

# Place Services and Economic Growth Scrutiny Committee

<b>10:30</b>	<b>Monday, 12 September 2016</b>	<b>Committee Room 1, County Hall, Chelmsford, Essex</b>
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**Quorum: 5**

Councillor D Louis  
Councillor S Barker  
Councillor K Bobbin  
Councillor T Cutmore  
Councillor I Grundy  
Councillor C Guglielmi  
Councillor T Hedley  
Councillor J Huntman  
Councillor D Kendall  
Councillor C Pond  
Councillor S Robinson  
Councillor A Turrell  
Councillor K Twitchen  
Councillor A Wood

Chairman

**For information about the meeting please ask for:**

Christine Sharland, Scrutiny Officer

Lisa Siggins Committee Officer

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**[www.essex.gov.uk/scrutiny](http://www.essex.gov.uk/scrutiny)**



Essex County Council

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## **Part 1**

(During consideration of these items the meeting is likely to be open to the press and public)

		<b>Pages</b>
<b>1</b>	<b>Membership of the Committee</b> At the full Council meeting in July 2016 changes were agreed to the membership of the Committee namely Councillor Anne Turrell has replaced Councillor Tony Durcan. A full list of the Committee's membership is set out on the front page of this agenda.	
<b>2</b>	<b>Apologies and Substitution Notices</b> The Committee Officer to report receipt (if any).	
<b>3</b>	<b>Minutes</b> To approve as a correct record the Minutes of the meeting held on 26 May 2016.	<b>5 - 14</b>
<b>4</b>	<b>Declarations of Interest</b> To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct.	
<b>5</b>	<b>Questions from the Public</b> A period of up to 15 minutes will be allowed for members of the public to ask questions or make representations on any item on the agenda for this meeting. On arrival, and before the start of the meeting, please register with the Committee Officer.	
<b>6</b>	<b>Call In of Decision FP/556/07/16: The North Essex Parking Partnership Joint Committee</b>	<b>15 - 58</b>
<b>7</b>	<b>Call in: Decision FP/566/08/16: Tackling the Illegal Disposal of Waste at RCHW Centres</b>	<b>59 - 72</b>
<b>8</b>	<b>Local Highways Panels</b> To receive report PSEG/19/16 concerning activity arising from the Committee's workshop on 30 June 2016.	<b>73 - 76</b>
<b>9</b>	<b>Local Bus Consultation: Local Bus Tender Round 2017</b> To receive report PSEG/20/16 concerning consultation referred to the Committee in July 2016.	<b>77 - 80</b>

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| <b>10</b> | <b>Highways Surface Dressing Site Visit</b><br>To receive report PSEG/21/16 concerning a Committee site visit that took place in June 2016.   | <b>81 - 82</b> |
| <b>11</b> | <b>Date of Next Meeting</b><br>To note there will be a formal meeting of the Committee on Thursday 22 September 2016, and an agenda for the meeting will be circulated in due course.             |                |
| <b>12</b> | <b>Urgent Business</b><br>To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency. |                |

### **Exempt Items**

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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| <b>13</b> | <b>Urgent Exempt Business</b><br>To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency. |
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**MINUTES OF A MEETING OF THE PLACE SERVICES & ECONOMIC  
GROWTH SCRUTINY COMMITTEE HELD AT COUNTY HALL,  
CHELMSFORD ON 26 MAY 2016**

**Present:**

Councillor D Louis (Chairman)	Councillor D Kendall
Councillor K Bobbin	Councillor M Maddocks
Councillor A Durcan	Councillor C Pond
Councillor I Grundy	Councillor S Robinson
Councillor C Guglielmi	Councillor A Wood
Councillor J Huntman	

Councillor Henderson also attended the meeting for Minute 7 on the Jobs, Welfare and Skills Scrutiny Review.

The following Officers were present in support throughout the meeting:

Christine Sharland	-	Scrutiny Officer
Lisa Siggins	-	Committee Officer

**1. Chairman and Membership of the Committee**

At the full Council meeting on 10 May 2016 Councillor Derrick Louis was appointed as Chairman of the Committee.

Councillors Simon Walsh, Andy Erskine and Ivan Henderson are no longer members of the Committee, and Councillors Ian Grundy, Jamie Huntman and Tony Durcan have been appointed to its membership. The Committee's formal membership is set out below:

Councillor D Louis (Chairman)	Councillor T Hedley
Councillor S Barker	Councillor J Huntman
Councillor K Bobbin	Councillor D Kendall
Councillor T Cutmore	Councillor C Pond
Councillor T Durcan	Councillor S Robinson
Councillor I Grundy	Councillor K Twitchen
Councillor C Guglielmi	Councillor A Wood

At the meeting the Committee paid tribute to Councillor Simon Walsh as its former Chairman for his capable and diligent leadership over several years as a Scrutiny Committee Chairman. At the aforementioned full Council meeting Councillor Walsh had been appointed as the Cabinet Member for Environment and Waste.

The Chairman also placed on record the Committee's appreciation for the positive contribution made by those councillors to the Council's scrutiny activity who are no longer members of the Committee, and welcomed those councillors who had now joined its membership.

## **2. Apologies and substitution notices**

Apologies were received from Councillors Barker, Cutmore, Hedley and Twitchen.

Councillor Hedley was substituted at the meeting by Councillor Maddocks. However, Councillor Canning who was due to substitute for Councillor Barker had himself had to send his apologies as he was no longer able to attend.

## **3. Minutes**

The Minutes of the Committee meeting held on 21 April 2016 were approved as a correct record and signed by the Chairman.

## **4. Appointment of Vice-Chairmen**

Councillor Wood was appointed as a Vice-Chairman with the agreement of the Committee, together with Councillor Huntman in line with Minute 3/ May 2014.

## **5. Declarations of Interest**

With reference to Minutes 8 and 10, Councillor Pond declared a personal interest in that he is a member of Epping Forest District Council and Loughton Town Council.

With reference to Minute 8 Councillor Grundy declared a personal interest in that he is a member of the South Essex Parking Partnership, and Councillor Durcan declared a person interest in that he is a former Vice-Chairman of the North Essex Parking Partnership.

## **6. Questions from the Public**

There were no questions raised by members of the public.

## **7. Jobs, Welfare and Skills Scrutiny Report (Minute 5/ November 2016)**

The Committee considered report PSEG/12/16 seeking its endorsement of the final scrutiny report of the Task and Finish Group that comprised Councillors Ivan Henderson, David Kendall, and Simon Walsh, and is the culmination of an in depth review of nearly two years duration. The scrutiny report sets out the Group's findings and recommendations based upon the evidence it obtained and analysed in line with

its agreed terms of reference. During the review the Group had met with a wide variety of local providers and practitioners, which reinforced the importance of understanding a number of traditionally distinct policy areas as a whole system.

The Committee was already familiar with the main findings of this scrutiny review as a result of a presentation in November 2015 (Minute 5), and at that time Councillor Bentley had encouraged the Group to deliver some strong recommendations.

At the meeting Councillors Henderson and Kendall shared some of their personal impressions of the evidence that they had uncovered during the investigation, and in doing so highlighted how national policies and practice may be translated at a local level as well as the experience of individuals in the current employment, skills, careers, and welfare to work systems. The Group was supported by Craig Elliott, Senior Policy & Strategy Advisor (Place).

The Group explained some of the problems that exist in the systems governing the employment, skills, careers advice and welfare to work that result in a maze of uncoordinated provision. By way of example:

1. The education and skills system delivers a mismatch between supply and demand, caused by poor incentives. Businesses may be left unable to find appropriately skilled and work ready recruits and unable to upskill their workforces.
2. Careers advice is patchy in schools. Some young people are left unable to make informed choices about their careers or educational needs, and there is a failure to signpost young people to vocational opportunities in local growth sectors.
3. The welfare to work system leaves too many local people stuck in the revolving door between unemployment and poorly paid jobs. The Department for Work and Pensions failure to find interdepartmental solutions with the skills system can undermine an individual's chances to upskill, progress in work and get themselves out of benefit dependency at a local level. Worse still, our most disadvantaged and vulnerable residents are left un(der)supported.

Councillors Henderson and Kendall referred to some scepticism that the Group had shared at the outset of the review because they had not been sure what they could achieve by conducting a scrutiny review. However, the way that the review itself evolved had been enlightening given the broad range of individuals and organisations interviewed. The review was undertaken from a strategic standpoint and took into account the impact of national policies upon individuals and local conditions in practice. Overall the Group felt that there should be more accountability at a local level and the County Council was well placed to take on a key role in the co-ordination of many of the matters investigated, and to target resources more effectively. By way of example attention was drawn to 'Energising Harwich', a local project where training is geared towards the needs of local employers and 90% of those individuals undertaking its courses subsequently found employment; young people need to be better informed about what job opportunities exist across Essex; and there needs to be better continuity in the services provided.

The Group's recommendations, as set out in the scrutiny report, fall into two main categories: Those that propose ECC Cabinet should lobby Central Government, and others that propose action by the Cabinet itself.

Councillor Pond drew attention to the role of the County Council's Adult Community Learning (ACL) that has not been referred to in the scrutiny report. The remit of the scrutiny review had led the Group to take a strategic approach to the issues undertaken and to engage with external bodies, rather than to focus in any depth on the County Council's own services such as the ACL. Nevertheless the Group acknowledged that the ACL does play a role in skills development, and would consider the inclusion of a suitable reference to its work in the final report.

The Committee **agreed** the publication of the final Scrutiny Report 'We can work it out: The case for a locally determined employment, skills, careers advice and welfare to work system in Essex', which includes the following recommendations:

- A. That the Cabinet be recommended to lobby Central Government in the following matters:**
- 1. To work more effectively with Essex County Council and the employer-led Essex Employment and Skills Board to shape local provision for jobs, skills and welfare across the county to meet local needs.**
  - 2. To transfer responsibility for employment, skills, careers advice and welfare to work to Essex County Council, so that it may determine multi-annual, area based budgets that deliver a more effective and responsive skills system, with the ability for capacity and provision to be adjusted to reflect changing local needs.**
  - 3. To create a statutory duty that requires all education, employment, skills and welfare to work providers delivering in Essex to be accountable to Essex County Council.**
  - 4. To implement a single overarching strategy framework across the Department for Work and Pensions, Department for Business, Innovation and Skills, Department for Education and other relevant Departments to support systemic change that gives autonomy to local areas to design, commission and deliver local provision that meet local needs.**
  - 5. To introduce national indicators and incentives for schools, which recognise the parity of vocational and academic attainment, and measure employability as well as employment outcomes.**
  - 6. To remove existing barriers to data sharing between Government departments and local partners:**
    - a. To enable more effective multi-agency working with those individuals with the most complex needs; and**

- b. To track the success of interventions and individuals more effectively in order to evaluate the medium term economic and social impacts (costs and benefits) of employment, education, skills, careers advice and welfare interventions locally. Based on this evaluation, the best interventions to meet local needs long term can be determined.**
- 7. To delegate greater autonomy to Jobcentre Plus district managers through the place based budgets so that where appropriate budgets can be pooled with local partnerships to deliver better outcomes for local communities.**
- 8. To enable greater local determination of national funding streams for more effective support of local projects, which deliver sustainable job outcomes in key growth sectors; and extend multi-agency and key worker approaches to vulnerable people (e.g. through Essex County Council's Family Solutions) to enable them to move from unemployment and dependency to employment and independence.**
- 9. To work with Essex County Council to develop a locally bespoke Work and Health Programme, based on appropriate unit costs, to improve the employment prospects for the long term unemployed and for those with health problems.**
- 10. To co-invest with Essex County Council, using health and welfare funding, in employment and skills provision with a view to reducing more costly demand pressures for the National Health Service and Department for Work and Pensions in the future.**

**B. That the Cabinet be recommended for Essex County Council to act:**

- 11. To work in partnership with local schools and employers to deliver clearer vocational pathways for young people aged 14 and over, improving careers advice and expanding the successful local education and industry programme to all schools to improve advocacy and signposting to young people by the end of March 2018.**
- 12. To develop a work experience programme involving public, private and voluntary sector organisations to support Essex pupils to be more work-ready, offering more opportunities for placements within Essex County Council by the end of March 2018.**
- 13. To work closely with skills, welfare to work and transport providers to identify ways of improving the transport connectivity that enable local people to access employment and skills opportunities.**
- 14. To collaborate with local Clinical Commissioning Groups (NHS) and other Health partners to support those with physical and mental health**

issues into employment.

**15. To consider the feasibility and delivery of the following pilot projects by March 2018:**

- a. To create a clearer vocational route for individuals from age 14, working with schools and skills providers;
- b. To expand multi-agency and key worker approaches, employed by Essex County Council's Family Solutions Service, to wider cohorts of disadvantaged and vulnerable residents in Essex.
- c. To develop industry focused careers information for schools, supporting Recognition of Quality Awards for Careers Advice accreditation and extending the education and industry programme and Employability for Life resources to all Essex schools.
- d. To develop invest to save initiatives through early intervention and prevention, and to reduce welfare dependency and costs to health services in the future.
- e. To investigate the feasibility of an Essex County Council traded Connexions type service.

**16. With particular reference to the forthcoming Work and Health White Paper, the Committee wishes to be afforded an opportunity to input into the County Council's consultation response to the Government and Select Committees, and for the conclusions reached in this scrutiny report to be reflected in that response.**

Councillors Henderson and Kendall thanked everyone who had taken part in the scrutiny review and those officers who had provided support to the Task and Finish Group.

The Committee congratulated the Group upon an extremely thorough and important piece of scrutiny investigation. They also reinforced the need to follow up outcomes that arise from the recommendations.

It was confirmed that as part of the next stage in the publication of the scrutiny report, a plan was being developed for its launch to ensure that its findings were acted upon that would include:

- Publication of the scrutiny report.
- Developing a pamphlet to lobby and engage a variety of stakeholders including Essex MPs, LGA and other local authorities, relevant government departments and relevant parliamentary select committees.
- Raising awareness of the issues identified in the scrutiny report through press releases.
- Promoting Essex as a forward thinking local authority in this field.

The Committee would be kept informed of any follow action taken, together with the Cabinet Member's response to the recommendations.

The Chairman thanked the Group for their presentation and offered thanks to all those officers involved in the Report.

## **8. Essex Parking Partnerships (Minute 6/March 2016)**

The Committee considered report PSEG/13/16 enclosing its final scrutiny report of its review of the future of the Essex Parking Partnerships for its formal endorsement.

At its meetings on 21 January 2016 (Minute 5) and 24 March 2016 (Minute 6) the Committee cross examined the Essex Parking Partnerships in order to understand more about those bodies, and to consider the Executive Review of their formal arrangements and operation prior to any decisions being made on the future of the two Partnerships namely the North Essex (NEPP) and South Essex (SEPP) Parking Partnerships.

