

WITHAM LOCAL COMMITTEE

AGENDA

THIS MEETING IS OPEN TO THE PUBLIC

Date: 17th July 2007

Time: 7.15pm.

Venue: Public Hall, Collingwood Road, Witham

Local Chairman: Cllr T J W Foster

Contact Point for further information: Sharon Lowe, Head of Law & Governance

Membership:

Councillor J E Abbott	Councillor Mrs S A Howell
Councillor Miss L Barlow	Councillor P J Hughes
Councillor D L Bebb	Councillor M C M Lager
Councillor K E Bigden	Councillor S J Lambourne
Councillor J G J Elliott	Councillor A M Meyer
Councillor Dr R L Evans	Councillor R G S Mitchell
Councillor T J W Foster	Councillor Mrs J M Money
Councillor Mrs M E Galione	Councillor R Ramage
Councillor J E B Gyford	Councillor W Rose

1. Opening Items:

1.1 Apologies for Absence.

1.2 Declarations of Interest.

To declare any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.

1.3 Minutes of Meetings held on 21st and 22nd May 2007 and matters arising.

Copies previously circulated.

1.4 Public Question Time.

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. People wishing to speak should contact the Council's Democratic Services Section on (01376) 552525 or email alison.webb@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

1.5 Question & Answer Session – “Going Local – what does it mean and how will we achieve it?”

Please refer to accompanying letter.

2. Local Priorities:

2.1 To consider and identify three priorities for the locality.

Members to identify upto three issues that arose during the election period in their ward. Please refer to accompanying letter for further details.

3. Local Decisions:

3.1 Better Place to Live, Work and Play: Place of Worship at Maltings Lane, Witham.

To consider applications and select a suitable occupier (Page 4).

3.2 Clean and Greener District: Provision of a cycleway in Witham.

To consider authorising the construction of a cycleway / footway using S106 finance from the Maltings Lane development (Page 6).

4. Information:

To note that following has been distributed to Members of the Local Committee since the last meeting:-

4.1 “Knowing Your Patch”.

A wallet containing the ward profile, health profile and other information relating to Rural Policy.

5. Future Items:

5.1 Policy for the Enforcement of Fly Posting.

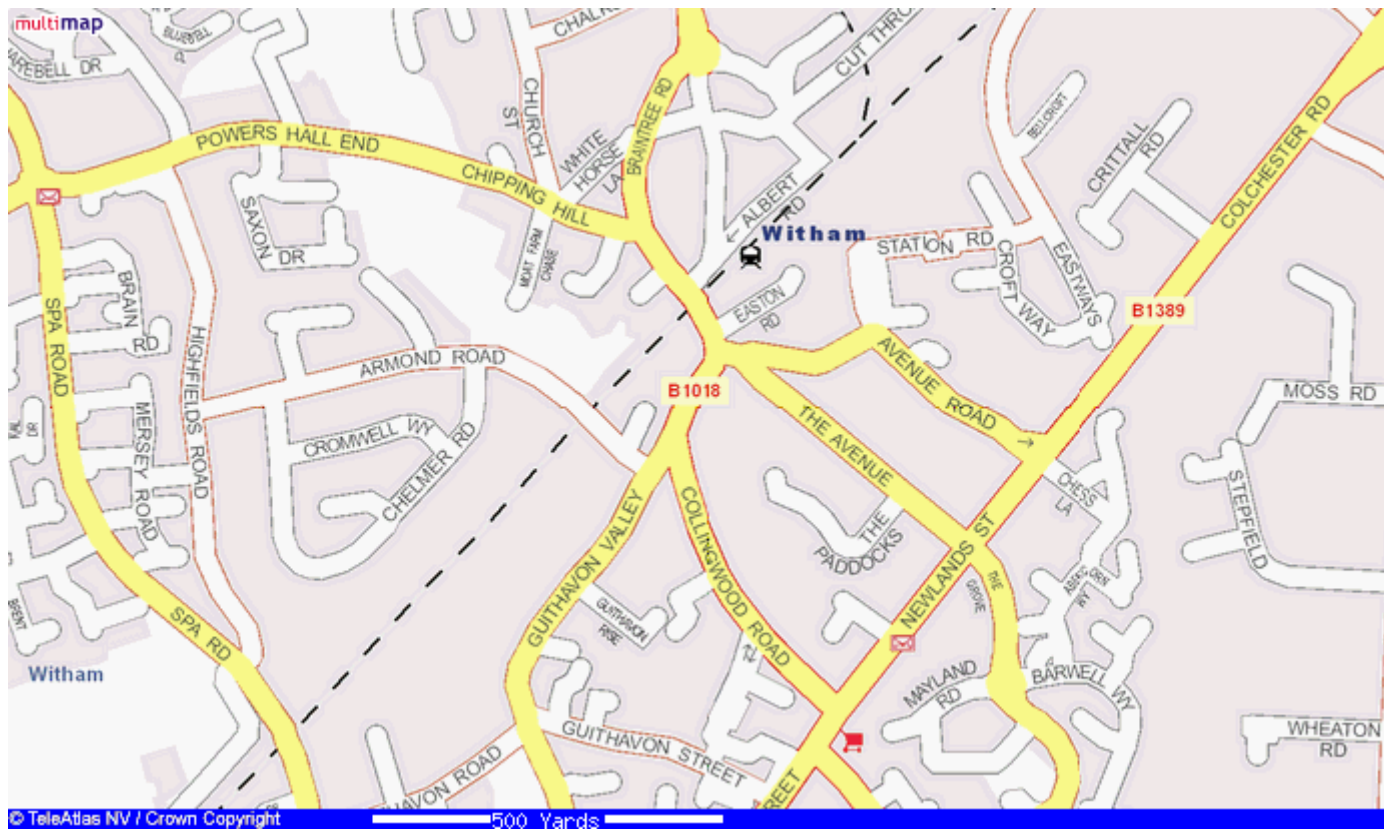
This will be available for Members consideration at the September meeting of the Local Committee.

