



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

AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 3rd March 2025** Time: **6.30 p.m.**

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

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

To be present: Councillors -

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

Nikki Smith
Town Clerk
SP/24.2.2025

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 18th February 2025 (previously circulated).

3. INTERESTS

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

4. QUESTIONS AND REPRESENTATIONS FROM MEMBERS OF THE PUBLIC

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

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

5. PLANNING OFFICER'S REPORT

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

6. PART 1 APPLICATIONS

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

7. PART 2 APPLICATIONS

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

8. REVISED PLANS

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

9. DECISIONS

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached at page 9](#)).

10. TACKLING SPEEDING IN WITHAM/20s PLENTY

To note that the resident carried out speed checks with Special Sergeant Jesse and was satisfied with the speed of traffic in Howbridge Road.

11. SUMMARY OF CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK

To receive the Briefing Note from the Cabinet Member for Planning of Braintree District Council and to note that the new Framework comes into effect from 12th March 2025 and that planning permission will be granted unless there is a strong reason for refusal ([attached at page 10](#)).

12. TREE PRESERVATION ORDER 01/2025/TPO – 78 MALDON ROAD, WITHAM

To note that a provisional TPO has been made regarding the above trees and will remain in force until six months from 19th February 2025 or until the date on which the Order is confirmed ([attached at page 14](#)). To receive and note

13. TREE PRESERVATION ORDER 07/2023/TPO – OLD MAGISTRATES COURT, WITHAM

To note that the provisional TPO has lapsed and is no longer in force although they are protected by being located in a conservation area. ([attached at page 18](#))

14. NORTH EAST PARKING PARTNERSHIP (NEPP) JOINT COMMITTEE FOR ON-STREET PARKING - MINUTES AND NOTICE OF DECISION - 23RD JANUARY 2025

To receive and note ([attached at page 19](#))

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

Applications Received:

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

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

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
25/00295/PLD & PP-13775408	104 Maltings Lane, Witham, Essex	South	Proposed demolition of existing conservatory and replace with single storey rear extension

PART 2 APPLICATIONS FOR MEMBERS' DEBATE

Applications Received:

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

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

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
22/01771/FUL	59 Rowan Way, Witham, Essex	North	Demolition of existing single-storey side extension and erection of a two-storey 2 bedroom dwellinghouse.
24/02739/FUL	Waste Transfer Depot, Bellcroft, Witham	Central	Erection of 1no. warehouse for storage and weighing of recyclable materials. Ancillary works include amended site drainage
25/00313/HH	94 Howbridge Road, Witham, Essex	South	Proposed cladding, canopy & amended window opening on front elevation
25/00320/HH	5 Constantine Road, Witham, Essex	Hatfield	Proposed Single Storey Rear & First Floor Front Extensions and Entrance Porch Canopy

Witham Town Council – Planning Application Report

Application No:- 22/01771/FUL

Address:- 59 Rowan Way, Witham, Essex

Ward:- North

Proposal:- Demolition of existing single-storey side extension and erection of a two-storey 2 bedroom dwellinghouse.

Relevant Site History:- 21/02170/FUL - application withdrawn. WTC recommended refusal on the grounds that the proposal would affect neighbouring amenity i.e.loss of parking contrary to RLP17.

Representations:- There are 10 objections from 6 residents in Pine Grove and 4 neighbours in Rowan Way based on the loss of amenity parking spaces in an already over-used parking area and loss of street light.

Summary:- This application has lain dormant since 2022. The applicant has recently contacted Braintree District Council and asked that it be resurrected. The Planning Officer has therefore started the clock and we are being asked to consider again.

The site comprises an end of terrace two storey house with a single storey extension. The plan is to demolish the existing single storey extension and construct a new 2 bedroom dwelling with parking accessed from Rowan Way. the dwelling would be approx 6m in width with materials matching the neighbouring house and have space to park one vehicle. In 2022 WTC recommended refusal based on insufficient parking provision in line with Essex Parking Standards, loss of neighbouring amenity including a lamp column, adverse impact on street scene, inability to access the one parking space without driving over neighbour's land, over-development of site and the need to protect a nearby tree.

Recommendation:- The site is at the end of a cul de sac abutting Pine Grove. Would again recommend refusal on the grounds of insufficient parking provision in line with Essex Parking Standards , overdevelopment of the plot and loss of amenity and parking stress in the area.

Policy References:- Essex Parking Standards and LPP 36

Witham Town Council – Planning Application Report

Application No:- 24/02739/FUL

Address:- Waste Transfer Depot, Bellcroft, Witham

Ward:- Central

Proposal:- Erection of 1no. warehouse for storage and weighing of recyclable materials. Ancillary works include amended site drainage

Relevant Site History:-

Representations:-

Summary:- This site is currently a material recycling depot (B2 Industrial) which employs 10 people on the Eastways industrial estate. The proposal is for an additional building with an internal floor space of 153 square meters next to the current building of 650 square meters. The proposed change will increase the people employed by three. The materials used will match the existing building. The development will not impact on parking on site and will not impact on vehicle access. There will be no impact on trees or bushes. Site drainage changes have been consulted with Anglian water and are to improve drainage on the site.