Following its March meeting the Committee had met to develop its conclusions, which were now captured in the scrutiny report attached to report PSEG/13/16. Members had been consulted previously upon the content of the draft scrutiny report.

At the meeting attention was drawn to concerns around operational issues and in particular enforcement. For instance weekend and evening enforcement appeared to be poor. It was suggested that the Essex Parking Partnerships could liaise with District Councils on how “off street” parking attendants might be utilised in respect of the enforcement of “on street” parking restrictions.

The Committee **agreed** the publication of the ‘Scrutiny Report on the Future of the Essex parking Partnerships’, including the following recommendations:

- 1. That the Essex Parking Partnerships and ECC Cabinet Member be advised that on balance the Committee support the proposed four year extension of the NEPP and SEPP agreements.**
- 2. That the ECC Cabinet Member for Highways and Transport Delivery be advised that the Committee considers that the County Council should not withdraw its subsidy from the Parking Partnerships until such time as they are able to be wholly self-financing.**
- 3. That the Essex Parking Partnerships be urged to provide greater clarity on the role of external funding upon the implementation of new schemes.**
- 4. That the NEPP and SEPP publish a regular newsletter for all elected county and district councillors to ensure that they are kept informed of local parking issues and proposals within each Partner Authority area; and in addition circulate to those councillors all agenda and minutes associated with the Joint Committees.**

5. **That the Essex Parking Partnerships review current practice with a view to further improvements being made to raise public awareness of their role and activities.**
6. **That the Committee support the introduction of a job description for the Partner Authorities' representatives on the Joint Committee, and propose that it should include a responsibility for ensuring that all elected members of their respective administrative areas are kept informed in advance about NEPP/SEPP activity, and the dates of Joint Committee meetings.**
7. **It was requested that the Partnerships' formal response to these recommendations be forwarded to the Committee before any final decisions on their future are determined.**

In addition when forwarding the scrutiny report to the Essex Parking Partnerships, the Committee wished to draw the Partnership's attention to mitigating any shortfall in parking enforcement for instance "off street" parking attendants as mentioned above.

#### **9. Third Party Responsibilities and Flood Enforcement Scrutiny Report**

The Committee noted report PSEG/14/16 concerning an interim response from a Cabinet Member to this Scrutiny Report.

The Committee confirmed that it will continue to monitor outcomes arising from the recommendations, and the Cabinet's full response to the scrutiny report would be submitted to the Committee in due course.

#### **10. Call In Of Decision: FP/495/04/16 - Proposed Traffic Regulation Order Changes – Langston Road Retail Park, Loughton**

The Committee received report PSEG/15/16 concerning the recent call in of the above decision.

At the meeting it was confirmed that the call in had been withdrawn following an informal meeting. A note of the informal meeting including the Cabinet Members' written confirmation of actions to be taken as a result of the Call In had been published on the Council's website with the Committee's agenda for this meeting.

#### **11. Committee's Work Programme 2015/2017**

The Committee received report PSEG/16/16 setting out committee activity over the next few months.

The Chairman confirmed the cancellation of the Committee's formal meeting scheduled for 21 July. Instead an activity day would be held on 30 June that would take the form of a workshop to review the Committee's achievements and lessons learned to date, and to consider its work programme for the next six months.

There was general support for taking forward a scrutiny review of Local Highways Panels as a priority.

## **12. Date of Next Meeting**

The Committee noted that a site visit to consider highway surface dressing would be taking place on Thursday 9 June 2016.

There being no urgent business the meeting closed at noon.

Chairman



		<b>AGENDA ITEM 6</b>
		<b>PSEG/17/16</b>
<b>Committee:</b>	<b>Place Services and Economic Growth Scrutiny Committee</b>	
<b>Date:</b>	<b>12 September 2016</b>	
<b>REPORT OF CALL IN: DECISION OF THE NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE ‘THE ESSEX COUNTY COUNCIL (UTTLESFORD DISTRICT) (PERMITTED PARKING AND SPECIAL PARKING AREA) (AMENDMENT NO.40), AKA “TRO-5523’</b> <b>Decision Reference FP/556/07/16</b>		
<b>Enquiries to:</b>	<b>Christine Sharland, Scrutiny Officer</b> <b>Christine.sharland@essex.gov.uk</b>	

On 26 July 2016 Councillor Chris Pond called in, on behalf of Councillor John Lodge, decision FP/556/07/16 relating to Minute 6 of the North Essex Parking Partnership Joint Committee meeting held on 30 June entitled ‘The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40),- Consideration of objections’.

In line with the procedure for handling the call in of a decision, an informal meeting was held on 16 August 2016. A copy of the Notification of Call-In form and the formal note of that meeting are attached at the Appendices A and B.

The outcome of the informal meeting was that Councillors Pond and Lodge decided that they wanted this call in to be considered by the full Committee.

A copy of the North Essex Parking Partnership decision is set out in the Joint Committee Minute 6/ June 2016 as reproduced below.

Minute of NEPP Joint Committee dated 30 June 2016

**6. The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40) Order – Consideration of Objections**

Councillor Robert Mitchell introduced the report on the Essex County Council (Uttlesford District Area) (Amendment No.40) Order and highlighted the e-mail correspondence from Essex County Councillor for Saffron Walden Councillor Jon Lodge.

Councillor Susan Barker stated that the Essex County Council Order was required to remove the number of parked cars along the roads which cause a number of blind spots. The Traffic Regulation Order would allow for the traffic on the affected roads to run without the obstruction of parked cars. Councillor Barker also highlighted that the scheme was created following a traffic assessment of committed development on the east side of the town which indicated the need to improve traffic flow and air quality in the air quality management area covering the central part of the town.

Councillor Mitchell highlighted that many of the comments received were not necessarily objections, and that a high number of residents on the roads affected by the Traffic Regulation Order have Off-Street parking.

A member of the Committee questioned whether there had been a risk assessment on the introduction of this scheme given the cost of a potential challenge to the scheme. In response Richard Walker, Parking Partnership, stated that every Traffic Regulation Order is challengeable 6 weeks after it is made.

A member of the Committee also highlighted concern that different tiers of local government were not necessarily in agreement about the proposed Traffic Regulation Order.

Councillor Barker stated that there is no issue with those using the leisure centre to park when accessing local services.

*RESOLVED* that the Essex County Council (Uttlesford District)(Permitted Parking and Special Parking Area)(Amendment No.40) Order restrictions be approved.

Aside from the Minute itself, the report submitted to the NEPP Joint Committee on 30 June 2016 contains background information on the proposed waiting restrictions at Saffron Walden. While the main body of the NEPP report is reproduced at Appendix C to this report, it should be noted that there are references to a several large appendices, including representations received, that have not been reproduced here but may be accessed via the links identified to the North Essex Parking Partnership website. For ease of reference the link to that website is as follows:

<https://www.parkingpartnership.org/north/committee.aspx>

Please note that at every Joint Committee meeting there is an opportunity for the public to address the meeting, and at Minute 4 'Have Your Say!' of that meeting there is a record of three individuals who spoke in respect of the proposed new Traffic Regulation Order at Saffron Walden.

A copy of the Notice of Decisions and Joint Committee Minutes for 30 June 2016 can also be found via the Essex County Council website, or via the following link: [http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS\\_DecisionDetails/mid/422/Id/6850/Default.aspx](http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6850/Default.aspx)

The NEPP Group Manager has prepared a briefing paper, attached at Appendix D to this report, which sets out various information requested by Councillors Pond and Lodge. In summary it provides an overview of the TRO process, and the history behind the proposed waiting restrictions at Saffron Walden. The paper itself refers to a number of items that may be accessed electronically via the ECC website prior to the meeting on 12 September. Appendix D includes a timeline for Amendment 40.

### **Format for the Committee's consideration of this Call In**

The focus of the Committee's consideration at today's meeting is the NEPP Joint Committee decision that proposes to introduce a new TRO implementing a range of waiting restrictions at Saffron Walden, and the specific reasons given for the call in itself as set out at Appendix B to this report.

In line with the Call In Procedure, the format for consideration of this call in will be held according to the following stages:

1. Councillor Pond as the councillor responsible for the call in will be given the opportunity to make the case for calling in the decision, including an allocation of time to any other contributors whom they wish to call as set out in 2 and 3 below. An allocation of 30 minutes in total is allocated for stages 1, 2 and 3
2. Councillor Lodge the local member associated with the call in will then be invited to speak, as he has indicated it is his wish to do so.
3. Other interested parties will then provide evidence to the Committee – maximum of three minutes for each individual to address the Committee and up to three witnesses, subject to the discretion of the Chairman.
4. As the decision maker the NEPP will then be given the opportunity to answer the case and seek to justify the decision taken, including time given to any other contributors whom they wish to call. An allocation of up to 30 minutes is allocated for this stage.
5. There will then be an opportunity for other members of the Committee to ask questions in open debate.
6. The Scrutiny Committee shall then consider whether:
  - to refer the decision back to the person who made it (ie the NEPP Joint Committee); or
  - to refer the matter to the full Council to decide whether to refer the decision back to the NEPP Joint Committee which made it; or

- to accept the decision be implemented.
7. A member of the Committee must move a motion to do one of the above actions, and another member must second that motion. The Committee will the vote upon that motion.

**Action required by the Committee:**

**To consider the reasons given for the call in of decision FP/556/07/16 on the decision of the North Essex Parking Partnership Joint Committee 'The Essex County Council (Uttlesford District) (Permitted Parking And Special Parking Area) (Amendment No 40), aka "TRO-5523'.**

**List of information circulated with this report including website links to pertinent information:**

Appendix A	Notification of Call In
Appendix B	Note of Informal Call In Meeting held on 16 August – sets out nine reasons given for the call in
Appendix C	Joint Committee report on Saffron Walden proposals dated 30 June 2016 Includes details of the proposed TROs, representations received in response to consultation upon proposals, and links to plans, public notice and statement of reasons.
Appendix D	Briefing Paper prepared by Richard Walker, Group Manager, NEPP
<b>Web Links</b>	
NEPP Website, and Joint Committee agenda 30 June 2016	Joint Committee agenda for 30 June 2016 Joint Committee agenda for 30 June 2016 <a href="https://www.parkingpartnership.org/north/committee.aspx">https://www.parkingpartnership.org/north/committee.aspx</a>
Essex County Council	Published notification of NEPP decisions <a href="http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6850/Default.aspx">http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6850/Default.aspx</a>



## Appendix A to report PSEG/17/ 16

### Notification of Call-in

<b>Decision title and reference number</b> FP/556/07/16 North Essex Parking Partnership Agenda item 8. The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40), aka "TRO-5523"	
<b>Cabinet Member responsible</b> Cllr Johnson <i>(Nb It is in fact the NEPP Joint Committee that is responsible for this decision)</i>	<b>Date decision published</b>  21 <sup>st</sup> July 2016
<b>Last day of call in period</b>  26 <sup>th</sup> July 2016	<b>Last day of 10-day period to resolve the call-in</b> 9 <sup>th</sup> August 2016
<b>Reasons for Making the Call in</b> <ol style="list-style-type: none"> <li>1. The obligations under the Road Traffic Regulation Act 1984 we not met;</li> <li>2. The process by which the TRO was brought forward was not correct or fit for purpose and was flawed;</li> <li>3. No supporting evidence was produced or brought forward to justify the scheme;</li> <li>4. The scheme itself is does not meet the needs or priorities of Saffron Walden;</li> <li>5. The consultation responses of local residents, schools and businesses, and implications of those responses, were not properly considered;</li> <li>6. The needs, wishes and consultation responses of the Town Council, Town, District and County Councillors that were elected to represent Saffron Walden, and the and implications of their responses, were not properly considered;</li> <li>7. NEPP's process requires the prior approval of the Saffron Walden Town Council for such a scheme, and it was not sought;</li> <li>8. The Committee was deliberately misled on at least 5 occasions by the Applicant during the debate, which did have a direct outcome on the decision;</li> <li>9. At the Committee Meeting Cllr Susan Barker guided the Committee that Cllr Lodge should Call-In the decision so that ECC could amend the scheme, fix the safety and traffic-calming and other flaws in the proposals, because they were outside the remit of the NEPP and this was the only way to have the scheme amended;</li> </ol>	
<b>Signed:</b> Cllr Chris Pond on behalf of Cllr Lodge	<b>Dated:</b>  26 <sup>th</sup> July 2016

## **Appendix B to report PSEGSC/17/16**

**Note of Informal meeting held on 16 August 2016 regarding the Call In of the decision FP/556/07/16 relating to Minute 6 of the North Essex Parking Partnership Joint Committee meeting held on 30 June entitled 'The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40),- Consideration of objections'.**

In attendance

Essex County Council representation:

Councillor Chris Pond (Councillor responsible for calling the decision in)

Councillor John Lodge, Local Member

Councillor Andy Wood, Vice Chairman of Place Services and Economic Growth Scrutiny Committee

Christine Sharland, Scrutiny Officer

North Essex Parking Partnership Joint Committee representation:

Uttlesford District Councillor Susan Barker

Richard Walker, Parking Partnership Manager,

Trevor Degville, Parking Technical Manager

Jonathan Baker, Democratic Services Officer

Roger Harborough, Director of Public Services, Uttlesford District Council

David Sprunt, ECC Highways Officer

As Vice Chairman of the Place Services and Economic Growth Scrutiny Committee, Councillor Wood welcomed everyone to the informal meeting that had been convened in line with the County Council's Call In procedure to consider the above decision. He invited Councillor Pond to present his call in.

Councillor Pond explained that he had called in the decision on behalf of Councillor John Lodge. Under the Essex County Council's (ECC) Call In procedures Councillor Lodge had sought the Scrutiny Committee Chairman's agreement to call in the decision as his Division is particularly affected by the decision. However, as the Chairman was on holiday during the call in period Councillor Pond had interceded as a member of the Committee to call in the decision on behalf of a fellow County Councillor. He proceeded to ask Councillor Lodge to explain the call in.

Councillor Lodge questioned the number of NEPP representatives present. The Scrutiny Officer confirmed that it was not unusual for the decision taker to be supported by officers at an informal stage so that they could be called upon to answer questions and clarify points on the decision. In turn everyone present at the meeting introduced themselves and their roles.

Councillor Lodge proceeded to explain why he had called in the decision to introduce new waiting restrictions in Saffron Walden. He indicated that he would go through the nine reasons set out in the notification of call in and nine pages of the NEPP briefing paper circulated prior to the meeting in response to the points raised in the call in.

In setting the scene Councillor Lodge claimed that the proposals affected one mile of road and suppressed 200 parking spaces. He was immediately challenged on his claim by District Council representatives as parking in the affected roads are not marked parking spaces and the actual number of spaces alluded to. The discussion highlighted the ongoing disagreement that existed among those parties present.