5.2 Clean and Greener District: Trial of Enforcing “No Parking” on Grass Verges.

This will be available for Members consideration at the September meeting of the Local Committee.

NOTE - Call in Procedure

*Key Decisions can be identified by the prefix **. Any 5 Members of the Council may refer any key decision made on this Agenda to the Scrutiny Panel for 'call in'. This must be undertaken within 6 days of publication of the minutes. Any decisions made and not 'called in' by this date and time will become effective.*



Health and Safety

Any persons attending meetings in the Public Hall are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by a Council officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at www.braintree.gov.uk/Braintree/councildemocracy

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information:-

- Meeting Attended
- Date of Meeting
- Comments.....
-
-
-

**ASSET MANAGEMENT: PLACE OF WORSHIP SITE, MALTINGS LANE, WITHAM
- SELECTION OF FUTURE OCCUPIER/S**

Agenda Item 3.1

Contact Details:- Andrew Epsom
Designation:- Head of Asset Management
Ext. No:- 2921
E Mail Address:- Andrew.Epsom@braintree.gov.uk

Background Papers:- Report to Witham Area Committee on 29th March 2005
Financial Implications:- Sale or lease of land to a third party religious group at either a nominal value or market value
Equalities Implications:- Shared religious and community facility
Legal Implications:- Sale or transfer of land to a third party religious group
Options:
a) select Bethel Christian Fellowship to occupy the Place of Worship site
b) select the Witham Baptist Church to occupy the Place of Worship site
c) remarket site if above applicants unsuitable
Risks:
a) selected party unable to fund development of site or afford to manage and maintain the property going forward
b) inability of the selected occupier(s) to deliver the new premises within the timescale required
c) ensuring the selected occupier(s) conform with the agreed selection criteria

EXECUTIVE SUMMARY

At its meeting on the 29th March 2005, Witham Area Committee approved that the following criteria should be considered when selecting the future occupier(s) of the site:

- a) ability to finance, develop, manage and maintain the premises as a place of worship
- b) ability to develop the new premises within the timescales required
- c) a willingness to share, as appropriate, the premises with other denominations or religious groups.

DECISION

That Members consider the applications and select a suitable occupier for the Place of Worship site at Maltings Lane, Witham

**ASSET MANAGEMENT: PLACE OF WORSHIP SITE, MALTINGS LANE, WITHAM
- SELECTION OF FUTURE OCCUPANTS**

Further Information

Members have received copies of the submissions received by the Council from prospective occupiers of the Place of Worship site at Maltings Lane, Witham. The Council advertised and marketed the site locally for 7 weeks and received the following submissions:

1. Witham United Reform Church

Witham United Reform Church wrote in with the following comments:-

Our church supports "Churches together in Witham" and their proposal, which is as follows: If a single worship site is selected, we support the Baptist Church, but if a worship and community site is selected we support Bethel Christian fellowship.

2. Witham Baptist Church

The Witham Baptist Church have indicated that they can fund a new build and would be willing to share the premises with other Christian denominations and member churches of "Churches together in Witham".

3. Bethel Christian Fellowship

A quite long and detailed submission, which looks at a scheme, which would include both the Place of Worship and community site at Maltings Lane. Funding not clear but very keen to become involved in community activities.

