the Council's Overview & Scrutiny Committee considers the impact of Climate Change and the Environment when reviewing Council policies and strategies

Work with, influence and inspire partnerships across the city to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, educational events for City Council staff and the wider community and partner workshops focusing on the Climate and Ecological Emergency

Request that the Council and its partners take steps to proactively include young people in the process, ensuring that they also have a voice in shaping the future

Establish a Chelmsford Climate Change Partnership within the remit of the Chelmsford Policy Board, involving councillors, residents, young people below voting age, academics and other relevant parties, to prioritise carbon reduction measures, identify related benefits to employment, health, agricultural and transport sectors and develop a strategy in line with the 'net-zero carbon by 2030' target

Establish a baseline for Chelmsford's ecological status and monitor progress year on year

Report on the level of Council investment in the fossil-fuel industry and review the City Council's investment strategy to give due consideration to Climate Change impacts in their investment portfolio

Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy note the actions the City Council will take to address this Emergency

Call on the UK Government to provide such new powers and resources as are necessary to make this possible, and to work within the LGA to encourage other councils to back this plan.

www.climateemergency.uk

These were taken from the above website where a full list of the County and District Councils who have declared a climate emergency can be found.

We could utilise these policies when building one for Witham Town Council.

Friends of the Earth recommend the following 19 steps

1. Encourage the formation of Climate Action groups

2. Actively support small and large planning applications for new renewable energy in the area

3. Promote practical action by local people

People can often be at a loss about what they can practically do to reduce their own carbon footprint. An impartial local guide that provides information on accredited local businesses, can be invaluable and help keep money in the local economy. The guide could include information on local accredited energy assessors² and renewable energy installers for solar panels, batteries, EV charging points and heat pumps³, eco-friendly retailers, green builders and landscape companies, etc. It can also encourage sustainable transport options.

4. Bring together groups of people for bulk purchases

The costs of installing solar PV, or other renewable technologies such as heat pumps, should be much lower if done in bulk, street by street, or area by area. A town or parish council can bring together local homeowners and businesses to develop such a scheme. This is a widely used model in the UK and countries world-wide.

5. Develop and promote lift-sharing scheme

6. Use your voice

By demonstrating that the council is actively working to reduce their emissions, it demonstrates commitment to the community.

7. Demonstrate leadership through your own practical actions

Save energy

Ensure any council buildings are as energy efficient as possible and any street lighting uses well-directed LED lighting. Getting an energy audit is the first step. Loans for projects in England that have a payback of less than five years are available through SaliX funding. Projects with longer term paybacks should still be carried out. By having an energy audit we would know how to budget for future projects and be able to look for grants to carry any work needed out.

8. Produce green energy

Install renewable energy generation, like heat pumps and solar PV, at council buildings.

9. Reduce pesticide use and other harmful activities

It's possible to reduce activities that harm wildlife: from using peat-free compost to shunning pesticides and ensuring light pollution is controlled. Glastonbury Town Council has stopped using glyphosate weed killer and instead uses a hot foam system.

10. Manage land for nature.

Parish, town and community councils can have responsibility for allotments, bridleways, burial grounds, commons and open spaces, and village greens. All of these can be managed to enhance nature, particularly through changing mowing regimes. One

area we could look at is seeding areas with wildflowers for the benefit of bees and other insects.

11 Increase tree cover

Although Witham Town Council and Witham Tree Group are committed to tree planting, more needs to be done. If we continue to plant whips they will need watering for two years and a tree has to be ten years plus to be able to absorb a tonne of carbon.

12 Buy green

Buying local can support the local economy and buying green can help protect the planet, rewarding businesses committed to a better future. Buying green electricity helps develop new renewable energy and ensures the council isn't supporting dirty energy financially.

Friends of the Earth has identified Ecotricity and Good Energy as the greenest energy companies. Buying green can also extend to any food provided at events, including providing mainly plant-based food and less butter, meat and dairy.