Councillor Lodge focussed upon his claim that if the restrictions were imposed residents would be forced to find alternative parking facilities as well as adversely affecting other motorists wishing to park including parents dropping off their children to school. This had not been properly studied by those Authorities promoting the traffic regulation order (TRO), and no action had been taken to secure alternative facilities even at the Leisure Centre, as claimed by Councillor Barker, which he felt was too far away from the schools and currently had a sign on the premises to prohibit private parking. On the other side of the argument the NEPP claimed that these matters had been considered, and pointed out that the District Council is in a working partnership with the Leisure Centre and so was confident some parking facilities would be available there for instance for parents taking their children to school.

Councillor Lodge then talked about the magnitude of the problem maintaining that 200 car parking places would be lost that in a larger town like Chelmsford would equate to 2000 places. As mentioned in his reasons for the call in there must be a purpose for introducing a TRO and the NEPP had failed to take account of this requirement. He challenged whether or not a cohesive scheme had been presented to the NEPP and if required processes had been properly followed such as the completion of application forms.

Councillor Barker drew attention to the original wording of a Section 106 Agreement where the introduction of waiting restrictions was envisaged, and how the Essex County and Uttlesford District Councils and the NEPP had agreed to amalgamate various new proposals for waiting restrictions at Saffron Walden for the purpose of taking forward a more co-ordinated approach to the making of a TRO to amend restrictions in the town.

Cllr Barker also drew attention to ongoing discussions about highway matters and waiting restrictions in Saffron Walden including the notes of a meeting in July 2015 that Councillor Lodge had attended, pressing the point that he had been aware of how proposals had emerged. He disagreed with any suggestion that

everyone who had been party to the discussion including the Saffron Walden Town Council and himself, had given any approval for taking forward any proposals as items had only been for discussion.

Nevertheless Councillor Lodge sought to clarify how smaller individual TRO applications had been handled with particular reference to the unique numbers attributed to individual proposals, and challenged the authenticity of TRO-2253 and how the particular TRO (Amendment no 40), the subject of the decision, had been developed. He also referred to a Freedom of Information request submitted to the NEPP seeking proposal TRO 5523, which could not be traced. However, he was advised it was an ECC rather than NEPP proposal.

Councillor Wood interjected to seek the NEPP's advice on whether or not the TRO that was the subject of the decision called in had been formally advertised and consulted upon. In response Trevor Degville, the Parking Technical Manager, confirmed that the proper legal processes have been complied with in the way that the proposed TRO has been taken forward. The proposed new Order ECC (*Uttlesford District*)(*Permitted Parking Area and Special Parking Area*) (*Amendment No40*) Order comprises a number of individual new waiting restriction proposals that have come forward and are proposed to be consolidated into an existing Order that includes all waiting restrictions in Saffron Walden, ie the current ECC (*Uttlesford District*)(*Permitted Parking Area and Special Parking Area*) (*Consolidation*) Order 2008. While informal consultation around the new waiting restrictions took place when individual proposals first emerged, further proper formal consultation has taken place on the formal TRO as advertised that combines all the new proposals into one document. The formal consultation was initiated in January 2016, which included the publication of a public notice that had generated representations from the public (referred to in the NEPP Joint Committee report), and stakeholders were formally consulted too. As a stakeholder the Saffron Walden Town Council had been formally consulted and had indeed submit objections to the proposals.

Councillor Lodge referred to the flow chart produced by the NEPP that illustrates the process whereby applications for new waiting restrictions can be submitted, and to the provision that 50% residents need to be in favour of the proposal. He was of the opinion that the proposed TRO contradicted that requirement.

Richard Walker, NEPP Manager, clarified the policy and how proposals could come forward. The application process that Councillor Lodge had referred to was one of a number of routes that could give rise to a new proposal for waiting restrictions, and was an opportunity for members of the public to put forward a request. ECC and NEPP, as an agent, can take forward the making of TROs. The policies include reference as to how the process will work and the requirements, and they co-incide with legislation and Government guidance.

Councillor Lodge referred to a Joint Committee Sub Committee meeting in April 2013 where consultation with the District and Parish Councils was mentioned, and an amendment to an application form to show local support. Furthermore he challenged the lack of supporting evidence for the TRO. In response Councillor Barker referred to the way representations submitted to proposals are handled. Where representations may raise minor issues the NEPP Manager can determine the outcome, otherwise proposed TROs will be referred to the NEPP Joint Committee. She referred to the aim of trying to route traffic away from the town centre and improve local air quality.

Councillor Lodge directed his attention to David Sprunt, ECC Highways Officer, and sought clarification on ECC involvement. Mr Sprunt advised that the introduction of waiting restrictions had arisen as a part of the consideration of individual planning applications, and also the local highway network as part of the Local Plan process. The waiting restrictions are in response to the need to address existing local issues and growth, and improved air quality.

Councillor Lodge challenged the origin of studies that show that air quality would be improved, the scheme would encourage lorries in the town, and what evidence existed for the TROs? In response Mr Sprunt referred to an Air Quality Study that had been carried out by Ringway Jacobs across the whole town of Saffron Walden. He emphasised that the Study looked at the whole picture rather than being concentrated entirely on individual schemes. Junction improvements had been considered as part of the development taking place and took into account various issues including traffic flow and air quality. He stressed that proposals were based on logical argument and were not anecdotal.

Councillor Pond enquired about future development at Saffron Walden and if the TRO was proposed in response to future development, and did Uttlesford District Council have a Local Plan? Mr Sprunt confirmed that further development was going ahead in the town. However, existing development too would affect congestion and air quality in Saffron Walden that needed to be addressed now. Traffic signals were needed because of growth and current pressures upon the local highway network in the town. Councillor Pond was given confirmation that air quality data was already available, and that the TRO is part of the whole highways approach that is being developed across Saffron Walden.

Councillor Lodge challenged the validity of the TRO proposal because the Saffron Walden Town Council had not given its approval to the waiting restrictions, and he believed that the NEPP was obliged to have that approval before it could proceed.

In response Councillor Barker confirmed that the Town Council's approval was not required in order to take the TRO forward. She acknowledged that proposals can give rise to differing opinions. However, in accordance with the NEPP's approved policies, the NEPP was obliged to consult the Town Council but it did

not require its agreement to TRO proposals. ECC and NEPP officers had liaised on various waiting restriction proposals that had emerged for Saffron Walden over a few years, and agreed that the best way forward was to amalgamate all the restrictions into one TRO as now proposed.

Nevertheless Councillor Lodge emphasised that it remained his extant belief that the TRO was not a valid scheme. His legal advice was that the Town Council's agreement was required.

Richard Walker tried to reassure Councillor Lodge that the NEPP policies and procedures take account of DCLG (Department for Communities and Local Government) advice, and correspond with the South Essex Parking Partnership policies and procedures. He drew attention to page 8 of the NEPP briefing paper circulated beforehand that set out an extract from the NEPP TRO policy (2015) including the statutory consultation process.

Councillor Lodge held a different interpretation of the policies and would consult his lawyers. Nevertheless on philosophical grounds the scheme was under researched without any necessary benefits, and would be tested in Court. The Saffron Walden Town Council, and those County and District Councillors who represented the town were all opposed to the proposals. He suggested that further consultation should be undertaken in the town as residents would have to live with the waiting restrictions. ECC and the NEPP should reconsider the TRO and come back with a new scheme.

Roger Harborough, Head of Public Services, Uttlesford District Council, reminded those present that the District Council is the Local Planning Authority, and in that role it had taken into account what mitigation measures were necessary as part of proposed new development. In turn Councillor Barker drew attention to an extract from the Bell College planning application and ECC reference to the need for waiting restrictions. Councillor Lodge indicated that he would challenge that separately.

Councillor Wood intervened in the meeting pointing out that issues were being repeated, and it was important to move the informal meeting forward.

Councillors Pond and Lodge referred to the complexity of the issues under consideration, and need to establish antecedence on proposals.

Richard Walker drew attention to documentation that was published and available on the internet including the TRO proposals, Joint Committee papers, and planning applications in Saffron Walden.

As Councillor Lodge was not satisfied that he had been given the information he wanted and did not understand how proposals fitted together, Councillor Pond indicated that he would discuss the call in further with his colleague and would

decide within the next seven days what action he now proposed to take in respect of the call in of the NEPP decision.

In the meantime Councillors Pond and Lodge requested that the NEPP provide a clear schedule of all the elements that make up the unified TRO, which was approved on 30 June. Furthermore they wanted the schedule to show who initiated the proposal and the reason for it, together with the date and details of the process followed.

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## Appendix C to report PSEG/17/16



## ***North Essex Parking Partnership***

***June 30th 2016***

**Title:**

**The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40) Order – Consideration of Objections**

**Author:**

**Trevor Degville**

### **1. Decision(s) Required**

- 1.1. To approve, reject or defer the restrictions advertised in The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) Order Amendment No. 40 proposals

### **2.0 Introduction**

- 2.1 The NEPP has a delegated authority from ECC to introduce Traffic Regulation Orders (TROs). There is a legal process that must be followed when permanent TROs are introduced which involves a formal consultation period of 21 days during which objections may be made to the proposals. Any objections that are received must be considered before any restrictions are introduced.
- 2.2 The Joint Committee delegated powers to the NEPP Group Manager to be able to consider objections that are received and to decide whether the advertised proposal should become a sealed order, should be amended or should not progress. The delegated powers enable NEPP officers to introduce restrictions more quickly, although the overall time it can take to introduce parking and waiting restrictions can still be substantial.
- 2.3 A proposal being considered has generated a large response, with the majority of correspondence being received objecting to the proposal.
- 2.4 It has been suggested that from a traffic management perspective these restrictions remain important as part of overall transport improvements to the town and improvements in air quality. In view of this it is not felt

appropriate that officers decide the outcome of the proposals and that instead the responses are considered by the Joint Committee members before deciding whether the proposals should be progressed or not.

### **3.0 Saffron Walden Proposals**

- 3.1 In January 2016 NEPP advertised a Notice of Intention for The Essex County Council (Uttlesford District) (Permitted Parking Area and Special Parking Area) (Amendment No. 40) Order. Maps showing the proposed restrictions can be found in Appendix C - <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20C.pdf>

### **4.0 Objections**

- 4.1 162 objections have been received. One of the objections contains a petition with 122 names and addresses against the proposal. 15 correspondences in support of the proposals have been received. Notices of Intention only give details of how to make an objection to the proposals rather than how to show support for schemes.
- 4.1 When considering objections, the Joint Committee do not have to decide based on the number objections or supporting comments but on the validity or otherwise of the arguments that have been made.
- 4.2 It is not possible to discuss in detail every objection and comment that has been received in the main body of the report. Nonetheless, a brief description of the correspondence can be found at the end of the report. Redacted copies of all correspondence received can be found in Appendix A and B to this report. All appendices can be found at <https://www.parkingpartnership.org/north/committee.aspx>  
Direct links to Appendix A and B can be found below -
- Appendix A – <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20A%20Optimised.pdf>
  - Appendix B – <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20B.pdf>
- 4.3 Correspondence in support of proposals has included the following themes and comments.

- Ashdon Road is a bottleneck due to parked cars. This is one of two roads that are used for access to Cambridge, Bishops Stortford and motorways. It is suggested that most of the population of Saffron Walden uses those routes and there is need for the restrictions as if introduced they would improve both traffic flow and air quality
- Vehicles that are currently parking on the roads should be directed to park in Swan Meadow car park
- Additional restrictions to those proposed are needed in Ashdon Road
- "I am delighted that you are intending to put restrictions on parking in several Saffron Walden streets. Saffron Walden has a medieval street layout and can't cope with the heavy usage of vehicles"
- "I write in support of the parking restrictions proposed for Saffron Walden. They are long overdue, and I welcome them wholeheartedly"

4.4 The large majority of correspondences received have been objections. These include objections from Saffron Walden Town Council, Uttlesford District Councillors and Essex County Councillors. A petition objecting to the proposals has also been received with 122 signatures:

- The restrictions would have the effect of increasing the speed of traffic along residential roads. There will be less places for pedestrians to cross and the restrictions are generally designed purely for the benefit of motorists
- The removal of large amounts of on-street parking will adversely affect local residents, school users and commuters
- An urban clearway is not needed as delays are only for limited periods of the day during peak times (an urban clearway was not advertised but the principle of the objection would remain)
- NEPP has not followed its own procedures and so the scheme should be withdrawn
- Other actions are required instead of traffic regulation orders such as a by-pass being built
- Displacement of vehicles from those areas where restrictions are proposed will cause traffic flow problems and parking issues in other areas of the town
- Many residents who would no longer be able to park outside their properties live in Victorian terraced housing. The loss of on-street parking will cause problems for residents who have not got off-street parking or require visitors/deliveries.
- There will be a decrease in house values due to loss of parking
- Congestion only happens for a limited time at peak periods
- There has been no consultation with residents about the proposals
- The increase in the speed of traffic flow will make it more difficult to exit forecourts and driveways
- GPs and dentists have expressed concern about less parking for their patients

- 4.5 The WeAreResidents political group has published a response to the proposals which was available on the group's website during the consultation and also submitted as an objection. A copy of this objection can be found in Appendix D.
- <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%2040%20Consideration%20of%20Objections%20Appendix%20D.pdf>