Recommendation:- This is on an industrial estate with the addition of three jobs although it is disappointing to note that there are no plans for solar panels. Would recommend approval subject to the installation of solar panels on the new building.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 25/00313/HH

Address:- 94 Howbridge Road, Witham, Essex

Ward:- South

Proposal:- Proposed cladding, canopy & amended window opening on front elevation

Relevant Site History:-

Representations:-

Summary:- Applicant has recently moved into the property and when putting in cavity wall insulation discovered there was no cavity between the tiles at the front and the wall. They are therefore looking to replace the tiles with durable fibre cement cladding, which some neighbours have already done, as well as replace the windows and doors to improve insulation. In addition the applicant would like to replace the existing canopy over the front door with a monopitch alternative - neighbours have done similar but with a gabled roof. This would increase the porch area from 600mm x 1828 to 900 x 1950 mm. Finally the applicant would like to reduce the size of the window above the front door from 1275mm width x 1200 height with plain glass to 1003mm x 1050mm with obscure glazing in readiness for an application for an ensuite in what currently is a "dressing room".

Recommendation:- Members may want to consider the impact of the change from a canopy to a monopitch roof where neighbours have gabled alternatives but on balance would recommend no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 25/00320/HH

Address:- 5 Constantine Road, Witham, Essex

Ward:- Hatfield

Proposal:- Proposed Single Storey Rear & First Floor Front Extensions and Entrance Porch Canopy

Relevant Site History:-

Representations:-

Summary:- The proposed single storey rear extension extends 4.5metres from the original rear wall of the house into the garden, this exceeds the standard 4.0-metre allowance for rear extensions that can be built without prior approval. This will add an open plan living space and utility room. The extension is planned to be finished in render to match the proposed additions on the front elevation. The first-floor front extension, would be above a ground floor existing single storey and has been designed to enlarge the existing principal bedroom and provide sufficient space for a full en-suite shower room with a new side window. Its design is reflective of similar extensions in the surrounding area, including at 11, 13, 19, 25, and 28 Constantine Road. The proposal also includes a modest entrance porch canopy, designed to reflect the existing form and similar canopies found on other properties in the locality.

Recommendation:- While this is a large extension, there is still a good sized garden. The front rear extension roof line is subservient to the main dwelling and therefore on balance would recommend no objection

Policy References:-

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Agenda Item 9

Application & Address	Proposal	BDC Decision	WTC Decision
Ref. No: 24/02105/VAR Trading As Motus Trucks And Vans Griggs Way Witham Essex CM8 1ZR	Application for the variation of Condition 10 (Bund Slopes) of permission Application Reference 18/02251/FUL Decision: 12th June 2020 for Proposed commercial vehicle dealership with estate access road and associated infrastructure. Variation would allow a change to the treatment of the bund slopes	Application Permitted	Members recommend refusal on the grounds that another solution should be found to retain the bund's height so as not to affect neighbouring amenity.
24/02387/HH Gueth Cottage Maldon Road Witham Essex CM8 2AB	Two storey side extension, single storey front and rear extensions	Application Permitted	no objection subject to tree protection being put in place

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Agenda Item 11

Summary of Changes to the National Planning Policy Framework

This briefing note summarises the key changes made in National Planning Policy since the publication of the new National Planning Policy Framework (NPPF) on 12 December 2024.

For decision-making this new NPPF applies from the date of publication. For plan-making this document applies from 12 March 2025. For Braintree District, the Local Plan will be examined against the new version of the NPPF when it is submitted for examination. Currently submission is scheduled for June 2026.

The new NPPF is likely to generate an immediate push for more growth outside of Local Plans in the short term and therefore Braintree District may receive more speculative applications seeking permission for new development. It is therefore important that the Local Plan review progresses to minimise this risk.

Strategic Planning

The NPPF contains a section on maintaining effective cooperation, updated in NPPF 2024. The Government has introduced these changes to “*streng[then] the existing Duty to Cooperate requirement [and introducing effective new mechanisms for cross-boundary strategic planning]*” ahead of formal strategic planning mechanisms that will be introduced through new legislation (and which are given strong reference in the Devolution White Paper).

A new paragraph provides more explicit guidance about the steps to be taken once strategic matters which require collaboration have been identified. The general approach is a requirement that policy-making authorities ensure that plan policies are consistent with those of other bodies where a strategic relationship exists, and with the relevant plans of infrastructure providers, unless there is a clear justification to the contrary. This general approach is fortified by three following requirements: (a) a consistent approach to planning the delivery of major infrastructure; (b) that unmet development needs from neighbouring areas are “*provided for*” in accordance with para 11(b); and (c) any allocation of designation across boundary areas, or which has significant implications for neighbouring areas, is appropriately managed by all relevant authorities.

Paragraph 28 continues to provide for Statements of Common Ground to be the main mechanism for demonstrating effective and on-going joint working. The changes made recognise that as local plans often come forward at different times, matters of strategy, proposed provision of infrastructure, and the evidence base supporting neighbouring emerging plans may all be subject to a degree of uncertainty. In those circumstances the plan making authority need not wait for the uncertainties to be resolved, but can properly come to an informed decision on the basis of available information.