13. Use green transport

Employees and councillors should be encouraged to walk, cycle or use public transport or car-share. The council should provide bikes or electric bikes for staff as they carry out any work-related trips. It should also provide zero-interest loans for buying bikes.

14. Minimise waste going to landfill or incineration

In your own operations, ensure all your waste is recycled or composted, but also consider setting-up community recycling facilities for hard-to-recycle items when the local authority hasn't done so. Tetra-pak recycling is a case in point in Witham.

15. Ensure you know the climate change implications of decisions before you make them

It isn't credible to accept the need for rapid action on climate change and then make decisions without knowing whether they'll be harmful or helpful. This requires every decision to be well informed is common sense, as well as good practice. This should extend to demanding that the planning authority provides you with this kind of information when consulting you.

16. Designate sites within the Neighbourhood Plan for trees, renewable energy and nature restoration

In practice, the development of 90% of Neighbourhood Plans is led by town and parish councils working hand in hand with their communities. The Neighbourhood Planning process is far from perfect and very time consuming, but it offers the community the opportunity to show it means business on protecting and enhancing the environment for future generations.

17. Use the Neighbourhood Plan to require new homes to be energy efficient, nature friendly, and located close to public transport and amenities.

18. Designate safe walking and cycle routes in the Neighbourhood Plan

19. Use differential car-parking charges to support low-carbon vehicles

Grants

There are a plethora of grants available to fund projects that actively assist in reducing climate emissions. Some can be found grouped under a climate change resource site such as: www.grantsonline.org.uk

Others are Government grants schemes such as the:

Green Homes Grant

If you're a homeowner or residential landlord you can apply for a Green Homes Grant voucher towards the cost of installing energy efficient improvements to your home. Improvements could include insulating your home to reduce your energy use or installing low-carbon heating to lower the amount of carbon dioxide your home produces. The key measures that the vouchers will fund are associated with low carbon heating, rather than electricity.

www.gov.uk

Braintree District Council and Essex County Council have funding available for climate change projects. Funding can also be applied for through the: National Lottery Funding

The Woodland Trust and the RHS offer trees for use to create small woods or to encourage school children to become involved with tree planting.

Money is available and we should take advantage of this.

One project that is being promoted at the minute is solar panels. This is not for piece-meal installation but where communities group together to buy and install the panels through a specific area at a much reduced price.

What we have done so far:

1. Replaced street lighting with LED bulbs
2. Planted the James Cooke wood (although this needs extensive work done)
3. Through the tree group, trees have been planted and maintained throughout Witham.
4. Improved Whetmead nature reserve (work continuing)
5. Provide and manage allotments
6. Promote the extension of the cycle ways throughout the town

What we need to do next:

1. Install electric car charging points throughout the town (BDC has funding for this)
2. When our fleet of vehicles are changed consider going for electric vehicles
3. Research and produce a data base of information of products and grants available for climate emergency projects.

4. Deliver a climate crisis public engagement programme
5. Urge all public sector organisations (taxi) in Witham to commit to at least 30% of their fleet using non-fossil fuel by 2030
6. Commit the Council to reduce their carbon footprint by 2030. The first step would be to arrange for a consultation on the Town Hall to find how carbon efficient it is and how that can be reduced
7. Train town leaders, councillors and council staff in a climate crisis programme to enable them to respond to the climate emergency in everything they do
8. Look for small, medium and large projects that can be easily done but which help reduce emissions

This is just a few suggestions of what could be a valuable long-term project.

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Agenda Item 12 (b)



(draft) Climate Change Policy

Policy Overview

Witham Town Council declared a climate change emergency on XX/XX/2021 in recognition of the UK Government's declaration of a climate emergency made in 2019 which committed to a net zero target of 2050. Witham Town Council recognises the importance of promoting and supporting initiatives to reduce carbon emissions that cause climate change.