## 5.0 Summary of Correspondence

Identification	Support/Object/Comment	Reasons
A	Support	Traffic flow - removal of bottle neck caused by parked cars
B	Support/Comment	More yellow lines and residents parking required than proposed
C	Support/Comment	Support but concerned about problems dropping off/collecting pupils at local schools
D	Support/Comment	Additional restrictions also required when joining Ashdon Road from Shepards Way
E	Support/Comment	Restrictions need to be patrolled. Request additional restrictions in Peal Road
F	Support	Removal of daytime parking is an excellent plan
G	Support	Improved traffic flow
H	Support	Would have preferred no waiting at any time on Borough Lane
I	Support	Improved traffic flow
J	Support/Comment	Support but concerned about pedestrians crossing on Peaslands Road
K	Support/Comment	Support but suggests a resident permit holder restriction on Springhill Road
L	Support	Suggests night time resident permits along Ashdon Road
M	Support/Comment	Support but suggests that there is a lack of safe areas to pick up and drop school pupils
N	Support	Currently inconsiderate parking causing problems. Parents not parking safely when collecting children
O	Support	Supports proposals affecting Mount Pleasant, Peaslands Road and Borough Lane
C1	Comment	Asks what provisions are being made for residents with no off-street parking
1	Objection	Town Council objections - various reasons including the proposed benefits are tenuous and ignore the nature of the roads in S.W.
2	Objection	Various reasons including the restrictions ignoring the nature of the roads, danger to pedestrians and increased traffic speeds
3	Objection	Various reasons including the proposals are unreasonable, disproportionate and unwanted
4	Objection	Parked cars do not cause any real problems. No proposal for displaced vehicles
5	Objection	Proposals unreasonable. Loss of amenity to residents and visitors to town. Failure to consider local plan
6	Objection	Traffic flow problems only occur at peak times. Local

		residents will be forced to park in other already congested areas.
7	Objection	Loss of parking spaces, increased vehicle speed, decreased house prices and needs of traffic being put above needs of residents
8	Objection	Increased vehicle speeds, displacement of vehicles causing problems, increased risk to pedestrians including school pupils
9	Objection	Loss of on-street parking but no off-street parking with property
10	Objection	Restricting parking in Ashdon Road is not necessary for current traffic flow and loss of parking spaces would adversely affect residents
11	Objection	Loss of resident parking, greater traffic speeds, will make it dangerous to exit some driveways
12	Objection	Increased vehicle speed near school, concerns about resident parking
13	Objection	Increased traffic speeds - parked vehicles slow vehicles down when travelling on Ashdon Road. Increased danger to pedestrians including school pupils
14	Objection	As above but also including concerns about displacement of vehicles into Hollyhock Road and Sheperds Way
15	Objection	Parking spaces being lost for residents with more new homes being built. Town being ruined, nothing like the town they moved to 27 years ago
16	Objection	Loss of resident parking on Ashdon Road. Already limited parking for those that do not have off-street parking with their properties
17	Objection	Loss of resident parking, loss of property value. Shortage of car parks in town anyway so will be harder for people to visit to carry out business
18	Objection	Will lose on-street parking spaces and increase traffic speeds
19	Objection	Traffic calming needed, concerned about losing on-street parking.
20	Objection	Loss of resident parking, problems caused by displacement, problems for residents getting out of drives and increased traffic flow
21	Objection	As above but also mentions that parked vehicles have a traffic calming effect
22	Objection	Increased traffic speeds - parked vehicles slow traffic down. Displacement into side roads will cause more problems
23	Objection	Will make life more difficult for residents and increase traffic flow
24	Objection	Roads are only busy during rush hour, loss of resident parking, increased traffic flow. Problems for school parent parking will be exacerbated
25	Objection	Traffic speed increases and loss of resident parking
26	Objection	Borough Lane - parked vehicles slow traffic speed
27	Objection	Increased traffic speeds, increased danger to pedestrians and school pupils. Loss of amenities for residents
28	Objection	Proposals not needed due to effect of traffic lights. Loss of parking with no off-street parking available at property in an area where there is already pressure for the available on street parking

29	Objection	Greater vehicle speed on roads used by schoolchildren. Many houses of architectural interest and listed which will be affected by higher speeds
30	Objection	Increased traffic flows. S.W. is a residential town and should stay that way
31	Objection	Loss of resident parking, increase in traffic speeds on roads used by schools. Proposals too far ranging and affect too many people
32	Objection	Concerns about displacement effects on Springhill Road caused by loss of parking in Borough Lane
33	Objection	Restrictions will prevent parking outside property. Proposals will increase traffic speeds making route more dangerous for pedestrians
34	Objection	Restrictions will increase traffic speed, making it dangerous for school pupils to cross the road
35	Objection	Measures should be put in place to slow traffic on Borough Lane not increase speeds
36	Objection	Loss of vital resident parking, concerns about increased traffic speeds near schools
37	Objection	Loss of on-street parking, increased traffic speeds, problems for primary school access
38	Objection	Concerns about the effect of traffic lights that have been installed, the consequences of increased traffic speeds near schools and problems entering/exiting driveways
39	Objection	Proposals will cause problems for parents parking near schools. Also concerns about increased traffic speeds
40	Objection	Displacement of vehicles will cause problems in Debden Road and adjacent side roads and will lead to further restrictions being introduced
41	Objection	Concerns about increased traffic speeds
42	Objection	Proposals will cause problems when collecting/dropping off pupils. Suggests a lesser restriction to prevent all day parking
43	Objection	Proposals are overkill, a limited time scheme would be better during peak times as this would still allow parking for residents and visitors
44	Objection	Request to extend restricted times opposite school gates
45	Objection	A ring road around the town is required
46	Objection	Proposals not required. Suggests that narrow streets are not suitable for the increased traffic due to the perceived bad decisions that have previously been made
47	Objection	Concerns about South Road, Victoria Avenue, long Hedges. Suggests that restrictions are not being monitored so no use putting in additional ones
48	Objection	Removal of parking on Borough Lane will enable road users to speed and disregard pedestrians. Fears over road safety will lead to more journeys by car
49	Objection	Problems caused in Shepherds Way due to proposal in Ashdon Road - traffic speed and lose of resident parking spaces
50	Objection	Traffic speed increases near schools. Increase in congestion on side streets caused by displacement of parked cars
51	Objection	Residential area will be turned into a race track during non-peak hours. Front gardens turned into parking places will

		damage a protected area
52	Objection	All are sensible suggestions but will only move problem along. A by-pass is essential
53	Objection	Concerns about displacement of vehicles causing problems for residents in nearby roads. Parked vehicles slow traffic down which is desirable
54	Objection	Proposals will lead to increased traffic speeds and which will endanger pedestrians including school pupils
55	Objection	Don't remove parking from Peasland Road as needed when dropping off pupils at school and motorist is unable to walk long distances
56	Objection	Higher traffic speeds, other roads nearby do not have the capacity to absorb displaced vehicles. Proposals will reduce parent parking points for nearby schools
57	Objection	Proposals do not go far enough. Additional restrictions needed in Ashdon Road or the pavements could be narrowed
58	Objection	Proposals prioritise vehicles over pedestrians, will increase traffic speeds and remove places for school parents to park
59	Objection	The proposals will mean that parents dropping off children in Peaslands Road for the nearby nursery will not be able to park
60	Objection	The proposals will lead to displacement of residents vehicles into other roads which may create a congested and chaotic situation
61	Objection	Objects to the proposals for Peasland Road as neither business staff or parents dropping off children will be able to park
62	Objection	Displacement of vehicles will cause further access issues in West Road because of displacement
63	Objection	General support but raises negative points around the effect of roads near schools and increased speed monitoring. Suggests no satisfactory solution without a ring road
64	Objection	Proposals will cause issues for parent parking, asks how parents are expected to park.
65	Objection	Proposals are ill considered, will create a chaotic and dangerous situation in South Road
66	Objection	Congestion is only an issue for a short period a day, proposals will increase traffic speeds. Will cause parking problems for residents with no off-street parking. Will cause problems for parents dropping off pupils to nearby schools
67	Objection	Oppose the increase in traffic speeds, put pressures on Springhill Road and asks about proposed development on east side of Thaxted Road
68	Objection	Proposal will increase traffic speeds and increase accidents, many properties do not have off-street parking, issues for parents dropping off at school
69	Objection	No off-street parking with property and recent traffic light installation mean that they cannot park near their house; this will be made worse by the proposals. There will be an increase in traffic speeds. No justification for the restrictions
70	Objection	Various reasons including loss of resident parking, increased traffic speeds and loss of primary school access for parents
71	Objection	Road safety due to increased traffic speed, lack of alternative parking options for school drop off and no alternatives for resident parking

72	Objection	Proposals will increase traffic speeds. Requests assurances that there will be additional traffic calming and pedestrian crossings installed
73	Objection	Increased traffic speeds due to removed parking places which will increase the risk of fatal accidents
74	Objection	Should allow parking as that will slow traffic speeds in urban pedestrianised areas. Roads affected are highly populated and have 3 schools in the local vicinity
75	Objection	Concerns about displacement of vehicles from Mount Pleasant Road will make will cause chaos. There are no provisions to drop off or collect school children
76	Objection	Proposals will have an adverse effect on the school that has a wide catchment area. The proposals provide no replacement parking for parents to park whilst picking up pupils from the school gates
77	Objection	Concerns about increased speed and lack of parking
78 (78i)	Objection	Concerns about the loss of parking spaces where, it is suggested, there is inadequate parking provision. No evidence to support the proposals
79	Objection	The proposals will increase traffic speeds in Peaslands Road and force parents to park further away to children. This will put children at risk, particularly when it is dark in the evenings
80	Objection	The proposals in Peaslands and Mount Pleasant Roads will result in drivers increasing their vehicle speed. The road is used to by pupils to travel to and from schools in the area
81	Objection	Proposals are not required, traffic flow is reasonable and at a safe speed most of the time. Parking for schools and deliveries is essential
82	Objection	The effect of the proposals will be to create a rat run in a residential area where children live and walk to schools
83	Objection	Parked vehicles act as traffic calming. No alternative resident parking is being offered, particularly for residents in older properties with no off-street parking. The proposals will create a race track around S.W.
84	Objection	Problems for Primary School access, the removal of parked vehicles will reduce road safety and increase traffic speed, loss of street parking for residents, Friends school weekend clubs issues not being dealt with and suggests this is the wrong priorities for the town
85	Objection	Loss of resident parking increased traffic speeds in roads used by parents and children. Suggests a 1pm to 2pm restriction to eliminate all day parking by town centre workers
4	Objection	Parked cars do not cause any real problems. No proposal for displaced vehicles
5	Objection	Proposals unreasonable. Loss of amenity to residents and visitors to town. Failure to consider local plan
6	Objection	Traffic flow problems only occur at peak times. Local residents will be forced to park in other already congested areas.
7	Objection	Loss of parking spaces, increased vehicle speed, decreased house prices and needs of traffic being put above needs of residents
8	Objection	Increased vehicle speeds, displacement of vehicles causing problems, increased risk to pedestrians including school pupils

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13	Objection	Increased traffic speeds - parked vehicles slow vehicles down when travelling on Ashdon Road. Increased danger to pedestrians including school pupils
14	Objection	As above but also including concerns about displacement of vehicles into Hollyhock Road and Sheperds Way
15	Objection	Parking spaces being lost for residents with more new homes being built. Town being ruined, nothing like the town they moved to 27 years ago
16	Objection	Loss of resident parking on Ashdon Road. Already limited parking for those that do not have off-street parking with their properties
17	Objection	Loss of resident parking, loss of property value. Shortage of car parks in town anyway so will be harder for people to visit to carry out business
18	Objection	Will lose on-street parking spaces and increase traffic speeds
19	Objection	Traffic calming needed, concerned about losing on-street parking.
20	Objection	Loss of resident parking, problems caused by displacement, problems for residents getting out of drives and increased traffic flow
21	Objection	As above but also mentions that parked vehicles have a traffic calming effect
22	Objection	Increased traffic speeds - parked vehicles slow traffic down. Displacement into side roads will cause more problems
23	Objection	Will make life more difficult for residents and increase traffic flow
24	Objection	Roads are only busy during rush hour, loss of resident parking, increased traffic flow. Problems for school parent parking will be exacerbated
25	Objection	Traffic speed increases and loss of resident parking
26	Objection	Borough Lane - parked vehicles slow traffic speed
27	Objection	Increased traffic speeds, increased danger to pedestrians and school pupils. Loss of amenities for residents
28	Objection	Proposals not needed due to effect of traffic lights. Loss of parking with no off-street parking available at property in an area where there is already pressure for the available on street parking
29	Objection	Greater vehicle speed on roads used by schoolchildren. Many houses of architectural interest and listed which will be affected by higher speeds
30	Objection	Increased traffic flows. S.W. is a residential town and should stay that way
31	Objection	Loss of resident parking, increase in traffic speeds on roads used by schools. Proposals too far ranging and affect too many people

32	Objection	Concerns about displacement effects on Springhill Road caused by loss of parking in Borough Lane
33	Objection	Restrictions will prevent parking outside property. Proposals will increase traffic speeds making route more dangerous for pedestrians
34	Objection	Restrictions will increase traffic speed, making it dangerous for school pupils to cross the road
35	Objection	Measures should be put in place to slow traffic on Borough Lane not increase speeds
36	Objection	Loss of vital resident parking, concerns about increased traffic speeds near schools
37	Objection	Loss of on-street parking, increased traffic speeds, problems for primary school access
38	Objection	Concerns about the effect of traffic lights that have been installed, the consequences of increased traffic speeds near schools and problems entering/exiting driveways
39	Objection	Proposals will cause problems for parents parking near schools. Also concerns about increased traffic speeds
40	Objection	Displacement of vehicles will cause problems in Debden Road and adjacent side roads and will lead to further restrictions being introduced
41	Objection	Concerns about increased traffic speeds
42	Objection	Proposals will cause problems when collecting/dropping off pupils. Suggests a lesser restriction to prevent all day parking
43	Objection	Proposals are overkill, a limited time scheme would be better during peak times as this would still allow parking for residents and visitors
44	Objection	Request to extend restricted times opposite school gates
45	Objection	A ring road around the town is required
46	Objection	Proposals not required. Suggests that narrow streets are not suitable for the increased traffic due to the perceived bad decisions that have previously been made
47	Objection	Concerns about South Road, Victoria Avenue, long Hedges. Suggests that restrictions are not being monitored so no use putting in additional ones
48	Objection	Removal of parking on Borough Lane will enable road users to speed and disregard pedestrians. Fears over road safety will lead to more journeys by car
49	Objection	Problems caused in Shepherds Way due to proposal in Ashdon Road - traffic speed and lose of resident parking spaces
50	Objection	Traffic speed increases near schools. Increase in congestion on side streets caused by displacement of parked cars
51	Objection	Residential area will be turned into a race track during non-peak hours. Front gardens turned into parking places will damage a protected area
52	Objection	All are sensible suggestions but will only move problem along. A by-pass is essential
53	Objection	Concerns about displacement of vehicles causing problems for residents in nearby roads. Parked vehicles slow traffic down which is desirable
54	Objection	Proposals will lead to increased traffic speeds and which will endanger pedestrians including school pupils