Accordingly, NPPF 2024 proceeds on the basis that the Duty to Cooperate continues to provide the main mechanism for co-operation on strategic planning matters across boundary areas for plans progressed within the current system. The policy obligations arising from DTC have been strengthened and made more explicit in terms of what policy must deliver (and deliver effectively, in order to be sound). The wide base of

matters which are covered by infrastructure in para 27(a) have been laid out: They include major transport projects, utilities, waste, strategic health provision and significant educational provision.

For BDC, the obligations on collaboration in plan-making will require early and comprehensive consideration.

Presumption in favour of development

The presumption in favour of sustainable development remains at the heart of the framework and the objective of achieving sustainable development through plan-making is retained.

Paragraph 11 of the NPPF which contains the “tilted balance” test, often referred to as the Planning Balance within officer reports, has been updated and now requires permission to be granted unless there is a **strong** reason for refusal (previously the wording required a clear reason for refusal). However, the second part of paragraph 11 (d) also requires consideration to be given to **key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination**. Whilst the change to require a strong reason for refusal suggests refusing applications may be more challenging, the additional test regarding key policies may provide other grounds for resisting development which is not considered to be in the right location or provide the right type of development to meet the needs of the District.

Previously developed land

Previously developed land (PDL) remains acceptable in principle. The definition of PDL has been expanded to include hardstanding and the NPPF now states that:

Proposals for which should be approved unless substantial harm would be caused.

This is a high threshold for justifying a refusal.

Housing

Existing Local Plan Housing Target	Previous Standard Method Housing Target	New Standard Method Housing Target	Increase in Housing Target (%)
716	813	1115	37%

The standard method for assessing local housing need is now mandatory and no longer an advisory starting point. The new methodology sets an annual housing target of 1,115 for Braintree district. Further, the need for Districts to demonstrate a five year supply of housing land with a 5% buffer is required immediately. A 20% buffer will apply to Braintree District Council from 01 July 2026 as our plan will have been examined

against a previous version of the NPPF and the annual average housing requirement is less than 80% of the current need figure. However given the timetable we are currently working to for the delivery of a refreshed Local Plan, that will likely only be for a period of approximately 6 months. The current local plan sets a target of 716 and therefore this new target represents a significant challenge.

New wording in the framework expects LPAs to take a positive approach to development proposals that have a mix of tenures and types, through both plans and decisions (justified through potential for timely delivery). Further, the allocation of small sites is now mandatory to support quicker delivery.

In respect of affordable housing, housing needs assessments should explicitly consider the needs of those requiring social rent. Reference is also added in the new document to assessing the needs of 'looked after children', which a footnote says can be evidenced in the relevant LPA's Children's Social Care Sufficiency Strategy. The requirement to deliver at least ten per cent of the total number of homes on major sites as affordable home ownership, as set out in the previous NPPF, is removed. Rather, the mix of affordable housing is now simply required to meet local needs.

Finally, the definition of community-led development has been expanded and although typically exception sites should not be larger than one hectare in size, it is permitted for a development plan to allocate larger sites.

Economic Growth and Green Energy

The new NPPF requires local planning authorities to pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics.

Paragraph 87 says storage and distribution operations should be provided for "that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation".

Decision-makers should give "significant weight" to the benefits associated with renewable and low carbon energy generation, and proposals contributing to meeting a net zero future at paragraph 164.

The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications.

Healthy Communities

New paragraph 97 states LPAs should refuse applications for hot food takeaways and fast food outlets within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre or in locations where there is evidence that a concentration of uses is having an adverse impact on local health, pollution or anti-social-behaviour.