The Council is committed to:

- working towards a carbon neutral target on Council operations and business by 2030
- ensuring the Town Hall and any other Council buildings are as energy efficient as possible
- highlighting projects and activities that the Council have already been involved with that help reduce the effects of climate change
- ensuring that the relevant effect on climate emissions should be considered when making all future Council decisions.
- the promotion of available schemes for residents to gain access to resources, grants and sustainable projects to encourage individual carbon emissions reductions.

Witham Town Council's climate change priorities will be kept under review though the creation of a working group and progress monitored.

The Council aims to:

- be carbon neutral by 2030.
- to encourage residents to be aware of climate change issued and how they can help.
- to seek for climate change grants to enable progress on decreasing carbon emissions

This document was adopted by the Town Council on.

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ITEM NO: 13

Officer Report: Public Footpaths

To note:

- (a) To receive and note the decision to add a Public Footpath to the Definitive Map from River View to Witham Town Park, as per the attached map (B-D)
- (b) To discuss the merits of adding footpaths on the River Walk on to the Definitive Map that are not already included as Public Rights of Way. This includes the path from Bridge Street to Guithavon pond and from Glebe Crescent to Bramble Road.

Advice:

To receive and note.



Essex County Council

Essex Legal Services

REVIEW OF THE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY
BRAINTREE DISTRICT

**Case 1039 Witham; Town Council application to add FP from River View to
Kings Chase**

Investigation into an application to add a Public Footpath to the Definitive Map and Statement at Witham.

NOTICE OF DECISION

The County Council have considered all the evidence in this case and have decided to allow the application in part and add the length of Public Footpath shown on the attached decision plan from the south east corner of the Town Park, in a south westerly direction for a distance of approximately 20 metres then turning generally south for a distance of approximately 320 metres, crossing the River Brain via the existing footbridge to join Footpath 90. The width of the way is two metres.

The route is not one that is maintainable by the highway authority but by the owner of the land (who currently happens to be a public authority)

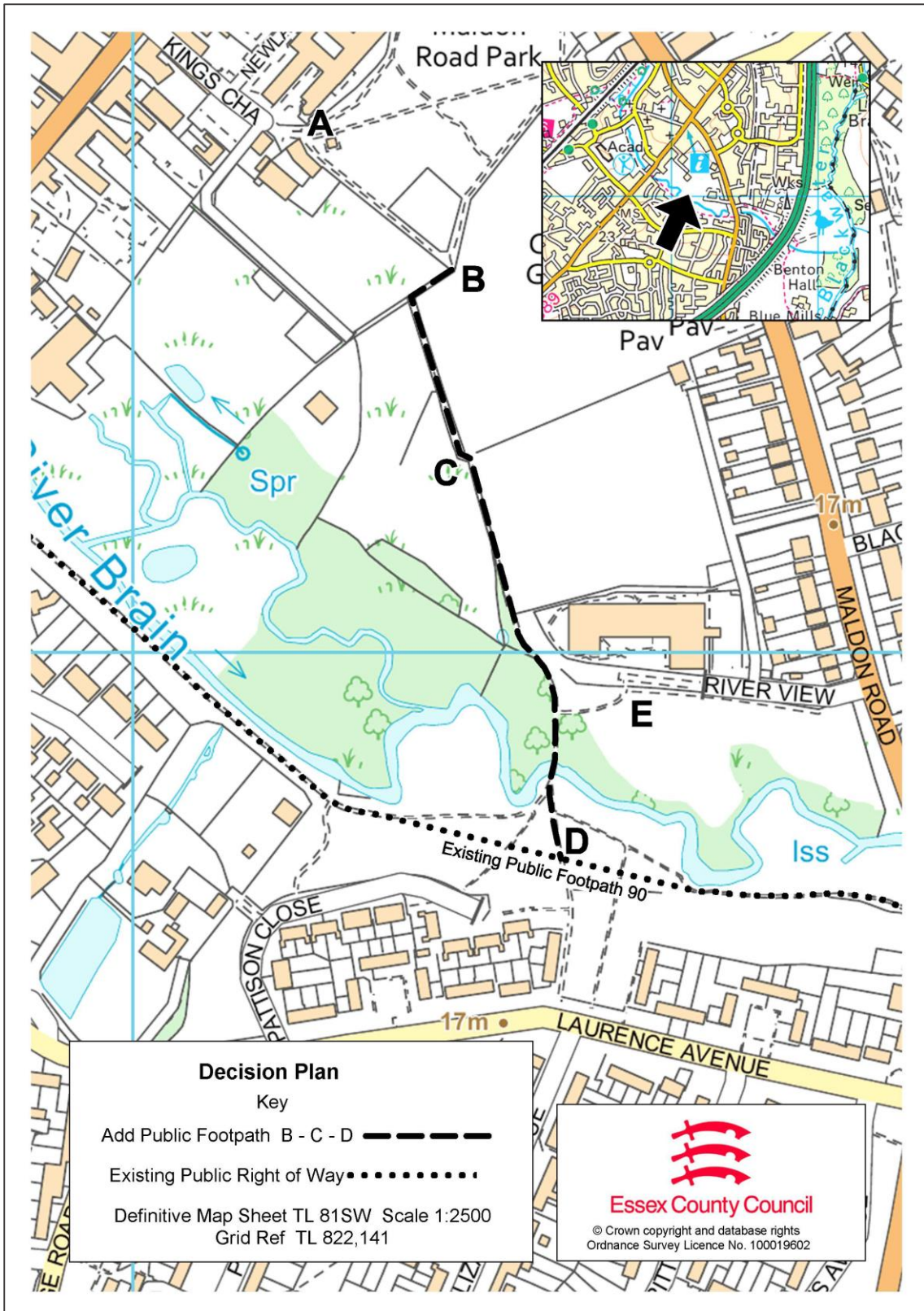
An order giving effect to the decision will be made and served in due course. There is a public right of objection to this order, which will not take effect unless or until this order is confirmed