55	Objection	Don't remove parking from Peasland Road as needed when dropping off pupils at school and motorist is unable to walk long distances
56	Objection	Higher traffic speeds, other roads nearby do not have the capacity to absorb displaced vehicles. Proposals will reduce parent parking points for nearby schools
57	Objection	Proposals do not go far enough. Additional restrictions needed in Ashdon Road or the pavements could be narrowed
58	Objection	Proposals prioritise vehicles over pedestrians, will increase traffic speeds and remove places for school parents to park
59	Objection	The proposals will mean that parents dropping off children in Peaslands Road for the nearby nursery will not be able to park
60	Objection	The proposals will lead to displacement of residents vehicles into other roads which may create a congested and chaotic situation
61	Objection	Objects to the proposals for Peasland Road as neither business staff or parents dropping off children will be able to park
62	Objection	Displacement of vehicles will cause further access issues in West Road because of displacement
63	Objection	General support but raises negative points around the effect of roads near schools and increased speed monitoring. Suggests no satisfactory solution without a ring road
64	Objection	Proposals will cause issues for parent parking, asks how parents are expected to park.
65	Objection	Proposals are ill considered, will create a chaotic and dangerous situation in South Road
66	Objection	Congestion is only an issue for a short period a day, proposals will increase traffic speeds. Will cause parking problems for residents with no off-street parking. Will cause problems for parents dropping off pupils to nearby schools
67	Objection	Oppose the increase in traffic speeds, put pressures on Springhill Road and asks about proposed development on east side of Thaxted Road
68	Objection	Proposal will increase traffic speeds and increase accidents, many properties do not have off-street parking, issues for parents dropping off at school
69	Objection	No off-street parking with property and recent traffic light installation mean that they cannot park near their house; this will be made worse by the proposals. There will be an increase in traffic speeds. No justification for the restrictions
70	Objection	Various reasons including loss of resident parking, increased traffic speeds and loss of primary school access for parents
71	Objection	Road safety due to increased traffic speed, lack of alternative parking options for school drop off and no alternatives for resident parking
72	Objection	Proposals will increase traffic speeds. Requests assurances that there will be additional traffic calming and pedestrian crossings installed
73	Objection	Increased traffic speeds due to removed parking places which will increase the risk of fatal accidents
74	Objection	Should allow parking as that will slow traffic speeds in urban pedestrianised areas. Roads affected are highly populated and have 3 schools in the local vicinity

75	Objection	Concerns about displacement of vehicles from Mount Pleasant Road will make will cause chaos. There are no provisions to drop off or collect school children
76	Objection	Proposals will have an adverse effect on the school that has a wide catchment area. The proposals provide no replacement parking for parents to park whilst picking up pupils from the school gates
77	Objection	Concerns about increased speed and lack of parking
78 (78i)	Objection	Concerns about the loss of parking spaces where, it is suggested, there is inadequate parking provision. No evidence to support the proposals
79	Objection	The proposals will increase traffic speeds in Peaslands Road and force parents to park further away to children. This will put children at risk, particularly when it is dark in the evenings
80	Objection	The proposals in Peaslands and Mount Pleasant Roads will result in drivers increasing their vehicle speed. The road is used to by pupils to travel to and from schools in the area
81	Objection	Proposals are not required, traffic flow is reasonable and at a safe speed most of the time. Parking for schools and deliveries is essential
82	Objection	The effect of the proposals will be to create a rat run in a residential area where children live and walk to schools
83	Objection	Parked vehicles act as traffic calming. No alternative resident parking is being offered, particularly for residents in older properties with no off-street parking. The proposals will create a race track around S.W.
84	Objection	Problems for Primary School access, the removal of parked vehicles will reduce road safety and increase traffic speed, loss of street parking for residents, Friends school weekend clubs issues not being dealt with and suggests this is the wrong priorities for the town
85	Objection	Loss of resident parking increased traffic speeds in roads used by parents and children. Suggests a 1pm to 2pm restriction to eliminate all day parking by town centre workers
86	Objection	Concerns about displacement of vehicles into Highfields and suggests limited waiting restrictions
87	Objection	School concerns about removing parking, particularly in Mount Pleasant and Peaslands
88	Objection	Increased traffic flow. Proposals will push motorists into already full side roads
89	Objection	No consideration has been made for residents without off-street parking. Parents need to be catered for when dropping off and collecting pupils. Increased traffic speeds
90	Objection	Proposals will prevent residents parking outside their property and so will be forced to park in nearby roads. Concerned about an increase in traffic speeds
91	Objection	No on-street parking near property which will cause problems for child minders. There is already a shortage of parking space in the surrounding area. Drivers will be less careful when they drive along Mount Pleasant Road
92	Objection	The proposals do not go far enough, other areas should also have no waiting restrictions
93	Objection	The proposals will remove 1.7km of on-street parking places, many historic properties do not have off-street parking places. There will be nowhere else for residents to park

94	Objection	Removing parking will result in residents parking in Holly Hock Road and Highfields adding to congestion in that area. Suggests the pavement in Ashdon Road should be reduced to improve traffic flow
95	Objection	Proposals will increase traffic speeds in an area where there is not a traffic problem. No evidence to support proposals.
96	Objection	Various - in summary does not agree that there is justification for the proposals that would be of limited benefit to residents and detriment to other residents
97	Objection	Creating parking restrictions moves the problem around, it does not solve them
98	Objection	"We write to oppose the parking restrictions"
99	Objection	"I add my disapproval to the proposed parking changes in Saffron Walden"
100	Objection	The proposal will create a fast paced ring road through the middle of S.W. and past 3 schools along the main route for children walking. Removing parking will push vehicles into overburdened areas which will increase frustration between residents and motorists
101	Objection	Removing parked vehicle will increase traffic speeds along very busy pedestrian used roads
102	Objection	Various - including properties having no off-street parking, roads are already used by motorists shopping and school parent parking. Delivery drivers park on the pavement and suggests an area of pavement is removed to allow parking
103	Objection	Knock on effect would lead to increased dangers for pedestrians and road users especially at school drop offs
104	Objection	Not in favour of proposals speeding up traffic, suggests 20mph speed limit
105	Objection	Proposals will cause parking problems as displaced vehicles will have to find somewhere else to park
106	Objection	Doctor concerned about having to park along way from residential properties, concerned that they will not be able to visit patients in a timely manner
107	Objection	Proposals will create a rat run in S.W. causing danger to cyclists and pedestrians
108	Objection	Loss of resident parking, concerns about increase in traffic flow due to loss of parked vehicles
109	Objection	Proposals will cause great difficulties to residents, businesses and parents. The road has natural obstacles and is totally unsuitable as a main thoroughfare
110	Objection	Many parents have no option but to drive to drop off pupils. Proposals will remove parking spaces. Increase in traffic speeds will be detrimental to child safety.
111	Objection	Objection suggests that the proposals are a ridiculous idea
112	Objection	The proposals will mean residents are unable to park, especially those who do not have good mobility
113	Objection	The proposal will mean faster traffic speed which will make the road more dangerous and noisy for residents and children walking to school
114	Objection	Parking around the town is limited and NHS practice staff and patients rely on local accessible parking
115	Objection	The proposal will create a dangerous and untenable situation on West Road as parents struggle to drop off school children.

		If proposal goes ahead requests permit parking
116	Objection	Parents must park somewhere and vehicles should be allowed to park to slow traffic down and makes some suggestions about how Swan Meadow car park could be utilised
117	Objection	Parked vehicles on Peaslands Road provide necessary speed restrictions. Without allowing parking it will be necessary and dangerous to walk young children along busy roads
118	Objection	Opposed to proposals in Mount Pleasant Road as the ban would push school parking traffic and residents onto neighbouring Victorian style housing already busy with parking. The parking currently reduces traffic speeds
119	Objection	The scheme between London Road and Thaxted Road is unnecessary and has been overtaken by planning refusal for developments at the east of S.W.
120	Objection	Proposed parking restrictions will result in people parking along Debden Road and Pleasant Valley. Alternative parking provision needs to be provided to avoid knock on affects
121	Objection	Against proposals as will increase traffic speed and problems caused for resident parking
122	Objection	Proposals are encouraging more speed and complaints that officers who have devised proposals do not live in S.W.
123	Objection	Objections about loss of primary school access for parents, loss of on-street parking and increased traffic speeds causing worse road safety
124	Objection	Objection as will not be able to park in Peaslands or Mount Pleasant Road when dropping off to nearby school and gives examples of the problems this will cause
125	Objection	4 questions asked, where are cars going to park, why evidence justifies change, what is the purpose of change and what alternative proposals have been considered
126	Objection	Proposals will simply move problem elsewhere. Residents to Ashdon Road have to park their vehicles somewhere
127	Objection	Concerns about increased dangers to small children having to travel further along the roads to get to schools in the area
128	Objection	Objection from parent of local school who advises that they would have to park on Debden Road or at the Lord Butler Leisure Centre and will then have to walk with 3 children to the school. Most of the route would be along the restrictions with high speed traffic
129	Objection	The proposed waiting restrictions will speed up traffic which is undesirable, other suggestions are made but these are mostly highway rather than parking suggestions.
130	Objection	Suggests the proposed changes in Ashdon Road are ludicrous and argues that the road was congested prior to the extensive housing being built
131	Objection	The loss of parking spaces will cause problems for patients at a dentist and staff. If patients are forced to drive into S.W. it will contribute to heavier traffic and air pollution
132	Objection	Cars parked in Peaslands and Mount Pleasant Road slow down traffic. The first priority should be a ring road around that part of S.W.
133	Objection	Objects to proposals and suggests a ring road or new town should be built
134	Objection	Concerns about the problems that will be caused for parents dropping off/collecting parents caused by the loss of parking

		places. Letter comes with petition
135	Objection	Concerns about the effects of displaced vehicles
136	Objection	Concerns about displacement of vehicles
137	Objection	Concerns that carers to residents in Borough Lane will not be able to park
138	Objection	The proposals will increase traffic speed, force parents to park further from schools and nurseries. There are not enough safe crossing places
139	Objection	Proposals will increase speeds, remove parking for residents, increased noise pollution and risks when driving in and out of property
140	Objection	Proposals will cause increased traffic speeds, lack of resident parking will cause displacement of vehicles. Suggests no parking restrictions during rush hour
141	Objection	Would agree to restrictions at peak times but fears the proposals will cause a race track
142	Objection	Displacement of vehicles onto nearby roads where parking is already scarce. Suggests permit parking
143 (143i)	Objection	Proposals will mean that the resident cannot park near their house. Fears about an increase in traffic speeds. Asks where parents of pupils and nursery school children will park.
144	Objection	No evidence to suggest restriction is necessary, delays only occur at peak times. Worst delays are caused by sports events at weekends
145	Objection	Residents without off-street parking cannot park near their property. There will be displacement of vehicles into nearby streets. Traffic speeds will increase and problems will be caused for parents and pupils at nearby schools. Property prices will be negatively affected.
146	Objection	Parking problems will be moved elsewhere. Residents have purchased properties in the expectation that they can park on street. Parked vehicles make the roads safer at peak times
147	Objection	Concerns about increased traffic speed and problems caused for parent/pupils at nearby schools
148	Objection	Proposals will increase traffic speed. Vehicles will be displaced into nearby roads. For most of the day most parked cars cause no problems to traffic flow
149	Objection	Inadequate parking will be worsened by proposals, vehicle speeds will increase, and parked vehicles will be displaced to unrestricted roads nearby. Most traffic problems occur at peak times only. The new restrictions will not be enforced
150	Objection	In Peaslands and Mount Pleasant Road the proposals will increase traffic and traffic speeds creating a safety hazard near schools and a nursery. A southern by-pass is needed
151	Objection	There are properties that do not have off-street parking - where will the residents and their visitor's park? The road can have restrictions but not for all day
152	Objection	The proposals will increase traffic speed and force residents and visitors to park away from their properties
153	Objection	Various including loss of on-street parking, increased road speeds, loss of primary school access for parents
154	Objection	Parking on Peaslands Road is not a problem at the moment but if removed will create a problem for many people. Example given of problems getting to child to nursery

155	Objection	No consideration has been made for residents without off-street parking. Parents need to be catered for when dropping off and collecting pupils. Increased traffic speeds
156	Objection	Broadly in favour of proposals but concerned about increased traffic speeds
157	Objection	Moved to Peaslands Road because it was quiet but will become both dangerous and difficult
158	Objection	Concerns about the use of nearby nursery car park and staff parking near property. Proposals will increase traffic speeds. S.W. needs a bypass. Consideration will need to be given to those residents without off-street parking. The proposal will have a detrimental effect on many aspects of life including living conditions, safety, house values and pollution
159	Objection	Removing vehicles will increase traffic speeds. Delays and congestion will be more of an issue at pinch points in the morning. SW needs an infrastructure upgrade and a ring road rather than "tinkering" with already established roads. Proposals will lead to speeding near two primary schools and resident parking problems.
160	Objection	Parking on Peaslands Road and surrounding area. Proposal does not serve the needs of the town or its residents. Peaslands Road currently used for overflow parking from Old Bell language school site where residents are unable to find anywhere to park. Loss of on street parking will mean residents will be forced to park in other unrestricted areas that are already clogged with cars. Proposal does nothing to improve the lives of anyone in the town or provide a single improvement to the town
161	Objection	Request to extend time of school keep clear restriction
162	Objection	WeareResidents response report. This document contains various points – document found in appendix D

## 6.0 Decision

### 6.1 **Members are asked to consider the Objections to the schemes and other correspondences received and decide whether to progress the schemes.**

Options available are:

i-To withdraw the proposals on the basis of the strength of objections that have been received

ii-To progress the proposals having considered the objectors concerns and seal the traffic order

iii-To partially install some of the proposals, such as the school entrance marking proposals and junction protection waiting restrictions

iv-To advise ECC as the Highway Authority that NEPP will not be progressing the proposals and to ask them to consider if restrictions are required alongside traffic calming or other measures

## Important notes

### **General Duties when considering any parking scheme**

It shall be the duty of every local authority so to exercise the functions conferred on them by the Road Traffic Regulation Act as (so far as practicable having regard to the matters specified below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The matters referred to are—

- a) the desirability of securing and maintaining reasonable access to premises;
- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
- c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);]
- d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- e) any other matters appearing to the local authority to be relevant.

The duty imposed above is subject to the provisions of Part II of the Road Traffic Act 1991.

## Appendix D to report PSEG/17/16

Briefing paper prepared by Richard Walker, Group Manager NEPP following the informal meeting held on 116 August 2016.

Please note that the items (attachments) referred to in this particular paper will be available electronically on the NEPP and ECC websites.

### Introduction - Traffic Regulation Order (TRO) Process in Essex

The process used to start new parking restrictions varies, and depends on the origin of each type of scheme. Both Essex County Council (ECC) and the North Essex Parking Partnership (NEPP) can make new parking regulations.

A new parking restriction can originate from a number of sources. A new parking restriction might progress through one of a number of different routes, for example:

1. New Development / s.106 funding – via Essex County Council
2. Safety or Congestion schemes – via Essex County Council
3. Socially necessary schemes – mostly via the Parking Partnerships

Each route to a new **parking regulation** may use a different **approvals process**, and there are delegated powers available to speed up the processes in some cases.

1. *New development and s.106 funding*  
These schemes are progressed by ECC. These would usually arise from a decision relating to a planning application where works are necessary on the highway in connection with conditions placed on the application.
2. *Safety and Congestion schemes*  
These would be larger-scale schemes progressed by ECC and may be connected with schemes wider than parking restriction changes.
3. *The third strand encompasses 'socially necessary' schemes:*  
These would be made to NEPP whose new parking restrictions generally pass to the Joint Committee for approval. The only exceptions to are is for temporary restrictions and urgent new schemes which can be implemented under delegation by the Chairman of the Committee in conjunction with officers. Neither of these was the case with the schemes under discussion.