Have indicated a willingness to accommodate the needs of other local churches, community groups and business.

**PROPOSED CYCLEWAY /FOOTWAY BETWEEN TOWN END FIELD AND DENGIE
CLOSE, WITHAM**

Agenda Item 3.2

Contact Details:- Eleanor Dash
Designation:- Planning Policy Manager
Ext. No:- 2563
E Mail Address:- eleanor.dash@braintree.gov.uk

Background Papers:- Essex Cycleway Design Advice Notes
Financial Implications:- Costs of design and construction of cycleway/footway.
Equalities Implications:- Improved disabled access
Legal Implications:- Finance provided through S106 Agreement
Options:
1. To construct cycleway in accordance with design
2. To amend design of proposed cycleway
3. Not to construct cycleway
Risks: Loss of S106 finance if not spent according to legal agreement requirements.
Construction costs increasing, due to unforeseen circumstances.

EXECUTIVE SUMMARY

This report seeks authorisation for the construction of a cycleway / footway between Town End Field and Dengie Close, Witham, using S106 finance from the Maltings Lane development.

DECISION

It is RECOMMENDED that the construction of a segregated 3.0 metre wide cycleway /footway, with lighting, is approved between Town End Field and Dengie Close Witham.

PROPOSED CYCLEWAY /FOOTWAY BETWEEN TOWN END FIELD AND DENGIE CLOSE, WITHAM

Background

The Council's Direction and Ambition includes the following aim to:-

'Reduce the impact of traffic on the District by promoting and supporting improved public and community transport, cycling and walking'

The Braintree District Local Plan Review supports the provision of cycleways and indicates proposed routes on the Inset Maps, including a route between Town End Field and Howbridge Road.

This route could provide an off-road link for persons travelling between the Maltings Lane development and the town centre. It is also close to Howbridge Infants School and the Holy Family RC Primary School in Maltings Lane and could be used by pupils and parents travelling to and from those schools.

Finance

It is estimated that the proposed cycleway/footway scheme between Town End Field and Dengie Close will cost approximately £60,000. This includes a site survey, design, safety audit of the proposals, construction works, provision of street lighting and fees.

This will be funded using the Maltings Lane development S106 agreement financial contribution to the Council for cycleways and footways in the vicinity of the site.

Scheme Design

The proposed cycleway/footway between Town End Field and Dengie Close will be the first phase of a longer route, with the second phase being between Dengie Close and Howbridge Road. It is intended to construct the second phase when further S106, or other funding, is available.

The proposed cycleway/footway is 3 metres wide. It will be divided by a raised white line into two 1.5 metre sections for cyclists and pedestrians. The County Council cycling design standards specify a minimum width of 3.0 metres for cycleway/footways.

The new cycleway/footway will replace the existing narrow footpath and provide all weather access for persons in wheelchairs, mobility scooters and children in buggies as well as cyclists and pedestrians.

The existing street lighting along the route belongs to Witham Town Council. This will be replaced by new lighting, of the same specification as that provided next to the cycleway in Cut Throat Lane Witham. This is designed to concentrate light onto the ground and avoid light pollution spillage to the night sky.

It will be necessary to remove one tree, to construct the route, situated on the open space near the electricity sub-station, close to Town End Field. This will be replaced by two trees planted near to the route.

Consultation

Witham Town Council was consulted about the cycleway/footway proposals. The Town Council supported the scheme, requested that the cycleway/footway width should not exceed 3.0metres and reiterated that two trees should be planted to replace the tree that it will be necessary to fell.

The Town Council asked who would be responsible for maintenance of the new street lighting and were advised that if, as anticipated, the route is adopted by the County Council, the lamp columns will become the responsibility of the County Council.

The Town Council also requested that the District Council should arrange for maintenance of paths in this location, which has been a problem for a number of years. Planning Officers advised the Town Council that the S106 finance was insufficient to contribute to the general maintenance of paths in the vicinity and suggested that the Town Council should contact Streetscene, who are responsible for maintaining B.D.C paths.