Enquiries to: Mary Morris – Case Officer
ELS, Seax House, Victoria Road South, Chelmsford, CM1 1QH Telephone 03330 139679

File Ref: HIGH/11122

Date: 24/02/21

Section 53 of the Wildlife and Countryside Act 1981 specifies that a decision to modify the definitive map must be made solely on the basis of the available relevant evidence. Therefore issues such as need, nuisance or suitability are not considerations that may be taken into account. The only issue to be determined is the extent of those public rights which the evidence shows, on the balance of probabilities, already exist.



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Agenda Item 14

Motion

- WTC to contest for the implementation of CIL for all future developments

The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.

This motion would see Witham Town Council contest for the implementation of CIL for all future developments within our town.

Current situation with our Planning Authority =



[Home](#) > [Planning and building control](#) > [Community Infrastructure Levy](#)

Community Infrastructure Levy

The Community Infrastructure Levy started in 2010. The Levy allows local authorities to charge on new developments in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development, including transport schemes, schools, and green spaces.

Charging authorities must produce a document called a charging schedule which, supported by evidence such as the economic viability of new development and the area's infrastructure needs, sets out the rate for their levy. CIL will be levied in pounds per square metre of floorspace arising from any chargeable development.

We will be looking into the Community Infrastructure Levy in 2020/21.

Updated November 2019

Planning Policy

Address: Causeway House
Bocking End
Braintree
Essex
CM7 9HB

Telephone: [01376 552525](tel:01376552525)

Email: planningpolicy@braintree.gov.uk

- Witham Town Council Councillors to sign a pledge to support no further housing development until the infrastructure is prioritised:

It has been contested repeatedly by both Witham residents and Councillors that our town cannot be expected to take any further housing development without the infrastructure coming first (especially a GP surgery).

The idea of each Witham Town Councillor signing a pledge to support no further housing development until the infrastructure is prioritised first, will provide a strong statement to our residents, our Local Planning Authority BDC and others with an interest in our town, that we are going to defend it against this clear over-massing without the due care to amenities and quality of life for Witham residents.

Although Witham Town Council are only a consultee in these decisions and our wishes concerning development have been/can be overridden, this pledge does make it more apparent and clearer of how we stand - united.