Individual **parking restrictions**, need to be incorporated into a wider document known as a **parking order**. If new parking restrictions are to be implemented, they will be included into the parking order by making an **amendment** to it. The timescale to bring in a new parking restriction can take anywhere from 18 months to 5 years.

Confusingly, any one of these items might be known as 'a TRO', so individual terms have been used in this report. The process makes a **proposed restriction** into a **parking regulation**, which has a legal standing.

For NEPP, new parking restriction applications follow a process to report to Joint Committee to be considered as individual schemes where they gain approval to proceed (or not, as the case may be). In addition, schemes approved at ECC can pass from ECC to NEPP for implementation.

Individual proposed restriction applications can be combined into larger **schemes** if they are nearby, and schemes will be considered together.

The NEPP policy allows for regulations of different types to be made, such as permissive parking for limited periods, for specific types of use such as resident parking or areas for use by specific classes of vehicles such as goods vehicles for loading – usually marked by white bays – and also restrictions on waiting – usually marked by yellow lines.

Different types of **informal** consultation might be carried out in advance of making firm plans, in order to gauge the likely support for a scheme in the neighbourhood. Formal consultation has to be carried out at a later stage when designs are ready to be **published as proposals**.

There is set of **procedure regulations** (The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996) which governs the formal process to be used when changing **parking orders** to enable new restrictions to be added.

When a **proposed restriction** or **scheme** has been agreed for progression, but prior to starting the legal work required to bring in a new restriction, a large amount of design work is required. These designs would then be **published as proposals** with public consultation in line with the procedure regulations.

This is where schemes can be brought into a **parking order** by applying an **amendment** - notwithstanding the legal **consultation** process which may result in **objections**, which in turn must be considered but may not necessarily be acceded to.

An **amendment** is a technical term for any number of parking restrictions, maybe as a scheme or group of restrictions, that all happen to be in the same area which will all be brought together and processed at the same time; an **amendment order** is simply a process which it is necessary to use to incorporate schemes into the main **parking order** for the area at the same time.

An **amendment order** is a technical legal process used to bring new parking restrictions into the **main parking order** by **publishing proposals**. The main parking order covers a geographical area the same size as the district. The proposals are contained in detail within the amendment order, which is the legal document required to make changes to the main parking order.

The proper process of **publishing proposals** and carrying out **consultation** is highly regulated (governed by the The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996), and NEPP certainly does not diverge from this.

For NEPP, publication of proposals involves **advertising** in a local newspaper and by **notice** placed in the roads concerned. The NEPP policy reflects the procedure regulations and was amended in 2015 to incorporate the new network management duty guidance “Right to challenge parking policies” issued by the DCLG.

**Amendment orders** are not decided by Joint Committee – approval to proceed with a scheme is made at a full Joint Committee Meeting earlier in the process.

An amendment will be advertised and documents relating to the scheme will be placed on deposit for inspection. There are two groups of consultees when it comes to consultation: statutory consultees, and non-statutory consultees.

Whilst an amendment order is advertised and at the consultation stage, people who do not agree with the scheme may **object** to it. A weight of objections, depending upon their contents (not simply number) may preclude an amendment from progressing into the full legal order (this might alternatively cause the generation of a variation which may have to be re-advertised).

On some occasions, Objections to an Amendment Order may be considered by Joint Committee; at other times an officer delegation can deal with them.

If the weight (not number) of objections is minor, these may be dealt with using delegated powers. If the objections are not acceded to (or if there are none) then the amendment would be made incorporating the new regulations into the main parking order. The delegation is in place in order to speed up the process where possible.

Where there is a large number of objections then a report will usually be made to the Joint Committee so that the objections can be dealt with in a wider forum in pursuit of greater transparency.

In either process, this is not a decision to proceed with the scheme – that decision would have been taken at an earlier meeting – instead this is a special report to deal with objections only.

A number of options is open when considering objections – depending upon the weight and the source of them. They may not be accepted (not acceded to) if the reasons given are not sufficient; the proposals may be reduced and a lesser scheme be progressed; the proposals may be altered and an alternative set of proposals advertised; a decision on the proposals may be delayed for more information to be provided in order to deal with the objections, or the proposals may be withdrawn.

If the Committee decides to reject the objections, then the amendment can continue and be passed into the main parking order; a decision at the Joint Committee may be Called In in particular circumstances.

A scheme would usually be implemented within a few days of the legal process being completed and these will become enforceable when implemented.

An appeal system is also available after the implementation of the legal order, upon application to the High Court – a timescale is set out for this in the

procedure regulations.

## The TRO proposals in question

The restrictions in Amendment 40 arose from different sources.

As far as they relate to the Peaslands Road area, there are three schemes to note:

1. a scheme arising as a result of a planning decision progressed by ECC – the planning decision was UTT/0385/08/FUL;
2. a socially necessary scheme progressed by NEPP (10030); and
3. a socially necessary scheme progressed by NEPP (10031).

All three of these restrictions (i.e. NEPP schemes 10030, 10031 **and** the ECC scheme) were included in Amendment 40, along with other schemes published and requiring incorporation into the Uttlesford Order at the time.

The Amendment being proposed is to the main ECC parking order in the Uttlesford Area – called *The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Consolidation) Order 2008*, by making the Amendment Order called *The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment Order No. 40) Order 20\*\**.

The Amendment Order would be dated if it is sealed as a legal order.

## NEPP Scheme and application history including planning details

There are NEPP schemes 10030 & 10031 (Peaslands/ Debden Road/ Borough Lane) and another scheme which has its roots in an Essex County Council Highways (ECC) scheme numbered **FP/556/07/16**, which has also been known as **TRO-5523** (although this is simply a map drawing reference) and became part of a package of measures under Amendment 40.

The ECC scheme known as **TRO-5523** of April 2015 is funded via s.106 contributions linked to the Former Bell Language School in Saffron Walden, planning ref. **UTT-0385-08** and BSU1052 (dated 2008). A copy of the planning application is attached in the pack (see **items A-C**). This advises that “provision of a comprehensive highway scheme that places emphasis on pedestrian safety and ease of movement without detriment to the free flow of traffic in the surrounding area” was proposed.

The rest of the scheme came about as a result of a number of requests including the school (including a front-page newspaper article) and a selection of residents. Other residents have been opposed to the scheme from the beginning (see **items D-J**).

A number of photographs exist from two separate site visits (see **item L**), conducted at various times of day. A report on the site by a NEPP officer suggests that outside the busy times there was a modest amount of parking, perhaps from building contractors working locally, and some parking by commuters and local businesses. Photographs are available to view.

The peak school time drop off and collection times seemed to pose more issues, particularly movement conflict between larger vehicles as a direct result of the continuous string of parking. A local bus operator reported having had problems with nowhere to pull in once committed to start passing the long line of parked vehicles (see **item G**).

The report by the NEPP officer lists the new development as an issue which could need managing, along with associated additional traffic. The report considered that there would be nominal displacement of parking by a scheme here. An ECC scheme was being drawn up for the location as a result of the planning and details are attached (see **item M**); it is this design upon which the NEPP proposals are based.

At the same time NEPP officers visited, the ECC Highways Liaison Officer for the area was present, to assist with any known traffic/congestion issues in the area.

### **Other issues**

The route is a key route to avoid the town centre.

Another key issue is of Air Quality – Most of the town is covered by an Air Quality Management Area however there are specific areas where exceedances take place. These are located in the town centre area, and the ability of drivers to use alternative east west routes, will help to reduce the impact on these key areas.

## **Proposals**

The NEPP proposals were brought about as a result of a number of emails received during 2011 and 2012 (**items D to J2** are relevant).

A meeting was held on site during June 2013 between ECC, UDC and NEPP. The notes of this meeting are contained in an email from UDC to the other parties (see **item K** of 06/06/2013). This sets out which party would progress which scheme.

As can be seen above, these initial discussions included the ECC scheme which was yet to be designed and decided, and part is a NEPP scheme which was yet to be decided.

The new NEPP schemes were decided, and agreed to, by the Joint Committee at the dates shown at **item L, L1, L2** in the pack; for example 10031 was considered by the Committee and decided on 08/08/2013 (see **item L2** for recorded minutes of the decision on page 107 of the pack) and progressed as an approved scheme.

Details of NEPP schemes are published on the website whenever they are due

to appear at Committee, for example, here:

<https://www.parkingpartnership.org/north/uploads/committee/Nepp%20Agenda%20-%20meeting%208-August-13.pdf>

The ECC scheme was the result of a s.106 contribution (see **item B**) linked to a planning application from 2008 (see **items A, C & C1**) which was designed by ECC after being agreed under ECC officer delegation (see **item M** on page 109 of the pack) on 30/03/2015.

The ECC scheme is detailed further in the documents at **item P**.

ECC then agreed that it would make sense if its scheme plus the NEPP schemes were advertised as one proposal (see **items Q, R & S**).

Of note, as it has been mentioned in the call in questions (but not relevant to the decision), is that the NEPP policy was amended at the same August meeting (the item directly following the application being approved); at this change the TRO scoring matrix and timescale to revisit any applications (see **item L1**) was changed.

Again, not relevant to the decision but included for information on its timing, the NEPP TRO Policy was updated, in line with national recommendations from DCLG especially regarding petitions, at the 18 June 2015 Meeting (see **item N**) and brought into line with the South Essex Parking Partnership policy.

The schemes in question were advertised (see **item S**) on 28/01/2016.

A Freedom of Information request was received from 'weareresidents' group, and the response as published on their website is included as **item T & T1**.

A source of some confusion might have arisen locally from the weareresidents document, as their comments (see **item T1** page 202) claim that certain NEPP schemes have been withdrawn. The document was endorsed with the phrase "*Minutes from a NEPP meeting [08/08/2013] where a previous set of parking restrictions were considered, but later abandoned*". This is not the case.

It is thought this was supposition by weareresidents and may be the cause of some misunderstanding in a number of objections and emails received by NEPP.

A similar list of questions and objections to the proposals was received from Saffron Walden Town Council as was asked by weareresidents (see **items U & V**).

The details from Saffron Walden Town Council (SWTC) in their email (**Item U**) claim (in point 2.) that NEPP has 'failed to follow its own processes' because it did not consult with the town council.

The NEPP policy is included at **item N**. The NEPP Policy does not state that prior approval of the town council is required.

The item which SWTC has repeated here has been taken out of context; this is not a policy decision, but a minute of a verbal exchange from a later meeting

talking about the policy (which had actually been agreed at the previous meeting).

The Policy itself (where it is addressing applications from the public for new yellow lines) includes a note to the following effect:

*“Note: When requesting a new parking restriction it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from local Councillors and the parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group.”*

As far as the proposal here is concerned, consultation has taken place, including notice on site and at least one notice in the local press as part of the formal process.

The policy (where it is addressing members of the public looking to make an application) states it is advisable for the applicant to gain support from the parish or local councillor.

The policy also states that, regardless of informal consultation, NEPP is able to introduce a scheme where it is deemed essential.

The proposals here arise from a decision to implement a scheme funded by a s.106 contribution from ECC linked to a planning decision.

## **Call-In**

As noted in the first part of this report, the Joint Committee was not considering whether or not to progress these schemes; this has already been decided.

Neither was the Committee and considering the Amendment Order, which itself is instead a legal process.

But rather the Committee was considering a report containing details of the objections made under the published proposals, and whether to accede to them or not. As it happens, after discussion, the Committee decided not to accede to the objections.

This is the decision which has been Called In.

## Questions posed in the Call In

<p>1. The obligations under the Road Traffic Regulation Act 1984 were not met;</p>	<p>Obligations were met.</p> <p>The decision to progress and advertise the NEPP proposals was made in a fully minuted and open public meeting, on 08/08/2013.</p> <p>The ECC scheme was progressed under officer delegations on 03/03/2015.</p> <p>The Proposed Order was advertised by Notice on site and in the local newspaper from 26/01/2016.</p> <p>Objections have been considered at the JPC in a full open public meeting. The Committee decided not to accede to the objections.</p>
<p>2. The process by which the TRO was brought forward was not correct or fit for purpose and was flawed;</p>	<p>The decision to progress and advertise the NEPP proposals was made in a fully minuted and open public meeting, on 08/08/2013.</p> <p>The ECC scheme was progressed under officer delegations on 03/03/2015.</p> <p>The Proposed Order was advertised by Notice on site and in the local newspaper from 26/01/2016.</p> <p>Objections have been considered at the JPC in a full open public meeting. The Committee decided not to accede to the objections.</p>
<p>3. No supporting evidence was produced or brought forward to justify the scheme;</p>	<p>Site surveys led to scoring methodology being completed. Scheme design completed by ECC Highways alongside HLO and in connection with planning application.</p> <p>Details of the ECC and NEPP schemes are included in the pack at items A, B, C, K, L, M, PQ, R &amp; S)</p>
<p>4. The scheme itself is does not meet the needs or priorities of Saffron Walden;</p>	<p>This is a statement.</p> <p>The ECC scheme is in connection with the planning application at item A, B &amp; C.</p>
<p>5. The consultation responses of local residents, schools and businesses, and implications of those</p>	<p>The responses were considered at an open public Joint Committee, after having been published (redacted) on the website, having been consulted in accordance with the Regulations – by Notice on site and in the local</p>

responses, were not properly considered;	<p>newspaper.</p> <p>Procedure regulations 1996:  <a href="http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made">http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made</a></p>
6. The needs, wishes and consultation responses of the Town Council, Town, District and County Councillors that were elected to represent Saffron Walden, and the and implications of their responses, were not properly considered;	<p>Responses were considered as part of the formal consultation (see 5, above) at the Joint Committee – the objections to the scheme were referred to the Joint Committee for consideration.</p> <p>The making of Traffic Regulation Orders is for the Highway Parking Authority to consider (in this case the Parking Partnership Joint Committee under its Agreement with Essex County Council) or under officer delegations at ECC.</p> <p>The ECC scheme is in connection with the planning application at item A, B &amp; C.</p>
7. NEPP's process "requires the prior approval of the Saffron Walden Town Council for such a scheme", and it was not sought;	<p>The Policy does not state that prior approval of the town council is required. The item which SWTC has repeated here is out of context; this is not a policy decision, but a minute of a verbal response from a later meeting talking about the policy (which had actually been agreed at the previous meeting).</p> <p>The Policy itself (where it is addressing applications from the public for new yellow lines) includes a note to the following effect:  <i>"Note: When requesting a new parking restriction it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from local Councillors and the parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group."</i></p> <p>The policy also states that, regardless of informal consultation, NEPP is able to introduce a scheme where it is deemed essential.</p> <p>Procedure regulations 1996:  <a href="http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made">http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made</a></p> <p>NEPP TRO General Policy 2015:  <a href="https://www.parkingpartnership.org/north/uploads/tro/2015%2009%20TRO.pdf">https://www.parkingpartnership.org/north/uploads/tro/2015%2009%20TRO.pdf</a></p>
The Committee was deliberately	There is no 'Applicant' to the ECC scheme – it has

misled on at least 5 occasions by the Applicant during the debate, which did have a direct outcome on the decision;	arisen as part of a development from 2008 and is funded via s.106.
At the Committee Meeting Cllr Susan Barker guided the Committee that Cllr Lodge should Call-in the decision so that ECC could amend the scheme, fix the safety and traffic-calming and other flaws in the proposals, because they were outside the remit of the NEPP and this was the only way to have the scheme amended;	LHP can consider recommendations for other traffic infrastructure. The HLO was involved during scheme design at ECC.  There have been calls for action in many of the comments received by NEPP for this and other schemes.