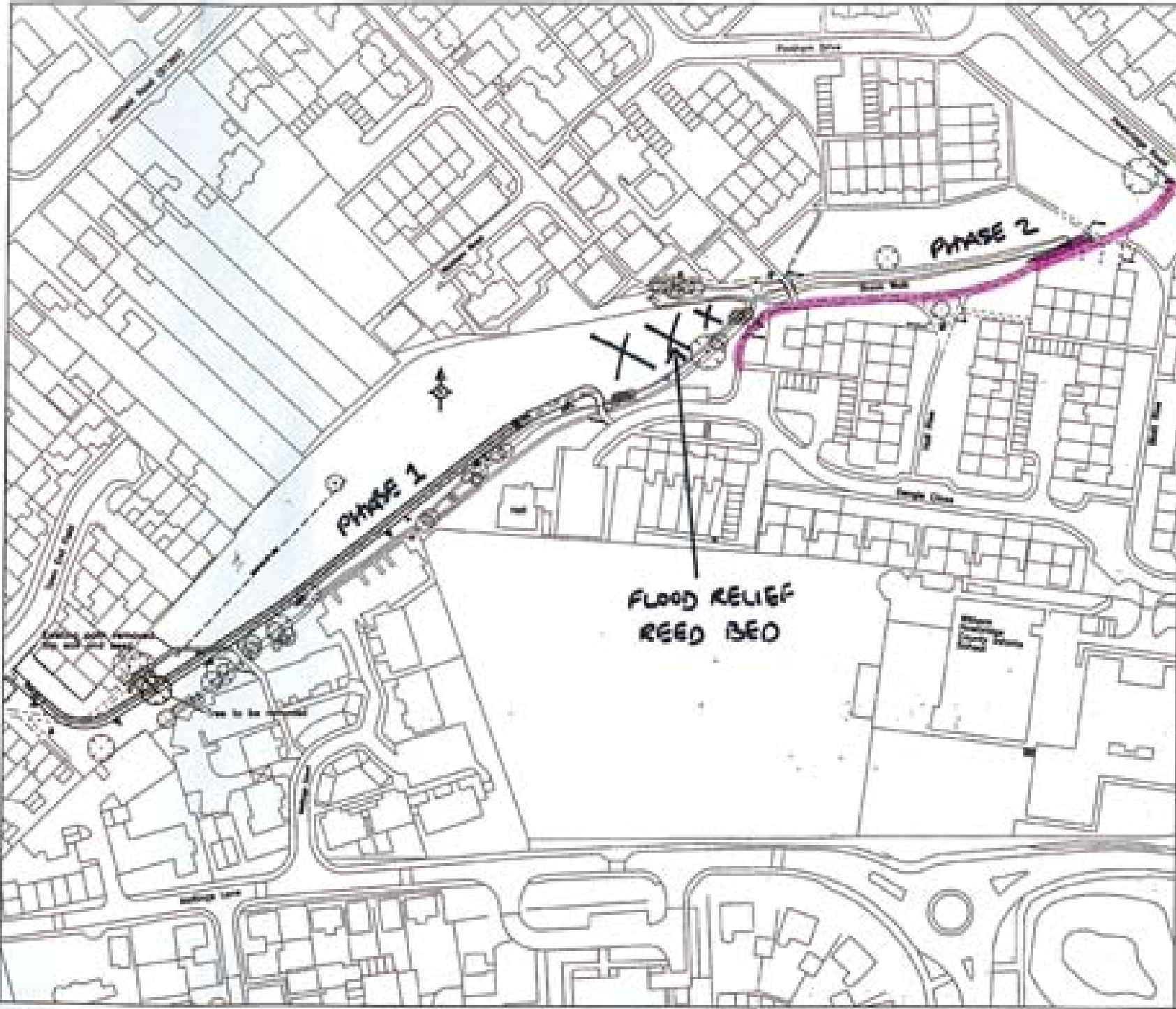
The Environment Agency was also consulted on the proposals. They requested that the cycleway should take account of the flood prevention / reed-bed scheme that is currently being implemented by the District Council up-stream of the bridge at Brook Walk. They also required the Council to carry out a water vole survey before the commencement of construction. The cycleway/footway route has therefore been designed to avoid the new reed bed area and for that reason Phase1 terminates at Dengie Close and Phase 2 links Dengie Close along Brook Walk to Howbridge Road.

Subject to approval of the scheme by Members, works should commence in August or September 2007. Householders in the vicinity of the route will be informed of the construction works, prior to commencement of the scheme.

Orders/Planning Approval

Essex County Council Legal Department has confirmed that a cycle track designation order is not required, as the cycleway runs through an area of open space and is unrelated to any existing public footpath.

The cycleway/footpath does not require planning permission, as it is covered by the General Permitted Development Order 1995, development by local authorities.



DO NOT SCALE
 OF THIS DRAWING

CAD filename: 1744_Hawridge Road.dwg
 Contractors must check all dimensions on site and report any discrepancies to the Engineer immediately.

Notes:
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Revisions:	

Town End Field to Dangle Close
 Witham
 Cycleway
 General Layout
 (Phase 1)

Scale: 1:1250 @ A3

Braintree District Council

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Approved: *[Signature]*
 Project Leader: *[Signature]*
 Checked by: *[Signature]*
 Date: 16/12/10

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