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Officer Report: Local Council Award Scheme: Quality Status Gold

Report:

Following a final review of criteria, the Town Council is now in a position to submit its Local Council Award Scheme application for Gold status to the accreditation panel (criteria included with this report)

Advice:

To proceed with the application.

TO ACHIEVE A QUALITY GOLD AWARD A COUNCIL DEMONSTRATES THAT IT MEETS ALL REQUIREMENTS OF THE FOUNDATION AND QUALITY AWARDS, AND IS AT THE FOREFRONT OF BEST PRACTICE BY ACHIEVING AN EXCELLENT STANDARD IN COMMUNITY GOVERNANCE, COMMUNITY LEADERSHIP AND PERFORMANCE MANAGEMENT.

The council confirms by resolution at a full council meeting that it meets all requirements for the Foundation and Quality Awards and also publishes on its website:

GOVERNANCE	COMMUNITY	DEVELOPMENT
Criteria demonstrating good governance in managing the business and finances of a council	Criteria representing a council's role in the community and how it engages with the community	Criteria representing council improvement through the management and development of staff and councillors
A business plan covering a financial forecast for at least three years linked to revenue and capital plans for the council and its community	An annual report, online material and at least four news bulletins a year with evidence of: <ul style="list-style-type: none"> — engaging with diverse groups in the community using a variety of methods — community engagement leading to positive outcomes for the community — At least four positive outcomes achieved for the community in the last six months and a broad range of council activities, including innovative projects — co-operating constructively with other organisations 	

The council also confirms by resolution at a full council meeting, that it has prepared statements (of no more than one page each) to be presented to the accreditation panel showing how it

GOVERNANCE	COMMUNITY	DEVELOPMENT
Criteria demonstrating good governance in managing the business and finances of a council	Criteria representing a council's role in the community and how it engages with the community	Criteria representing council improvement through the management and development of staff and councillors
Ensures that the council delivers value for money	Provides leadership in planning for the future of the community	Manages the performance of the council as a corporate body
Delivers best practice in meeting its duties in relation to bio-diversity and crime & disorder		Manages the performance of each individual staff member to achieve its business plan

The council notifies the accreditation panel when the resolution has been agreed and provides a completed application form, including webpage addresses to where the information can be found online, and the prepared statements.

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Agenda Item 18

Review of trees removed in connection with Lidl development

At the Full Town Council meeting of Witham Town Council on 14th December 2020, Members discussed the previous felling of Willow trees adjacent to the old Bramston Sports Centre location near to the River Walk entrance in Bridge Street. This took place during February/March 2019 and coincided with the commencement of the Lidl development on the old sports centre site. Members resolved that an independent opinion should be sought regarding the necessity of removing these mature trees.



Google 2018



January 2021

The location at issue is well known by residents in Witham providing an impressive entrance into the River Walk at Bridge Street. This area had several mature trees leading from Bridge Street along the river towards the north-east side of the old Bramston Sports Centre car park which includes the queried Willow trees. The removal of these trees produced vast criticism from many residents.

Prior to seeking an independent opinion on this matter, Witham Town Council officers have carried out a thorough review of all documents held on Braintree District Council’s planning portal in relation to the Lidl planning application 17/01918/FUL and of information provided by Braintree District Council Officers to review the process that was taken which resulted in the felling of these trees. The results are shown below –

1. Preliminary Ecological Appraisal (September 2017)²

Carried out by RPS Planning and Development Ltd for Lidl UK GmbH

Section 2.1, page 6 – This report should be read in conjunction with the Arboricultural Impact Assessment, RPS (Report ref: JMK9759 – Lidl – AIA – August 2017; refer to Tree Protection Plan in Appendix B)

Section 2.2, page 6 – The Arboricultural Impact Assessment (AIA) report states that 25 trees and 2 tree groups are to be removed to facilitate the development and the proposals plan provided by the client indicates that hedgerows 2 and 3 are also to be lost.