## Extract from TRO Policy (2015)

This document sets out how the arrangements work and outlines the ECC and NEPP policies which will determine the implementation of future TRO schemes across the Partnership area.

Pages 10-11 of the Policy clearly set out how the consultation will work, and what legislation is to be complied with.

All Schemes agreed locally to progress will then be presented to the Joint Committee to decide to commit the necessary funding to proceed with a proposed Traffic Regulation Order, subject to formal consultation.

A report will be created for the Joint Committee to consider and either Agree, Defer or Reject the scheme.”

If funding is agreed a TRO will be drafted and *statutory consultation* must be undertaken.

This involves obtaining the views of local stakeholders such as:

- Local City/Borough/District Council, Parish Councils and County Councillors
- The Highway Authority
- The Emergency Services
- Freight Transportation Association and Road Haulage Association
- Local public transport operators.

If NEPP agrees to proceed with the TRO, the scheme must be advertised (including on site and at least one notice in the local press). NEPP will usually

display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected.

## **Extract from RTRA 1984**

### **122.**

Exercise of functions by local authorities. —

(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

(2) The matters referred to in subsection (1) above as being specified in this subsection are—

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to . . . the local authority . . . to be relevant.

3) The duty imposed by subsection (1) above is subject to the provisions of Part II of the Road Traffic Act 1991.

## Timeline for Amendment 40

Year	Item	See page	Date
2008	A		07/03/2008 - Planning Application Received by UDC, includes traffic collision data (pre 2008); 17/06/2008 UDC Planning Decision
	B	8,9,11,16	S.106 information
	C	32-44	Traffic Assessment supplied with planning application Ref D130-01
	C1	48	Planning Application details
2009			
2010			
2011 <i>NEPP formed 01/04/2011</i>	D		05/10/2011 - NEPP received request near school only - given low priority (compared with the rest at that time - NEPP only going 7 months)
	E		16/11/2011 - Newspaper letter 'Williamson'
	F		17/11/2011 - emails received from residents of Mount Pleasant Road about Friends School
	G		24/11/2011 - Coach operator letter ref difficulty passing lines of parked vehicles
	G1		16/12/2011 - NEPP Map - Trafweb
2012	H		08/03/2012 - email ref parking
	J		19/03/2012 - email ref parking and development
	J1		20/03/2012 - further email
	J2		18/09/2012 - further email
2013	K		06/06/2013 - ECC/UDC/NEPP meeting (Debden Road/Pleaslands Road)
	L	85, 99	08/08/2013 - <b>NEPP JPC</b> - scheme 10030 (Ashden Road); 10031 (Pleaslands/Debden) approved;
	L1		08/08/2013 - Report to NEPP JPC - TRO scoring
	L2	107	31/10/2013 Minutes of meeting 08/08/2013 above; published 31/10/2013 (L2)
2014			
2015	M	109/110/111/113-5	30/03/2015 ECC s.106 scheme project commenced. April 2015 - ECC Plans drawn up for roads affected; s.106 scheme design commenced (becomes TRO-5523)
	N	124-157	18/06/2015 - NEPP TRO Policy amended (incl. SEPP... and implements DCLG recommendations)
	P	160-164	27/08/2015 - ECC s.106 scheme plans finalised on ParkMap (TRO-5523)
	Q	166	08/10/2015 - email from UDC to ECC & NEPP
	R	168-172	19/10/2015 - ECC scheme design completed - for NEPP to progress
	R1	174-5	19/10/2015 - ECC email with further details
2016	S	176-9, 180	28/01/2016 - Essex County Council (Uttlesford District) (Permitted Parking Area and Special Parking Area) (Consolidation) (Amendment No 40) Order 20 published/2016
	T	182-7	12/02/2016 - email to NEPP from Mr Starr (confusing ECC TRO-5523 NEPP 10030, 10031 & Amendment 41) including FoI received
	T1	188-255 (see 202)	12/02/2016 - FoI response 12th Feb, follow up replied to on 19/02 (as published by weareresidents with their comments)
	U	256-65 (see 261-2)	19/02/2016 - End of Objections period, inc SW TC
	V	266-8	22 /02/2016 - SWTC email during consultation, repeated 21/07/2016
	W	270-87	23/06/2016 - objection report, <b>NEPP JPC</b>
	X	288-9	19/08/2016 - Post informal meeting email - also enquiring about schemes approved on 30/06/2016.
	Y		Procedure Regulations 1996



		<b>AGENDA ITEM 7</b>
		<b>PSEG/18/16</b>
<b>Committee:</b>	<b>Place Services and Economic Growth Scrutiny Committee</b>	
<b>Date:</b>	<b>12 September 2016</b>	
<b>REPORT OF CALL IN: DECISION FP/566/08/16 TACKLING THE ILLEGAL DISPOSAL OF WASTE AT RCHW CENTRES</b>		
<b>Enquiries to:</b>	<b>Christine Sharland, Scrutiny Officer Christine.sharland@essex.gov.uk</b>	

On 6 August 2016 Councillor Chris Pond called in FP/566/08/16 Tackling the illegal disposal of waste at RCHW centres (Recycling Centres for Household Waste).

A copy of the decision can be found on CMIS by entering the full FP reference number on the following page:

<http://cmis.essexcc.gov.uk/essexcmis5/Decisions.aspx>

In line with the procedure for handling the call in of a decision, an informal meeting was held on 16 August 2016. A copy of the Notification of Call-In form and the formal note of that meeting are attached at Appendices A and B.

On the basis of discussion at the informal meeting Councillor Pond indicated that he would contact his County Councillor colleagues before coming to a conclusion on whether or not to withdraw his call in of decision FP/566/08/16 subject to a letter from Councillor Walsh, the Cabinet Member responsible for the decision confirming what action he proposed to take in respect of Epping Forest District.

Following an exchange of correspondence between Councillors Pond and Walsh, which is attached at Appendix C, the call in was withdrawn on 23 August 2016.

#### **Action required by the Committee:**

**The Committee is invited to note the action taken in this matter.**

## Appendix A

### Notification of Call-in

<b>Decision title and reference number</b> FP 566 08 16 Tackling the illegal disposal of waste at RCHW centres	
<b>Cabinet Member responsible</b> Simon Walsh	<b>Date decision published</b> 3/8
<b>Last day of call in period</b> 8/8	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the call in</b> <ol style="list-style-type: none"> <li>1. The purpose of preventing illegal disposal of business waste is a good one, and we have no argument with that</li> <li>2. The distance from the southern part of Epping Forest ( “SEF”: Chigwell, Buckhurst Hill, Loughton, Waltham Abbey) to the RCHW site in north Harlow is approx 12.5 miles</li> <li>3. The inconvenience and waste of resources caused to residents in SEF, and to a lesser extent, also to those in Epping, Abridge, Stapleford Abbots etc, is unacceptable, when small amounts of self-generated DIY waste is concerned.</li> <li>4. We note that the site at Rayleigh has been subject to a hybrid procedure, in that residents in cars (as opposed to open trucks, tippers, pickups etc) will be able to deposit DIY waste there, though business waste and larger vehicles will be directed to Basildon.</li> <li>5. The further parts of Rochford district are the same sort of distance from Basildon as SEF are from Harlow, but have perhaps 5% of the population SEF does, which is approx 70000. We cannot see that any large population comparable with SEF elsewhere in Essex has been subjected to such long journeys</li> <li>6. The no vans, trailers etc rule has recently been adopted by our neighbours in Waltham Forest LBC and seems to have caused no issues</li> <li>7. <u>Therefore we request that the Rayleigh model be applied to one of the sites in Epping Forest District.</u> Waste officers will have a good idea as to which one should be selected NB – this was discussed over the telephone with the decision-maker on 6.8.16. Cllrs Metcalfe and Whitehouse are aware of these issues and in general terms associate themselves with this call in subject to sight of the document. It has not been possible to contact Cllrs Knapman and Gadsby because of holidays</li> </ol>	

<b>Signed:</b> [C C POND]	<b>Dated:</b> 6.8.16
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## Appendix B

### **Note of Informal meeting held on 16 August 2016 regarding the Call In of the Cabinet Member decision on FP/566/08/16 Tackling the illegal disposal of business waste at Recycling Centres for Household Waste (RCHW)**

In attendance:

Councillor Chris Pond (Councillor responsible for calling the decision in)  
Councillor Andy Wood, Vice Chairman of Place Services and Economic Growth  
Scrutiny Committee  
Councillor Simon Walsh, Cabinet Member for Environment and Waste

Jason Searles, Head of Commissioning, Sustainable Essex Integration  
and Waste

Dan Baker, Cabinet Advisor

Christine Sharland, Scrutiny Officer

Councillor Wood welcomed everyone to the informal meeting that had been convened in line with the County Council's Call In procedure to consider the above decision.

Councillor Pond was then invited to explain the seven reasons he had given in his Notification of Call In. While he understood the reasons for the decision, he considered that conditions in Epping Forest District were such that the hybrid model proposed for the Rayleigh RCHW site should also be applied in his District. He confirmed that Councillors Metcalfe and Whitehouse were in support of his call in.

Councillor Walsh, the Cabinet Member, confirmed that the proposed operational changes across Essex had been carefully considered. He had taken governance advice on the decision, and confirmed that any change to those proposals affecting sites in Epping Forest would require a new decision to be promoted for the whole of the county.

Whilst he acknowledged Councillor Pond's concern about the decision's impact on Epping Forest District in particular, the higher density of the population and the logistics for residents having to travel longer distances to sites to deposit domestic DIY waste outside the district, he went on to emphasise that once the decision is implemented its impact would be carefully monitored and, if necessary, any operational variations could be introduced. He referred to the

evidence that had been used in the formulation of the proposals for example the number of people visiting each site, volume of DIY waste deposited, the low frequency of associated visits; and factors affecting the choice of sites that would no longer accept DIY household waste.

Jason Searles, Head of Commissioning, Sustainable Essex Integration and Waste, described the monitoring that was planned to take place following the planned changes in October 2016. It would include additional staff on those sites where DIY waste would continue to be accepted, as well as other staff moving between sites to measure the impact of the operational changes including public reaction. Traffic monitoring would also take place. The information gathered from monitoring the changes would enable any changes to be made on the basis of evidence rather than assumptions. He pointed out that there are already some restrictions on different types of waste accepted at RCHW in Essex.

With reference to Epping Forest District, he highlighted some of the issues and remedies that had been taken into the proposal to restrict DIY waste at its sites. There are constraints that affect the operation of individual sites. Physically some sites are small and managing any changes could present some difficulties locally eg congestion and traffic queuing as a result of increased checks on waste being deposited. The Epping Forest sites are close to the border with neighbouring London Boroughs where restrictions on household waste are more onerous and an increasing number of people are 'crossing the border' to use Essex County Council facilities. The borders with other County Councils have presented fewer problems.

The new operational arrangements proposed for the Rayleigh RCHW were designed to address local conditions, and took account of the strategic partnership working that is in place with Southend on Sea Borough Council.

There has been an increase in commercial waste and at the same time there is relatively infrequent use of RCHWs by residents for the disposal of domestic DIY waste. There is no statutory obligation on Waste Disposal Authorities to accept such waste. Suffolk County Council has introduced charges for residents depositing this waste, but this Council has sought to keep the service free.

Consultation had taken place with Epping Forest District Council, and no adverse feedback received.

In conclusion Councillor Walsh confirmed that he was unwilling to change the existing decision. However, he reassured Councillor Pond that he would revisit the situation in Epping Forest after six months once the impact of the changes could be properly assessed. If there is proof that there was major inconvenience being caused in that District, he would consider making a new decision to adjust the operation of sites in that locality.

On the basis of discussion Councillor Pond indicated that he would contact his County Councillor colleagues before coming to a conclusion on whether or not to withdraw his call in of decision FP/566/08/16 subject to a letter from the Cabinet Member confirming what action he proposed to take in respect of Epping Forest District.

In the meantime the Cabinet Member undertook to provide Councillor Pond with further information on RCHW travel patterns.

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## Appendix C

Essex County Council  
**Cabinet Office**  
PO Box 11  
County Hall  
  
Chelmsford  
Essex  
CM1 1LX



Cllr Chris Pond  
*Sent by email*

Our Ref: FP/566/08/16  
Your Ref:

Date: 19 August 2016

Dear Cllr Pond,

**Call in FP/566/08/16: Tackling the illegal disposal of business waste at Recycling Centres for Household Waste**

Following our informal call in meeting on 16<sup>th</sup> August, to discuss my decision to implement policy changes at the Recycling Centres for Household Waste (RCHW) as a way of tackling the illegal disposal of business waste, I committed to providing you with a written response to the points raised within your call in notification. This letter also provides further information on the rationale adopted and confirms my position, as discussed, with regard to monitoring the impact of the changes and making operational changes following implementation of the decision if undesirable impacts arise.

For ease of reference I will address my comments to each of the points raised within your notification of call in in turn.

- 1) *The purpose of preventing illegal disposal of business waste is a good one, and we have no argument with that*

I thank you for your support with the principle of what this policy change is looking to achieve.

I am proud that we will continue to maintain a level of service which exceeds our statutory obligation for the benefit of Essex Households and unlike many neighbouring counties one that is free at point of use. In addition to driving the illegal disposal of business waste out of the RCHW sites this change will benefit the majority of users by reducing congestion at the sites and maximising capacity

for the materials most residents dispose of most often; ensuring we can minimise unscheduled closure of sites for servicing.

