

WITHAM LOCAL COMMITTEE MINUTES

Date: 23rd September 2008

Time of Meeting: 7:18pm – 10:43pm

Venue: Public Hall, Collingwood Road, Witham

Chairman: Councillor T J W Foster

Contact Point for further information: David Triggs, Locality Co-Ordinator

Membership Present:

Councillor J E Abbott	Yes	Councillor Mrs S A Howell	Yes
Councillor Ms L Barlow	Yes	Councillor P J Hughes	Yes
Councillor D L Bebb	Yes	Councillor M C M Lager	Yes
Councillor J G J Elliott	Apologies	Councillor S J Lambourne	No
Councillor R Elliston	Yes	Councillor A M Meyer	Yes until 10:24
Councillor Dr R L Evans	Yes	Councillor R G S Mitchell	Yes arrived 8:30
Councillor T J W Foster	Yes	Councillor Mrs J M Money	Yes until 10:26
Councillor Mrs M E Galione	Yes until 10:24	Councillor R Ramage	Yes
Councillor J E B Gyford	Yes		

Also Present:

Eleanor Dash	Planning Policy Manager, Braintree District Council
Nick Day	Area Manager Street Scene Services, BDC
David Triggs	Locality Coordinator, Braintree District Council
Melanie Ward	Locality Support Officer, Braintree District Council

Representatives of the Witham Local Community also in attendance: -

Representative	Address / Representing
Paul Ryland	Chairman of the Witham Town Centre Strategy Group
Shamik Rao	Newsagent Street Trader
Christopher Goodey	Mr Rao's Representative
Jill White	Knights Taxis
Sally Anderson	Rivenhall Playing Fields Association
Audrey Harrington	Witham Town Council
Brenda Smith	Hatfield Peveral Parish Council
Jayne Dunkitt	Hatfield Peveral Parish Council
Chris Leftwich	Kelvedon & Feering Cricket Club
Mike Rayner	Kelvedon & Feering Cricket Club
Graham Pryke	Essex County Cricket Board

Additional attendees: -

- 20** Cllr Malcolm Dunn, representative from the press
- 21** Cllr Elliott was not able to attend the meeting, but the Chair read out a letter on his behalf updating the Committee on progress regarding the Maldon Road pedestrian crossing stating that Essex Highways had begun planning the provision of a mini round about on the junction of Maltings Lane and Maldon Road.

22 **Declarations of Interest**

Personal interests were declared in the following items: -

2.2a (Rivenhall Village Hall Acoustics)

(and prejudicial) Councillor Abbott as Chairman of Rivenhall Parish Council

2.2b (Witham CCTV)

Councillor Mitchell as an employee of Essex Police

Councillors Barlow, Money & Lager as Members of Witham Town Council

Councillor Howell as Supporting Ward Member

2.2c (Christmas Lights)

Councillors Barlow, Money & Lager as Members of Witham Town Council

(and prejudicial) Councillor Howell as Member of the Christmas Lights Committee

2.2d (Hatfield Peverel Lighting)

Councillors Mitchell as an employee of Essex Police, Bebb as Supporting Ward Member

2.2e (Kelvedon & Feering Cricket Club)

Councillors Mitchell as member of Feering Parish Council and his children are members of the Club and Foster as Ward Member for Kelvedon that bid relates to.

3.1 (Allotments)

Councillors Barlow, Money & Lager as Members of Witham Town Council

Councillors Bebb as Chair of the Task & Finish Group, Galione as member of White Notley Parish Council and Hughes as Chair of Silver End Parish Council as mentioned in the report.

3.2a & b (Braintree District Sustainable Community & Development Strategy and the Braintree District Local Development Framework (LDF) Consultation)

Cllr Abbott as Chair of Rivenhall Parish Council, which had made representations

3.4 (CHIP Fund)

Councillor Lager as member of the CHIP Fund Board

3.6 (A12 Commission)

Cllr Abbott as Chair of Rivenhall Parish Council, which had been represented at the inquiry.

In accordance with the Code of Conduct all Members remained in the meeting for these items and took part in the debate and decision thereon unless otherwise stated under the item.

23 **Minutes**

The minutes of the Committee meeting held on 15th July 2008 were approved as a correct record and signed by the Chairman.