Section 5.1.2 Scattered Mature Trees

Although afforded no specific protection, the mature trees within the site provide important habitat structure for wildlife and should be retained where possible. Under current proposals 25 trees within the site are to be removed, refer to the AIA report for recommendations in relation to these trees.

Appendix A: References – RPS, August 2017. Arboricultural Impact Assessment (Report ref: JMK9759 – Lidl, Witham AIA) page 22.

The Arboricultural Impact Assessment is not available to view on the Braintree District Council planning portal and was not included with the Preliminary Ecological Appraisal document. This should provide a clear report on the trees in the vicinity of the planned site and should provide a qualified opinion of the Willow trees that are the subject of this review. The missing AIA would also provide some clarity regarding the 25 trees and 2 tree groups to be removed.

Appendix B: Proposed Site Plan (Tree Protection Plan), page 23.

The proposed site plan (Tree Protection Plan) does not include the location of the queried Willow trees within the development site boundary.

2. There are discrepancies with the maps provided throughout the planning application process and the boundary of the development site in relation to the felled Willow trees –

The proposed site plan (Tree Protection Plan) in the Preliminary Ecological Appraisal does not include the trees within the development boundary. However, the full location plan (drawing 73261-5)³ by John Roberts Architects includes the Willow tree location as does the proposed site plan document (73261-10 ref f)⁴.

The detailed landscaping proposals map (revised drawing 17-080-01 May 2018)⁵ does not specifically mention the Willow trees, although it refers to the removal of trees. According to the legend on the map, one area showing that trees are to be removed is the Willow tree location, although this is outside of the site for the developer.

² Document 1 attached - Preliminary Ecological Appraisal

³ Document 2 attached – Location Plan – 73261-15

⁴ Document 3 attached – Proposed site plan – 73261-10 rev F. (Superseded but revised plan not on BDC portal)

⁵ Document 4 attached – Detailed landscaping proposals – 17-080-01e (revised drawings)

3. There are also further discrepancies with the maps submitted as part of the planning application process, as they include a road that didn't exist at the time of the application. The plans have included a future road to the proposed Churchills site which was not present at the time of the application. This provides an inaccurate picture of the location and is in the area that the Willow trees were present.
4. BDC Ecology consultation response (20.03.2018)⁶

The initial report showed that further consideration of the ecological impact of the development was required, including the removal of trees.

Whilst the actual development site has been assessed and mitigation detailed the current development proposals appear to have given little consideration to the impact of this development in its location to the adjacent Riverside Walk (and the riparian corridor habitat).

Further the current landscaping proposals seek to remove existing trees and hedge lines and replace these with non-native shrub planting which would do little to provide foraging/commuting routes and roosting opportunities. No ecological enhancement of the site has been considered.

5. Committee Report – Officer's report 11.12.2018⁷

The report states -

A more sympathetic landscape plan has been submitted, in response to concerns expressed by the Council's Landscape Officer. This includes some tree planting within the centre of the main car park and the use of more native species to blend with the River Walk. The loss of tree cover on both sides of the approach road without a suitable landscape plan was a concern that would initially create a more open aspect than exists at present. However, the existing conifers are not considered to be appropriate and the large willows have succumbed to honey fungus in recent years so that a number have had to be felled by Braintree District Council as their condition posed a safety hazard along this part of the river walk. The established broadleaf trees in front of Bridge Court which are also to be removed are also considered inappropriate to the setting and have become too large for their position near to the group of residential properties, creating a rather dark and damp countenance particularly in the winter months.

However -

- The planning application was heard and granted in December 2018 and states that the willows "have had to be felled by Braintree District Council as their condition posed a safety hazard along this part of the river walk". These trees were not actually removed until February/March 2019 a few months after the planning officer's report was heard in which it states that they had already been felled. This clearly makes the Committee report inaccurate on this issue.
- It refers to the condition of the trees posing a safety hazard along this part of the River Walk, however the willows were on land not included in Witham Town Council's lease and therefore were not actually part of the River Walk
- If their condition did pose a safety hazard to the River Walk, as leaseholders of the River Walk, Witham Town Council should have been consulted regarding the issue but were not.