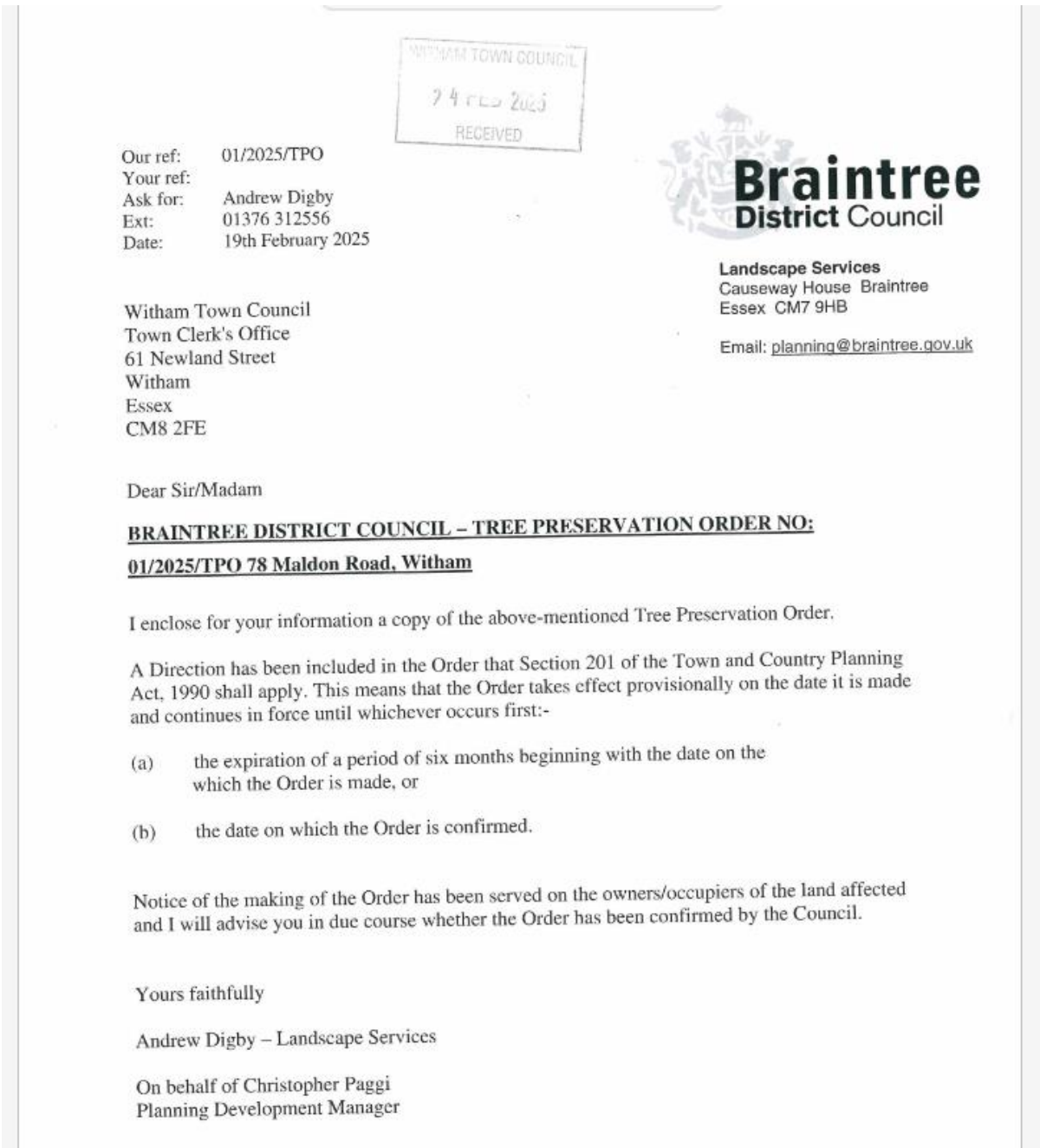
Transport and Infrastructure

Significant weight should be placed on the importance of facilitating new, expanded or upgraded public service infrastructure when considering proposals for development (Paragraph 101).

Development proposals and allocation of sites should ensure that sustainable transport modes are prioritised, taking account of the vision for the site. Need to consider all reasonable future scenarios when considering the impact on highway (Paragraph 116).

Vision-led approach defined as "*an approach to transport planning based on setting outcomes for a development based on achieving well-designed, sustainable and popular places, and providing the transport solutions to deliver those outcomes as opposed to predicting future demand to provide capacity (often referred to as 'predict and provide').*"

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**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012**

**Town and Country Planning Act 1990
TPO 01/2025/TPO**

The Braintree District Council, in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 make the following Order:- 78 Maldon Road, Witham

Citation

1. This Order may be cited as TPO 01/2025/TPO

Interpretation

2. (1) In this Order "the authority" means the Braintree District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsections (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provisions for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 19th day of February 2025

"The Common Seal of BRAINTREE DISTRICT COUNCIL was hereunto affixed in the presence of:

Authorised Signatory 



SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

REF. ON MAP	DESCRIPTION	SITUATION
T1	Oak	Outside frontage of 78 Maldon Road

Trees specified by reference to an area
(within a dotted black line on the map)