24 **Question Time**

Paul Ryland asked a number of questions relating to changes at Witham Station and the future provision of a new swimming pool and dry leisure facilities for the Witham area.

A copy of the responses and complete questions are attached. (Appendix 1)

Mr Goodey presented a question to the Panel on behalf of Mr Shamik Rao.

“Can I ask the Local Committee to request Braintree Council, as the enforcing authority for the County Council, to review the decision to force me off my pitch even though there have been no accidents, no congestion caused by my van, no complaints from any bus drivers stopping at the station bus stop and no complaints from the public?”

Mr Rao a newsagent street vendor had traded outside Witham Railway Station for

a number of years. Due to Essex County Council Highways carrying out a consultation and subsequently undertaking works to the area where Mr Rao had his pitch, a renewal of Street Trading Consent had not been granted. By continuing to trade Mr Rao had been issued parking tickets and threatened with court action, threatening his livelihood.

There had been significant public support for Mr Rao to remain via a petition. Mr Goodey requested that a sub-group be formed to find a way forward on this issue.

The Committee received further advice from Braintree Council's Environmental Health Department. Members noted that both Braintree District Council (BDC) and ECC Highways had met with Mr Rao to discuss various other locations to trade from but Mr Rao had chosen not to apply for consent on any other pitch. As long as ECC Highways department continues to raise objection to trading on this current pitch, BDC would be unable to grant street trading consent.

Cllr Lager, as an Essex County Councillor stated that he would be happy to facilitate talks with 3-4 other members, Mr Rao and National Express East Anglia to consider options available. He felt that the suggested new footbridge from the car park area could mean that in the near future, Mr Rao might need to look for an alternative site anyway.

It was agreed that Cllrs Lager, Foster and Evans form a sub-group to discuss a way forward and invite Paul Ryland of Witham Town Centre Strategy Group and the Chair of the Chamber of Commerce to join the group.

Decision: Members agreed that Cllrs Lager, Foster and Evans form a sub-group to take issues relating to Mr Rao forward.

Action:

1. Paul Ryland of Witham Town Centre Strategy Group and the Chair of the Chamber of Commerce be invited to sit on the sub-group.
2. National Express East Anglia representative be invited to discussions.

Jill White of Knights Taxis raised a question over Clearway proposals on Guthaivon and the effects this would have on the taxi firm.

It was pointed out that these were only proposals and still open to consultation. Any concerns should be put in writing and sent to the Locality Coordinator who would collate them for consideration in the consultation process.

25 Local Committee Funding

25.1 Budget Update

The Committee noted the budget position and the low level of Capital Funding available. It was pointed out that Members could agree to via money from revenue to capital. Following a discussion it was agreed to consider the allotment item before the funding bids.

Decision:

1. Members agreed to bring item 3.1 (allotments) forward to consider funding from the budget.
2. That a minimum balance of £25k be held back for future bids towards the end of the financial year.

25.2 Bids for Grants from the Witham Local Committee.

(a) Rivenhall Village Hall Acoustics

As Cllr Abbott had declared a personal & prejudicial interest, he spoke in favour of the application before leaving the meeting. Sally Anderson of Rivenhall Playing Fields Association (RPFA) presented the bid.

It was noted that the Council had refurbished the hall to a high standard but it had been left with severe acoustics problems. The RPFA was therefore seeking funding of £10k to rectify the problem.

The Committee noted that Rivenhall Parish Council would be prepared to fund up to half of the cost as they felt that the need to have this problem rectified was too great to be left much longer.

Having carefully considered the bid, the Committee expressed concerns that the Hall had been left in this condition and felt that the Council should fund this matter centrally. Monies should therefore be made available as soon as possible for funding to be requested from Cabinet as part of the budget estimates.

Decision:

1. That the bid be refused.
2. **That it be recommended to Cabinet** that urgent funding be requested as part of the budget estimates to rectify the acoustic problems at Rivenhall Village Hall.

(b) Witham Town CCTV

Audrey Harrington of Witham Town Council presented the bid to support a new integrated CCTV system.

The Committee was advised that the scheme would involve an upgrade of existing cameras to a wireless system including the addition of 3 new cameras to the station area. A dedicated line would be monitored via the Chelmsford CCTV system, which links with the police station. Cameras could be programmed for a dedicated time for Witham to be monitored. Installation and set up could be complete in the next few months.