⁶ Document 5 attached – BDC Ecology consultation report

⁷ Committee report – Officers report December 2018

- No tree surveys have been included in any of the documents included in the planning portal to confirm the condition of the trees and that the willows did in fact have honey fungus to justify their removal. The assertion also that the established broadleaf trees in front of Bridge Court are considered inappropriate for their setting and are due to be removed appears to be supposition rather than supported qualified verification for the removal of more trees.

The application is accompanied by a suite of documents/reports as follows:

*Design and Access Statement
Planning and Retail Statement (including retail impact)
Flood Risk Assessment Reports (since revised)
Drainage Strategy (since revised)
Air Quality Assessment (since revised)
Noise Impact Assessment
Tree Protection Plan
Preliminary Ecological Appraisal
Transport Assessment
Travel Plan
Lighting Assessment*

- The Arboricultural Impact Assessment has not been included in the report presented to the Planning Committee, however the Preliminary Ecological Appraisal states that should be read in conjunction with the AIA
6. As part of this ongoing matter regarding the justification of the removal of these trees, further information has also been sought from Braintree District Council Tree Officer. The correspondence was as follows –

From Assistant Clerk
19.10.2020

I would be grateful if you are able to assist me with a tree query that we have.

A member has raised the issue of the Willow trees that were felled in Bridge Street in connection with the Lidl store development. I understand that this has been raised before but one of our members would like it to be raised again as there are still some concerns on this issue. I thought that I would contact you before this goes to Committee to see if we can finally settle the matter.

My understanding is that there was honey fungus in the vicinity of the trees which is why they were felled. I think that it would be helpful if we could understand what decisions were taken, by whom and why regarding the felling of these trees as our member wants to see suitable evidence that the felling of these trees was entirely justified.

I would appreciate it if you are able to send me any further information, reports or comments about this to present to members so that they are satisfied that the correct decision was made. Also, are you able to confirm whether Willow trees are due to be replanted in the area to replace those that were felled?

To Assistant Clerk
09.12.2020

Thank you for your email and my apologies for not getting back to you before now. We have been asked this question before and I have copied in the essence of the reply below.

Lidl has only undertaken the level of work required under their planning consent and have planted a landscape scheme as part of their planning approval although some of these trees need to be replaced because they have died over the summer months; as the adjacent landowner we have also removed a number of willows a year or so ago and the remaining smaller trees over the summer months. All works on our behalf were undertaken because of the condition of the trees – dead or dying back – and their proximity and a hazard over the river walk due to honey fungus in the soil which had taken its toll on all the trees I authorised for removal. Honey fungus is highly invasive and attacks/kills the roots of many species of tree and shrub.

We would normally replant but the pathogen is in the soil and it is difficult to find species that are resistant over the long term but we might try some holly which has been shown to be less vulnerable; unfortunately willow species are very vulnerable and do not have durable wood so the tree soon become likely to fail which over a path is a serious consideration.

Hope this helps.

The tree report which established that there was honey fungus in the vicinity of the willow trees and the need for them to be felled has been requested from Braintree District Council on more than one occasion with a response finally received on 17th March 2021 as follows –

Further to your recent correspondence. There are no written reports on the condition of the trees that were removed over this period. The trees were removed following a series of inspections by Landscape Services and suitable instructions passed to a contractor. As you will appreciate large willows showings signs of decay and decline over a busy public footpath need to be managed in a timely manner under the Council's duty of care as a landowner.

I am afraid I have nothing further to add beyond the information relayed to the Town Council previously.

This review has shown that there are still unanswered questions regarding the felling of the willow trees near the entrance to the River Walk at Bridge Street and no satisfactory evidence has been provided that confirms the necessity for their removal. The trees were removed by Braintree District Council and not Lidl's developers but coincidentally at the time the development was commencing.

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