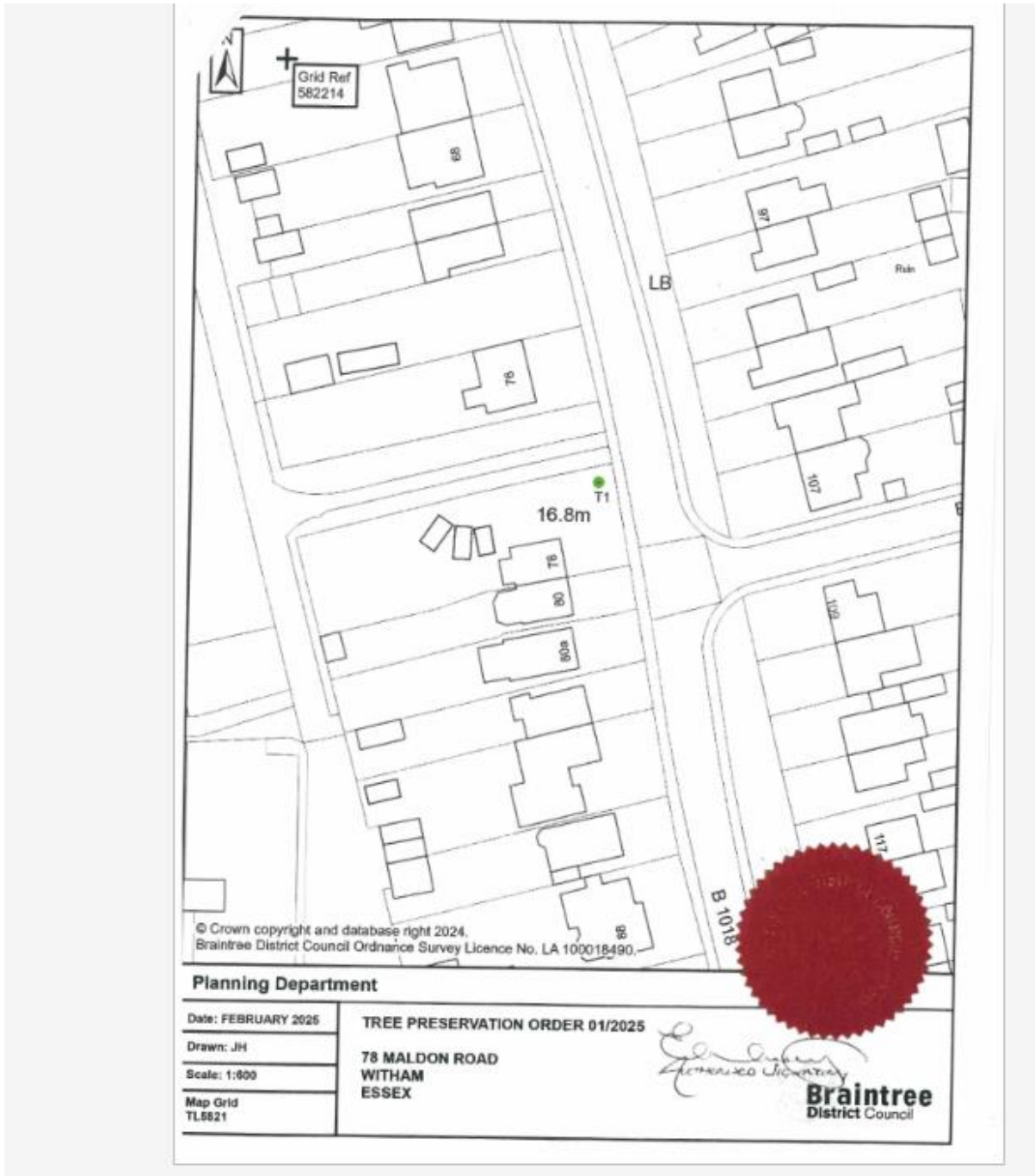
REF. ON MAP	DESCRIPTION	SITUATION
	NONE	

Groups of trees
(within a broken black line on the map)

REF. ON MAP	DESCRIPTION	SITUATION
	NONE	


Woodlands
(within a continuous black line on the map)

REF. ON MAP	DESCRIPTION	SITUATION
	NONE	



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Our ref: 07/2023/TPO
Your Ref:
Direct Dial: 01376 312556
Ask for: Andrew Digby
Date: 20/02/2025




Braintree
District Council

Landscape Services
Causeway House
Braintree
Essex
CM7 9HB

Witham Town Council
Town Clerk's Office
61 Newland Street
Witham
CM8 2FE

Tel: 01376 552525
Email: landscapeservices@braintree.gov.uk



Dear Sir/Madam

BRAINTREE DISTRICT COUNCIL – TREE PRESERVATION ORDER NO:
07/2023/TPO at Old Magistrates Court, Witham, Essex CM8 2FT

On 23rd August 2023 we made the above provisional Tree Preservation Order (TPO), and sent you a copy.

We have considered whether or not the order should be confirmed (or in other words made permanent). 1 no. objection(s) were made about the order; we considered these before reaching our decision. The 6 month provisional period expired after the 23/02/2024 and the TPO is now considered to have 'lapsed' and **is no longer in force.**

As the trees are located within a Conservation Area, they remain protected by this status and a notification for any proposed tree works or removals is still necessary. As part of this assessment, it will be considered whether the trees are suitable for protection by a TPO, in the interest of amenity.

Yours faithfully

Landscape Services
On Behalf of Head of Planning
Planning Development

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

**23 January 2025 at 1.00pm
Town Hall, High Street, Colchester CO1 1PJ**

Members Present:

Councillor Mick Barry (Tendring District Council)
Councillor Graham Butland (Braintree District Council)
Councillor Martin Goss (Colchester City Council)
Councillor Neil Hargreaves (Uttlesford District Council)
Councillor Paul Honeywood (Essex County Council)
Councillor Nicky Purse (Harlow District Council)
Councillor Ken Williamson (Epping Forest District Council)

Substitutions:

None.

Apologies:

None.

Also Present:

Trevor Degville (Parking Partnership)
Jake England (Parking Partnership)
Chris Hartgrove (Colchester City Council)
Amelia Hoke (Epping Forest District Council)
Owen Howell (Colchester City Council)
Dean James (Harlow District Council)
Sarah Lewin (Uttlesford District Council)
Esme McCambridge (Braintree District Council)
Andrew Nepean (Tendring District Council)
Mel Rundle (Colchester City Council)
Richard Walker (Parking Partnership)

191. Have Your Say

With the Chair's permission, a statement from Mr Nick Chilvers was read out. Mr Chilvers stated concern that the Joint Committee had not received a report on consultation feedback given relating to possible introduction of on-street paid parking in Colchester, saying that the responses had been dealt with in Colchester, under delegated powers. Questions were asked as to the effect of proposals on convenience, pricing and the local economy. Mr Chilvers asked for the delegation of powers to be reviewed, and suggested that all consultation responses be anonymised and published on the NEPP's website.