Mrs Harrington explained reasons during her presentation that by upgrading to the wireless system it would not be feasible to link with Braintree District Council.

Decision: Members agreed to fund the bid for £20,000 for CCTV in the Town.

(c) Witham Town Council Christmas Lights

Audrey Harrington presented the bid on behalf of Witham Town Council.

Lights to decorate the Town Hall were hoped to encourage town traders to do the same and make the town more attractive. Due to a quotation error funding would be for £2040, making the bid lower than submitted.

Issues over the sustainability of the lights were discussed. LED lights had been specified. Christmas lights in the street would be linked in to the street lamp light detectors and the Town Hall lights could be turned off in the early hours to save energy.

Decision: Members agreed to fund the bid for £2040 for Christmas lights.

(d) Hatfield Peverel Street Lighting

Brenda Smith presented the bid as a member of the Parish Council.

Whilst looking to upgrade street lighting in the village, two locations were identified as substandard. Improvement of street lighting in these areas would create a safer environment for elderly residents, commuters, pedestrians and the village community. Many older residents live alone and feel unsafe and vulnerable. Installing new streetlights would provide greater visibility and accessibility of this area would be improved.

Members assessed the sustainability of the type of street lighting and felt that the feasibility of solar lighting should be evaluated. Members therefore agreed to defer the bid for the Parish Council to investigate alternative light sources to be used in the application.

Cllrs Elliston and Bebb as Ward councillors are to make contact with Cllr Abbott to seek his advice /views on this matter.

It was highlighted that residents wanted to have the lights installed before winter.

Decision: Members agreed to defer the bid so alternative light sources could be investigated. The application to then be brought back to the Local Committee on 18th November.

(e) Kelvedon and Feering Cricket Club (KFCC)

Having declared a personal interest in this application, the Chairman, Cllr Foster vacated the Chair and handed proceedings over to the Vice Chair for this item only. Cllr Foster stayed to vote whilst Cllr Mitchell presented the bid.

The Committee was informed that KFCC required a new extension to facilitate the use of a new playing field purchased recently and to provide changing rooms to meet the demands of their expanding club. The Club was looking to commission the services of a qualified architect to produce plans so they could obtain planning permission and building consent. Chris Leftwich, Chair of KFCC stated that if funding was granted by the Local Committee, the Club intended to seek a grant from the English Cricket Board for building works to enable development of the new extension. Graham Pryke from the Essex County Cricket Board had come to the meeting to support the application and stated that the board were keen to fully support further funding.

Decision: Members agreed to fund £9,500 to commission the services of a qualified architect to produce plans to obtain planning permission and building consent for a Clubhouse extension.

26 Local Decisions

26.1 Allotment Provision in the Witham Area.

Nick Day, Area Manager for Street Scene outlined a report to determine which, if any, of the improvement projects outlined could be brought forward into the current financial year by the allocation of funds from the Local Committee. It was noted that John Ray Gardens in Black Notley had been added to the request for funding.

The Committee evaluated the level of priority attached to each scheme and felt that the Silver Street site was the most urgent. Members agreed that The Cut Throat Lane site was a high priority, but it would not be possible to deal with this work quickly as plans to extend the site were still waiting for planning approval and would need to go out to consultation. Members proposed that Cut Throat lane go ahead as soon as possible in the 2009/10 budget provision.

Decision:

1. That funding of £20k be agreed to fund Silver Street allotment improvement
2. **That it be recommended to Cabinet** to fund the Cut Throat lane improvements as soon as possible from the 2009/10 central budget.

26.2 Braintree District Sustainable Community and Development Strategy 2008-2025, and the Braintree District Local Development Framework (LDF) Consultation.

a) Development of the Braintree District Sustainable Community and Development Strategy 2008 – 2025. Presented by Eleanor Dash

The Sustainable Community Strategy and the Braintree District Local Development Framework Core Strategy were very comprehensive documents. As both were due to be revised/prepared, it was decided to adopt a joint approach making it easier for the public to understand and respond to.

The joint Consultation Process for the Sustainable Community Strategy and the Local Development Framework were outlined.

Merging the Sustainable Community and Development Strategy and the Braintree District Local Development Framework was still being worked on and would be presented to the LDF Panel on the 24th September, followed by the Local Strategic Partnership in October.

Any suggestions from Members that may enhance this document were requested to contact Sara Moutard directly.

Members requested that a flow diagram be prepared to help make the report more understandable.

b) The Core Strategy Draft Growth Location Proposals

Eleanor Dash presented the report as Planning Policy Manager

The report set out the strategic principles determining future development in the district, the proposed settlement hierarchy and proposed growth locations. In consideration of growth locations, members were asked to consider where proposed sites were located and where appropriate sites could be placed. The LDF would decide whether to amend the Core Strategy before taking to full council on the 24th October and prior to public consultation at the end of October 2008.

Major sites had already been allocated and studies on the capacity of sites had been undertaken. A 5-year future plan of land for growth location outside the development boundaries would be required and to include employment land for local employment. Vacant employment land had already been identified but more were being sought to keep options flexible.

Various sites and options of growth locations, regeneration plans and alternative location areas were identified for the Witham area with Maps.

10:15 In accordance with the Council procedure rules, it was moved, seconded and agreed that the meeting continue.

A letter of objection had been received from Rivenhall Parish Council in respect of proposals relating to the Parish. This would be considered by the Local Development Framework Panel.

During discussion of the report, Cllr Gyford stated that out of the 9 sites proposed by developers, there was no evidence to show reasons why the 3 selected sites shown in the report had been chosen. The Committee had not been pre-warned of selections to be able to give an informed view. He therefore moved the following motion which was seconded by Cllr Evans and carried by the Committee;

“The Committee finds itself unable to comment meaningfully on the proposed Draft Growth Location Proposals for the Witham area due to a lack of adequate information in the report.

The Committee therefore requests a further report containing an informed comparative analysis of the various possible growth locations, including those submitted by developers and landowners.”

Ward Members from Hatfield Peveral voiced their concerns stating that this was their first indication that anything was planned for the area and stated that references made in the LDFP report concerning the A12 provision were unacceptable.

Eleanor Dash advised the Committee that this report was for Local Members to voice concerns. A supplementary technical document including a more detailed site selection matrix would be issued as a Technical Supplement to the joint Strategy. This would be submitted to the Local Committees at a later date.

Cllr Abbott endorsed the motion to request a further report, and wished to have it noted that he did not support proposals for Rivenhall.

Decision:

1. That Rivenhall Parish Council's objection be considered by the Local Development Framework Panel.
2. That the LDF Panel be advised that the Local Committee felt unable to comment meaningfully on the proposed Draft Growth Location Proposals for the Witham area due to a lack of adequate information in the report.
3. That the proposed motion for a further report containing an informed comparative analysis of the various possible growth locations be drafted.

**26.3 Town Centre Regeneration – Braintree, Witham and Halstead.
(Three Towns – One Vision)**

- a) Members were to decide to appointment a member of the Braintree Local Committee to the Town Centre Regeneration Programme Steering Board
- b) Members were asked to note the date of briefing on Sept 29th.

Decision:

- a) That Cllr Sandra Howell be appointed to represent the Witham Local Committee on the Town Centre Regeneration Programme Steering Board.
- b) That the date of briefing scheduled for 6pm Monday 6th October 2008 at Causeway House be noted.

26.4 Community and Housing investment Partnership (CHIP) Fund Update.
Members noted the report

26.5 Budget Consultation Process 2009/10.
Members noted the attached timetable from the Head of Finance.

26.6 A12 Commission.

Members noted the report. Some felt that the report outlining the A12 inquiry recommendations could be more forceful, although it was also stated that sensible measures had been taken.

26.7 Community Initiatives Fund.

Members noted details of Essex County Council's Community Initiatives Fund. and that rounds would close 12th September and 16th January.

26.8 Local Development Framework Panel.

Members noted that the recommendation concerning the preparation of a development brief for the area around Rickstones Pavilion was considered by the LDF Panel at its meeting held on 4th September 2008. A copy of the draft minute of the LDF Panel was attached for Members information.

27 Witham Local Committee Action Plan and Priorities

27.1 Local Committee Action Plan

A revised list of proposed priorities was presented to the Committee to consider.

Priority 1 - Issues over Mid Essex Primary Care Trust (PCT) improved health facilities in the Witham Local Area and monitoring the progress of the PCT's Strategic Service Development Plan (SSDP).