192. Minutes

RESOLVED that the minutes of the meeting held on 18 July 2024 be approved as an accurate record.

193. NEPP Financial Update

Chris Hartgrove, Service Director (shared) – Finance and Deputy Section 151 Officer [Colchester City Council], presented the financial position of the NEPP as at the end of Month Nine of 2024-25. A surplus had been forecast for a £44k surplus. Reasons for divergence from expected position were given, including the delay in restructuring the organisation. A caveat in section 8.1 of the report showed that the pay award had been settled prior to Christmas 2024, with an impact of around £30k reducing the expected surplus to £14k, meaning a small surplus projected for year end.

The emerging draft Budget was dependent on Colchester City Council's Budget for 2025-26, which was due to go to its Scrutiny Panel and Cabinet in the week following this meeting, and then for decision at Full Council in February. The figures shown on page 21 were indicative and predicted a surplus of £65k.

The Deputy Section 151 Officer was asked to confirm that the issues mentioned meant that there would still be a deficit at the end of 2024-25, and a small surplus at the end of 2025-26. A Committee member raised concern that the NEPP Agreement stated that no new Traffic Regulation Orders [TROs] could be initiated unless the NEPP was in possession of at least £400k in reserves, and that the NEPP should accept that it would not meet this requirement. Praise was given to the Budget report, with a comment that it looked realistic. Jake England, Group Operating Manager, gave assurances that the intent was to be out of deficit by the end of 2024-25, but agreed that the organisation could not build a £400k reserve by then. Another Committee member noted that the £400k reserves requirement was from a time pre-Covid, and that it was a long-term job to rebuild the Partnership's reserves, to be worked on steadily.

Another Committee member agreed with the view that the NEPP had been operating outside the terms of the NEPP Agreement, and stated an acceptance of the difficulties involved, praising the projected return to a balanced budget. A proposal had been made to vary the NEPP Agreement in the previous year, noted the Committee member, who then stated discomfort at operating outside its

Agreement.

A Committee member highlighted that all Partners had signed acceptance of the Agreement and ventured that some Partners had taken bold measures to introduce new on-street parking charges, which had benefited all Partners through reducing the budget deficit. The member urged all Partners to take responsibility and act to live up to the Agreement.

The Deputy Section 151 Officer noted that the projections for car park income could strengthen in the last quarter of 2024-25, which was confirmed by the Group Operating Manager, who stated that the pay and display sites agreed by the Joint Committee had been implemented for the second half of 2024-25 and would meet expected income for those six months. This included efficiency and enforcement savings, halving operating costs. Budget expectations were set to be met in the final three months. More sites had been budgeted for in 2024-25. If more sites came forward, the income would feed into the Budget.

Assurances were given by Partner representatives that they took the situation seriously, with the point made that the Joint Committee members had pushed for meetings of their Section 151 Officers to go over the financial situation. A Committee member posited that it was wrong to seek to increase income by increasing on-street parking charges, which should be used to address parking problems only. Increased revenue should be in line with requirements, not just to repair a budget situation.

The Joint Committee member for Uttlesford District Council notified the Committee that his Council had employed consultants to examine their parking arrangements. Stansted Airport caused parking problems, with consultations ongoing. If residents met the criteria, the Council could move towards requesting TROs, including residents' parking permit areas, with costs to be met by the airport, and the Council paying for the consultants' work.

The Joint Committee noted that 75% of residents in an area had to approve of proposals for a parking permit scheme, but that the website stated that a 50% return rate of responses was necessary, of which 75% had to be approving. Leaflets and the Policy only stated that 75% approval was needed, leading to confusion. A Committee member urged clarity, and gave the opinion that the lower bar [requiring 50% return rate] seemed reasonable.

Richard Walker, Head of Parking, reminded the Committee that the TRO Policy was in their hands, and that the idea was to do as much work as possible in pre-consultation, as the greatest expense was incurred at the formal consultation stage. If an indication of resident views could be obtained prior to formal consultation, then a scheme was more likely to gain a super majority of positive responses by residents, and approval after formal consultation.

RESOLVED that the JOINT COMMITTEE:

- a) Notes the forecast outturn for 2024/25 as of 31st December 2024 (Month 9)

- b) Has considered the emerging draft budget for 2025/26
- c) Notes the projected impact of the forecast outturn for 2024/25 and the emerging draft budget for 2025/26, on the Parking Reserve balance; and
- d) Noted the discussion on risk presented in Section 8 and specifically the potential impact on the financial projections presented in this report.

194. Updated Traffic Regulation Order and Application Decision Report

Trevor Degville, Interim Group Development Manager, laid out the report and content of the appendices. This included a request for the Joint Committee to recommit to the 'Five-year Rule', which was that the NEPP would not pay for any TROs to be introduced on newly adopted roads for five years after their adoption. NEPP could do such work, but the cost would need to be met from external funding. A request was also included for approval of a rewording of the TRO methodology, to give clarity for councillors and the public.

The Chairman confirmed that his reason for cancelling the Joint Committee's meeting was due to finding a lack of clarity in the criteria for TRO approvals, and the Chairman's view that clarification was necessary before the Joint Committee could proceed. The Chairman stated that the NEPP would write to each partner authority to clarify the requirements.