Decision: Cllr Foster volunteered to take up issues over improved health facilities in the Witham Local Area and to update the Local Committee on the progress of the SSDP.

Priority 2 - Issues over the review of HGV signage and routing throughout Witham Town Centre along with parking issues to be taken up with Essex County Council in the Witham Area

Decision: Cllr Lager to arrange for issues over the review of HGV signage and routing throughout Witham Town Centre and parking issues to be included on the next Witham Traffic Management Liaison Panel agenda to progress.

Priority 3 - To identify suitable roundabouts in Witham Town that would benefit from planting schemes and seek funding to implement the agreed improvements and schemes.

Decision: Cllr Ramage, as member of Witham Town Centre Management Committee agreed to discuss schemes and funding at their next meeting.

28. Future Items

Town Centre Regeneration – Braintree, Witham & Halstead - 18th November 2008

Local Priorities for 2009/10 Budget - 18th November 2008

Review of Community Halls - 18th November 2008

Housing Strategy - 27th January 2009

Consultation on 2009/10 Budget Proposals - 27th January 2009

Street Scene Litter Strategy - 27th January 2009

Decision: The Committee noted the list of items for the next meeting.

29. Any Other Business

Members noted that the 18th November Committee meeting would be held at Silver End Village Hall.

The Chair informed the Committee that this would be the Local Coordinator, David Triggs', last meeting as he was leaving the Council.

Members extended their thanks to David and wished him well.

The meeting concluded at 10:43pm

T J W FOSTER

(CHAIRMAN)

QUESTIONS FROM PAUL RYLAND

1. Questions from Paul Ryland in a personal capacity

What are the council's proposals to bring about changes at Witham Station?

- (a) In respect of the new entrance which has been promised 25+ years;
- (b) In respect of the newspaper vendor will the council reconsider its proposals and permit the existing facilities to remain as is until such time as a new facility has been created?
- (c) In respect of a multi story car park which has been promised 10+years. Along with redevelopment of surplus land.)

2. Questions from Paul Ryland as Chairman of the Strategy Group.

What are the council's proposals in respect of the future provision of:

- (a) A new municipal swimming pool for Witham?
- (b) New dry leisure facilities? Could these be provided by a commercial operator?

RESPONSES

From Lee Crabb Head of Environment, Braintree District Council

Question 1b - In respect of the newspaper vendor will the council reconsider its proposals and permit the existing facilities to remain as is until such time as a new facility has been created?

No... as this matter is not a matter of discretion.

To trade in his current location Mr Rao requires a Street Trading Consent. As part of the legal process of granting him consent this Council (BDC) must gain the permission of Essex County Council's Highways Department (on Mr Rao's behalf) as his van is parked on the highway. The highways department have refused permission citing the fact that a new 'clearway' order is being applied to this stretch of highway.

Therefore this Council is unable to grant consent for Mr Rao to trade and as long as he continues to trade he is in breach of the legislation and this Council has no other option other than to take a prosecution against him for trading without consent.

It should be stressed that representatives from both the District Council and the County Council have met with Mr Rao in an attempt to find him a suitable alternative trading location. A number of suitable alternatives have been put forward but Mr Rao has so far declined advice and rejected the alternatives suggested.

From Eleanor Dash Planning Policy Manager, Braintree District Council

Question 1a & 1c - What are the Council's proposals to bring about changes at Witham Station?

1(a) In respect of the new entrance, which has been promised 25+ years.

The new Station entrance is a proposal by Essex County Council to provide a second entrance, by means of an extension to the existing station footbridge, connecting to the existing station car park, off Easton Road. Braintree District Council supports the provision of this second entrance. The County Council are pursuing funding for this scheme and expect to begin construction on site in the first quarter of 2009.

1(c) In respect of a multi-storey car park, which has been promised 10+ years. Along with redevelopment of surplus land.

It is incorrect to state that 'a multi-storey car park has been promised for 10+ years.' The District Council designated land off Cut Throat Lane, close to the station, for car parking in the Local Plan Review adopted in 2005, to protect this land-use. This land was, and still is, in use as a surface level car park.

The landowner submitted a planning application in 2002 for the erection of a multi-storey car park and restaurant. It was withdrawn in 2006.

The District Council are in discussion with Essex County Council to try to facilitate a link road across this surface level car park, which is included as a road proposal in the Local Plan Review. This link road /access is currently obstructed by a wall adjacent to Cut Throat Lane. The County Council are currently pursuing the removal of this wall.

Answers from Russell G Everard, Head of Enterprise, Culture & Leisure

Q2(a) The Council's position regarding swimming pool provision in Witham

This is detailed in the report considered by Cabinet at its meeting on 1st September 2008 – copy attached.

Q2(b) New dry leisure facilities? Could these be provided by a commercial operator?

DC Leisure Management Ltd., currently operate leisure facilities on behalf of the District Council. The contract for this service expires in 2012 and it's likely that a retendering process for a new contract for the Braintree district will commence sometime in 2010.



LEISURE ISSUES AND MALTINGS ACADEMY

Agenda Item 5b

Contact Details:-	Allan Reid
Designation:-	Chief Executive
Ext. No:-	2002
E Mail Address:-	allan.reid@braintree.gov.uk

Background Papers:-	Nil
Financial Implications:-	No immediate implications
Equalities Implications:-	No immediate implications
Legal Implications:-	None
Options:	To be assessed
Risks:	Nil at present

EXECUTIVE SUMMARY

The establishment of the Maltings Academy and their plans to build new sporting facilities will impact upon the current leisure provision. It is proposed to work with the Academy to develop proposals/options on replacement leisure facilities.

DECISION

That the Cabinet endorse the way forward as set out in the report.

1. Background

An announcement was made in March 2008 that John Bramston School and the Rickstones School in Witham would be part of a three-way academies initiative with Greensward College in Hockley. David Triggs, representing the Academies Enterprise Trust, met with the Chief Executive in May 2008 to outline their proposals for the project, and offered the Council an opportunity to join the Academies Enterprise Trust Board, sometime in the future.

We understand that it is the intention of the Trust to build new educational facilities at both sites and demolish the existing structures. They have a time frame for completion of September 2011. Essex County Council will be undertaking the works on behalf of the Academy.

2. Transfer of Land

As part of establishing the new Academy, the Council has been approached regarding the transfer of land and buildings that are part of Bramston Sports Centre and currently owned by Essex County Council. The land and buildings cover the majority of the dry side area.

There would be no cost involved in this transfer and discussions regarding the joint-use agreement are underway, based upon the principle that the changes brought about by Academy status would not financially impact upon the Council.

3. Sports and Leisure Facilities

Witham Academies

Discussions are taking place with the new Maltings Academy and Essex County Council regarding the future provision of sports facilities.

The Academy/Essex County Council are planning to replace the sports halls by September 2011 as part of their new build programme. Negotiations are taking place on:

- (a) The transfer of part of the Bramston Sports Centre site to the Council.
- (b) A revision of the joint-use agreement until the replacement of the dry side sports halls in 2011.

The principle that has been adopted on both the issues is that the Council should not suffer any financial detriment.

The replacement of the sports halls, which we understand will be available for community use, brings into question the future of Bramston Sports Centre. The main issue is the provision of wet facilities (swimming pool). As Members will be aware, currently the Bramston Sports Centre is a significant cost, in both capital and revenue, to the Council. Therefore, any new leisure provision will require detailed planning to ensure that such provision is appropriate, affordable and accessible within the District. We have therefore extended the discussion with the Academy/Essex County Council into the wider provision of leisure facilities and the options that are available.

It is planned to bring a full report on the options available to a Cabinet meeting in the autumn, which will cover:

- (a) The provision of leisure facilities, to be provided by the Academy, available to the community.
- (b) The implications on (a) above on the current provision.
- (c) The options for leisure facilities provision.
- (d) A plan/timetable on any reprovision linked to the Academy build plan.

It is the intention to move forward on the leisure provision currently within Witham on the following basis:

- (a) That the Council accepts the freehold for the Bramston Sports Centre at a nominal price.
- (b) That the joint-use agreement is established with the Academy at no significant cost to the Council.
- (c) That discussions are held with the Academy/Essex County Council regarding the reprovision of leisure facilities on the Bramston site.
- (d) That an options paper is brought to Cabinet on the provision of leisure facilities in Witham and within the District.