The Committee member for Colchester explained that he had seen the scheme requests which had led to this situation and had refused to recommend them for approval as they had not followed the correct process. Two of the schemes had subsequently then been included in Appendix A for approval (shown at the end of the appendix, as being proposed by ECC [Essex County Council]) but had shown no petitions or evidence of evidence collection. The Committee member argued that applicants should not try to circumvent the process. Whilst clarifications were proposed, the Committee was urged to consider whether it should approve the schemes, and whether the NEPP or ECC would be expected to bear the costs.

The Chairman stated that the NEPP would pay for the implementation of the two schemes, and laid out the ambiguity in the TRO Policy, which stated that a petition was an example of evidence which could be put forward to support a TRO, rather than showing that it was a requirement for a TRO to be put forward for approval. The ECC councillor who had put forward the two schemes in question had shown evidence of consulting residents, and the Chairman posited that it was unfair to penalise them due to confusing policy wording. No further examples of problems had been found at this time, so the Chairman proposed approving them to proceed to formal consultation, clarifying the Policy wording, and then providing officer support to advise on the requirements for TRO applications. The Chairman was asked if any TRO requests had progressed to the next stage without including a petition and scored as low as 10. The Chairman and Head of Parking had no knowledge of any which had progressed in those circumstances.

A Committee member expressed surprise that any councillor would not know that a petition was a necessity for such schemes, and ventured that accepting requests

without a petition would be unfair on other partners where much work had been done to meet the requirements.

Joint Committee members agreed that it would be a good idea to reissue the guidelines for clarity, and that these should be stated on the NEPP website. The Head of Parking outlined that the decision here was whether to approve the listed schemes to go forward to formal consultation. If no objections were received, these would then progress. If objections were received, these would go first to the Head of Parking to consider, with any significant objections going to the Joint Committee for a decision to be made.

RESOLVED that the JOINT COMMITTEE: -

- a) Prioritises the proposed Traffic Regulation Order schemes from the applications that have been received by the North Essex Parking Partnership, and in line with the recommendations which can be found in Appendix A
- b) Notes that any applications that are "Approved" may not become sealed Traffic Regulation Orders.
- c) Notes that applications that have been received but do not meet the NEPP scoring criteria are shown in Appendix B.
- d) Notes the new schemes NEPP has advertised in 2024 via the JPC process, in Appendix C.
- e) Notes the new schemes NEPP has advertised in 2024 outside the JPC process, in Appendix D.
- f) Amends the wording of the TRO Scoring Methodology to clarify that a scheme/restriction must be supported by a petition before it can be scored by officers. This concerns standard applications received from outside NEPP that are to be considered by the Joint Committee
- g) Agrees the reintroduction of the Five-year Rule for NEPP TROs on new builds/recently adopted highway areas, with an amendment to the wording, to state that this applies 'on, or relating to, new-build sites'

195. On-Street Paid Parking Update

Trevor Degville, Interim Group Development Manager, introduced the update and provided the background to the report, which gave updates on the operational schemes and information as to why the NEPP had not proceeded on identified sites in Harlow.

The report showed what work had been carried out in areas proposed for potential on-street paid parking in Braintree District. The NEPP had offered to retain a one-hour free parking entitlement in those areas, and the purchasing of additional parking time if needed. After feedback from Halstead and Witham, the NEPP had offered to provide payment machines for on-street paid parking areas, in addition to the payment option via MiPermit. Witham Town Council continued to be concerned regarding potential effects on local trade. Halstead Town Council had not specified why it did not support the proposals but had simply voiced its

opposition. The NEPP was now seeking Joint Committee approval to proceed to advertising the proposals and to seek views from local residents.

The Joint Committee member for Epping Forest District Council informed the Joint Committee that there had been issues raised in that area also, when schemes were proposed, but since introduction the schemes had generated compliments from residents. Epping Forest was looking at further areas where such schemes might be of benefit.

The Joint Committee was informed of the status of schemes in Colchester, where a couple had been withdrawn where investigation had shown that they would not be appropriate. The view was given by a Committee member that the process had safeguards in place, and should be used to seek local views about any proposed schemes.

The Joint Committee member for Braintree District Council queried how areas were identified for potential on-street paid parking, and noted that the proposals had originally been made with a projected income of £146k per year, outlining the proposals in the Braintree area. No issue was raised regarding proposals for Bocking End, but the Committee member highlighted objections from Witham and Halstead Town Councils. Officers were asked to give the costs of consultation, and whether funds had been allocated for this. Concern was raised that some proposals did not seem to be about safety, and questions were asked as to whether the proposals were only aimed at raising income for the NEPP. Honesty in all consultations was urged, and any deterrence to local shopping should be considered. A Joint Committee member stated that it was reasonable to consult with residents, but that all consultations should be open and give honest information to consultees.

A Joint Committee member stated that one of the positives given was increased efficiency in enforcement. The Joint Committee discuss consultations, with one view given that explanations should be given to consultees as to how income would be used, for example to pay for enforcement of restrictions in their areas, and of residents' parking schemes. Another view given was that the NEPP was seeking to be as flexible as possible, providing a range of payment solutions, the retention of one-hour free parking arrangements, and showing that officers were listening.

Consultation costs were stated to be low, involving signage, adverts in local media, and officer time. The Head of Parking stated that the cost of consultations was usually between £800 and £1,500. Objections were judged on substance, rather than weight of numbers. Income from schemes was considered a by-product, with enforcement efficiency the reason for looking to adopt new schemes.

The Joint Committee member for Harlow District Council explained that Harlow had identified some areas for potential schemes and was supportive of consulting residents to get their views. Jake England, Group Operating Manager, underlined

that the decision requested from the Joint Committee was to permit the NEPP to proceed to formal consultations, as all proposed schemes required a formal consultation to be carried out. The Joint Committee could agree to look at any other areas for potential on-street paid parking, if proposed by partners. The Group Operating Manager also noted that any approved schemes would now only have an effect on the NEPP's budget figures from 2025-26 onwards. The NEPP wanted engagement from local communities and was not seeking to force unwanted schemes on any areas.

The Joint Committee member for Uttlesford District Council stated that his Council did not want application T23369357 (shown in Appendix B) to be rejected. The Interim Group Development Manager gave assurance that this had not been recommended for rejection, but had not yet been scored. An explanation would be provided following the meeting.

Joint Committee members agreed that a uniform approach was necessary as to how areas were proposed and selected for potential on-street paid parking schemes.

RESOLVED that the Joint Committee: -

- a) Notes the status of the paid parking sites that have been approved at previous meetings.
- b) Approves the formal advertising of proposed changes to the three locations identified in the Braintree District. (Explained further in point 5.5 of the report)

196. Outside Agency Support

The Chairman explained why this item had been brought to the Joint Committee, noting a large influx of visitors into the Tendring area each Summer, with an increase in parking violations experienced. The Chairman ventured that the NEPP could not cover all areas with enforcement operations, and stated that the proposals made gave partner councils the option to employ officers to support NEPP enforcement activities. Income generated would firstly be used to cover the costs borne by that partner council, with any surplus being transferred to the NEPP. It was suggested that it might be possible to examine whether parish and town councils could participate in such a scheme in the future. The Head of Parking informed the Joint Committee that there was an existing delegation relating to this, dating to a decision taken prior to 2014, which delegated powers to the General Manager of the NEPP to approach such arrangements with partner councils or outside agencies.

A Joint Committee member welcomed the principle of the proposal, but raised concerns regarding issues which might be raised in practice. The member noted that such arrangements could only apply to partners with officers who currently

carried out off-street parking enforcement, and that this would stretch those officers. The view was given that this might be an option of more use in the future, but that more NEPP enforcement was wanted, whilst being mindful of staff resourcing being an issue.

The Head of parking was asked how such arrangements would be financed, such as if a parish council wished to seek such an arrangement, and whether the parish council would need to transfer any surplus income from enforcement operations to the relevant partner council within the NEPP, who would then transfer it to the NEPP itself. The Head of Parking highlighted the prerequisites shown in Section 4 of the report. The NEPP had to incur the cost of processing PCNs [Parking Charge Notices] as this was a statutory duty held by the NEPP. Limited income was generated from PCNs, so the NEPP subsidised enforcement by other income, meaning that it was unlikely that surpluses would be generated. Options were given as to how local Civil Enforcement Officers [CEOs] could be recruited.

RESOLVED that the JOINT COMMITTEE: -

- a) Approves that the delegation made for appointing Outside Agency CEOs as previously should continue.
- b) Notes the prerequisites for Outside Agency Support

197. Agreement Wording Amendments Report

Richard Walker, Head of Parking, explained that the report set out a way to take forward the wording changes proposed by Tendring and Uttlesford District Councils. The necessary timeline/stages of decision making were laid out, but caution was given that Local Government Reform [LGR] might overtake this, as the NEPP and Joint Committee might not exist in the future.

A Joint Committee member ventured that LGR might mean that any new local authorities would have much to do and might leave the NEPP to continue to carry out its operations. The member argued that it was in the NEPP's interest to resolve the issues now, and that the concept of a two-year timescale was problematic. The Joint Committee member moved that the proposed Agreement changes be circulated to all NEPP partner authorities, with a deadline given for feedback to be provided, after which they would be updated and sent to Essex County Council's legal team. If Essex County Council raised no objections, then the proposals could then be formally circulated to the NEPP partner authorities for each to seek approval for them from their own executive bodies. It was noted that the proposals had already been circulated to all NEPP partners previously.

RESOLVED by the JOINT COMMITTEE that: -

- a) The suggested wording amendments to the NEPP Agreement be circulated to all Joint Committee members, with a 6 February deadline for feedback to be provided to Councillors Barry and Hargreaves, after which the amended proposals will be circulated again to the Joint Committee members and then to Essex County Council via its Legal Department

- b) In the event of Essex County Council accepting in principle the proposed wording changes to the NEPP Agreement, these amendments be formally presented to each NEPP partner authority for their respective executives to consider for approval

198. Forward Plan 2024-2025

In light of the change of venue [from Epping Forest to Colchester] of this meeting, the Joint Committee member for Epping Forest District Council invited the Joint Committee to hold a future meeting in his District.

RESOLVED that the JOINT COMMITTEE approves the North Essex Parking Partnership Forward Plan for 2024-25.

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