- 2) *The distance from the southern part of Epping Forest ( "SEF": Chigwell, Buckhurst Hill, Loughton, Waltham Abbey) to the RCHW site in north Harlow is approx 12.5 miles*

Whilst I accept that, in tackling the illegal use of the site by businesses, some legitimate users of the RCHW service will need to travel further than is currently the case to access the service this will only affect a small percentage of users. Those impacted by this change will only be those using a commercial type vehicle as their personal transport or those wishing to dispose of heavy DIY and construction wastes as detailed in the decision. These materials, due to the nature of the DIY projects which generate them, are disposed of infrequently by householders, whilst commercial vehicle use by householders is low. The impact of this change will therefore affect a very small minority of genuine visits whilst delivering benefits for the majority of users by reducing congestion and increasing capacity for the most commonly disposed of waste materials whilst reducing the burden from business use.

In addition to the site in north Harlow that you have identified, residents in the areas you have highlighted will also be able to access the Coxtie Green RCHW which for many will be closer. Whilst there is no statutory obligation on Essex with regard to the proximity of recycling centres to residents, national guidance suggests the majority of residents should be within a 30 minute drive. Essex will maintain this level of service for the vast majority of Essex residents whilst also providing an enhanced level of service by continuing to accept the DIY and construction waste types.

With regard to the south Epping Forest district areas identified within the call in notification (Chigwell, Buckhurst Hill, Loughton and Waltham Abbey), it is important to recognise that the RCHW sites at Chigwell and Waltham Abbey will continue to operate and provide a very convenient and local point to dispose of most household waste for the vast majority of users. For those small number of service users wishing to use a commercial type vehicle or dispose of heavy DIY and construction waste the RCHW at Coxtie Green and Harlow still provide a convenient disposal point. The south Epping Forest areas identified are still within a 22-30 minute drive of either Harlow or Coxtie Green representing an additional journey time of 15-20 minutes on current travel times when disposing of heavy DIY and construction waste or using a commercial type vehicle.

- 3) *The inconvenience and waste of resources caused to residents in SEF, and to a lesser extent, also to those in Epping, Abridge, Stapleford Abbots etc, is unacceptable, when small amounts of self-generated DIY waste is concerned.*

Whilst I am committed to maintaining access to facilities for householders disposing of DIY and construction waste, it is important to note that, as the waste disposal authority, Essex is under no legal requirement to provide such disposal points.

The changes will continue to allow light DIY waste at all 21 sites, whilst restricting only the heavy DIY/construction waste, such as structural waste and waste from fitted elements of people's houses, to nine sites which are better able to cope with (small amounts) of this waste. This is a waste type few residents need to dispose of and, of those that do, on an infrequent basis; the impact is therefore minimal. At the nine sites continuing to accept these materials strict limits will be implemented which will prevent disposals from major projects, this is essential if we are to tackle the illegal disposal of business waste.

The correct method of disposing of business waste or large scale home construction waste projects is via the commercial sector, e.g. mini-skips. Most people know to use such a service when doing major projects. The cohort of residents who wish to continue to use a RCHW to dispose of heavy DIY waste will, under these changes, still be able to do so within the prescribed limits at nine sites spread throughout Essex. These sites have been selected to ensure good coverage across the County whilst recognising the constraints of the sites and the likely impact on the overall aim of minimising illegal use of the sites.

I recognise that some users will be inconvenienced by this change, but I do not believe that an additional drive of approximately 15-20 minutes for materials disposed of on an infrequent basis is unreasonable given the wider benefits that the policy will deliver. Under these changes ECC will continue to offer a service well in excess of the legislation, unlike other county councils, many of whom have closed their smaller sites and are also charging for all DIY waste at point of disposal.

- 4) *We note that the site at Rayleigh has been subject to a hybrid procedure, in that residents in cars (as opposed to open trucks, tippers, pickups etc.) will be able to deposit DIY waste there, though business waste and larger vehicles will be directed to Basildon.*

A hybrid procedure is being implemented at the Rayleigh site the rationale for which is detailed further below. It is however important to note that the assertion that business waste will be directed to the Basildon RCHW is incorrect. Business waste will be refused entry at all ECC recycling centres. It is illegal to dispose of business waste at any Essex RCHW and these policy changes will allow this to be better enforced.

- 5) *The further parts of Rochford district are the same sort of distance from Basildon as SEF are from Harlow, but have perhaps 5% of the population*

*SEF does, which is approx 70000. We cannot see that any large population comparable with SEF elsewhere in Essex has been subjected to such long journeys*

The hybrid status of the Rayleigh site was not introduced for the reasons suggested. It, like Waltham Abbey and Chigwell, is a site in a compromised location and needs all the help it can get to maintain a basic service level for residents throwing away the most frequently disposed of waste types.

The offer at Rayleigh was changed following consultation with our strategic partner waste disposal authority Southend-on-Sea Borough Council. The adoption of rules at Rayleigh that match those at Chigwell and Waltham Abbey would have caused a service conflict with their own sites nearby, which would likely have resulted in an unfair outcome.

*6) The no vans, trailers etc rule has recently been adopted by our neighbours in Waltham Forest LBC and seems to have caused no issues*

The changes made by the East London Waste Authority are similar to those I have proposed. As you state this may have caused no issue for Waltham Forest residents however there is a potential impact on the Essex resident and taxpayer, with increased numbers of businesses suspected to be visiting our sites to evade rules relating to vehicle type and restrictions on disposal of certain materials, especially construction waste. This, in part, is why it is important to mirror the rules at the Essex sites bordering these areas to ensure Essex is not disadvantaged.

*7) Therefore we request that the Rayleigh model be applied to one of the sites in Epping Forest District. Waste officers will have a good idea as to which one should be selected*

It is essential that as many sites as possible introduce a regime which prevents the entry of business waste and limits the exposure of Essex taxpayers to the disposal of construction waste for which we have no statutory responsibility. These changes will have positive impact for the majority of users by ensuring compromised sites are able to operate efficiently, whilst maintaining a disposal route for DIY and construction waste at sites within a reasonable distance of both Waltham Abbey and Chigwell; when considering the infrequent need of householders to dispose of these waste types.

As outlined above there are a very specific set of circumstances that have necessitated the compromise for the Rayleigh site. Whilst I am not able to endorse your request to mirror this arrangement at the sites in Epping Forest District at the current time I do commit to keeping the situation under review and working with you to assess whether additional changes to the policy are required based on the evidence we gather over the coming months.

A monitoring and evaluation programme has been agreed with the site operator to enable the impact of these changes to be assessed. This programme will consider the impact of these changes on a site by site basis with respect to tonnage changes, vehicle movements, turned away vehicles and user comments. This will enable the service, in real time, to undertake early identification of any unexpected or undesired impacts as a result of this decision. Where the service changes have an undesired significant impact on individual sites I can confirm that operational changes to amend the restrictions at these sites will be implemented.

I can also confirm my intention to bring a full impact report back to the Scrutiny Committee six months after implementation for debate. The purpose of this will be to evaluate the impact of this decision enable any further refinements or amendments to the policy to take place if necessary.

In addition, and in recognition of your specific concerns of the effect of the changes to sites in Epping Forest District, I am proposing that an evidence-based review be undertaken to assess the impact of the changes in this locality no later than three months after the policy is implemented. I commit to sharing this review with you and meeting to discuss the outcomes including lessons learnt and any operational, or policy changes deemed necessary.

In summary whilst I understand your concern regarding these changes, this needs to be considered in the context of the low frequency with which users dispose of these material types and the low number of householders using commercial type vehicles. It is therefore my view that the additional journey time for a small number of users is justified and reasonable when considered against the benefits this will deliver for the service and the vast majority of users disposing of the most common types of waste at the RCHW.

In summary and as outlined above I commit to the following actions:

- a) monitor the impact of these changes on a site by site basis;
- b) make operational changes to site policies within the first six months of the change where unintended significant impacts are identified at individual sites;
- c) bring an impact report after six months of operation to the Scrutiny Committee for discussion; and
- d) carry out a specific review of the impact of the changes in Epping Forest District after the first three months of the change and meet with you to discuss the findings .

I hope that the response to your queries and the commitments I have made provide you with enough information to consider the withdrawal of this call in notification. Please do get in touch if you would like to discuss further.

Yours sincerely

Cllr Simon Walsh  
Cabinet Member for Environment and Waste

**Further correspondence:**

**Email dated 22 August from Councillor Walsh to Councillor Pond**

'Dear Chris,

Officers have pulled together information on mileage and drive times as requested, included in the attached spreadsheet for your information. As we do not have the ability to plot this for every possible starting point we have taken locations in the 4 key population centres in SEF.

Whilst these changes will increase the travel distance for some, it is important to remember that this will effect a very small minority of users on an infrequent basis. Only those using commercial vehicles or disposing of the infrequently produced heavy construction waste, which Essex CC has no statutory duty to dispose of, will be impacted by these changes. Following these changes Essex CC will continue to provide a, free at point of use, facility for the disposal of small quantities of heavy construction waste for householders at those facilities best able to manage this material.

The proposed changes were presented to the Essex Waste Partnership Member Board in April, minutes of this meeting are attached. All partnership members received copies of the agenda, minutes and the presentation and received feedback immediately following the April meeting. The scheduled member meeting of the 17th May did not take place and the ECC decision was therefore reported back to the August meeting. However, the changes have been discussed at every officer meeting (these take place every 4-6weeks) between the April member meeting and the August Member meeting and these sessions helped refine the proposal – ECC requested that district officers kept their own members briefed on progress.

Regards

Simon'

*NB The attachments have not been reproduced with this committee report*

**Email response from Councillor Pond to Councillor Walsh dated 22 August 2016**

'Thank you for this.

I now understand that Epping Forest DC are now saying they had no preknowledge of this proposal. I see they were not at the meeting you kindly supplied the minutes of I also see that at the meeting a point was made of the desirability of providing a site on Dengie, and from the conversations I have had, I believe EFDC would have made a similar bid had they been present.

As I think I have said before, I think an understanding that would lead to the withdrawal of the call in would have to include a guarantee (no just a promise of a review) that conversion of the Chigwell site to the Rayleigh hybrid model should be announced in due course, and certainly before Christmas.

I gather one other affected member from SEF is now back, and I shall attempt to make contact this afternoon.

Regards  
CP'

**Email dated 23 August from Councillor Walsh to Councillor Pond**

'Dear Chris,

As with all of our District, Borough and City partners Epping Forest DC have had a number of opportunities to review and comment on the proposals as they were being developed. Information on the changes were presented to all Waste Partnership officers in March 2016 and have been revisited at each subsequent meeting to date, I understand that the Epping Forest District Council officer representative was present at all of these meetings. Whilst the Member representative for Epping Forest DC tabled his apologies for the 4<sup>th</sup> April meeting he would have received a copy of the presentation (which was also sent to the lead waste officer at Epping Forest DC) and was also sent a copy of the minutes and issues raised at the meeting. Any comments received from our partners through this process were assessed and responded to and as I have previously indicated a number of changes to the policy have been made based on these.

As previously stated whilst all of the preliminary work undertaken indicates that the changes to the recycling centres will maintain a good level of coverage and will have minimal impact on users I accept that it is only after roll-out that we can be absolutely clear of the impact of these changes. It is for this reason that I have committed to undertake pre and post-implementation monitoring, so the effects of these changes can be understood. Whilst I cannot offer you a guarantee that conversion of the Chigwell site to the hybrid model will take place, I can guarantee that where the evidence suggests that changes to the policy are required to mitigate negative impacts, I will make sure that these are enacted in

consultation with yourself and your colleagues. To emphasise, if the evidence supports the need to reverse decisions at certain sites I will do so.

Regards  
Simon'

**Email dated 22 August from Councillor Pond to Christine Sharland,  
Scrutiny Officer Pond**

'Dear Christine

I have now consulted all my co-adjutors, and we have rather reluctantly come to the conclusion it may be best to withdraw the call in notice, on the basis of Cllr Walsh's letter to me received this morning.

If this decision, which I still believe to be misguided, results in great inconvenience to residents and/or a significant increase in fly-tipping, I may be inclined to put a motion down for Full Council in due course.

Many thanks  
Chris'



		AGENDA ITEM 8
		<b>PSEG/19/16</b>
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	12 September 2016	
LOCAL HIGHWAYS PANELS		
Enquiries to:	Christine Sharland, Scrutiny Officer 0245 430450 Christine.sharland@essex.gov.uk	

## **Background**

On 30 June 2016 a workshop was held for Committee Members to discuss their impressions of scrutiny activity and how the Committee's effectiveness could be improved. The output of the discussion will be the subject of a separate report at the Committee's next meeting.

The workshop was followed by a briefing delivered by Highways Officers that updated the Committee on the Local Highways Panels (LHPs) prior to more detailed planning of a scrutiny review.

In practice the briefing drew attention to new staffing structures that have been introduced and other changes that will have an impact upon the delivery of local highway schemes. It was learned that an executive review was already underway to provide the LHPs with new terms of reference, Member guidance, and processes for submitting schemes.

In the context of conclusions reached in the earlier workshop around the timeliness of scrutiny review and ability to influence decisions, it was agreed by those present that it was necessary to contribute to the consultation being conducted on the terms of reference and Member guidance as part of the overall review of LHPs. To ensure that time was not lost, the relevant documentation on the terms of reference was circulated electronically to Committee Members for comments before being co-ordinated as part of a Committee response to the Cabinet Member for Highways and Transport. A copy of the letter sent to the Cabinet Member is attached at the Appendix.

When the Committee meets on 22 September the Cabinet Member has been invited to update the Committee on the latest position with regard to consultation

being undertaken on the LHP terms of reference and Member Guidance, together with an explanation on the project validation process.

**Action required by the Committee:**

**To be note the report on consultation that took place with the Committee in July 2016.**

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Councillor Eddie Johnson,  
Cabinet Member for Highways and Transport  
County Hall  
Chelmsford



Cc:  
Jessamy Hayes, Policy and Strategy Advisor  
Vicky Presland, Development Management Group Manager  
Sonia Church, Design Engineer  
Anne James, Essex Highways

Councillor Derrick Louis  
Chairman, Place Services and  
Economic Growth Scrutiny Cttee  
County Hall  
Chelmsford

15 July 2016

Dear Cllr Johnson

**RE: Scrutiny members' comments on Local Highways Panel briefing**

As part of a committee activity day on 30<sup>th</sup> June, members of the Place Services and Economic Growth Scrutiny Committee heard an update from Highways Officers about the Local Highways Panels (LHPs). In particular, officers drew attention to new staffing structures and explained that new terms of reference, guidance and processes for submitting schemes are being developed.

Members were provided with the enclosed documents and determined to focus on these issues first as part of their overall review of LHPs. To ensure that time was not lost, I asked that the briefing be circulated to the Committee Members by email for their comment.

Members' comments are appended.

In order to discuss the Committee's comments and help the committee's review of LHPs proceed, you are invited to attend the 22 September meeting of the Place Services and Economic Growth Scrutiny Committee. I have asked Christine Sharland and Lisa Siggins to liaise with your office over the details of this (it will be after 25 July, when Christine returns from leave).

Thank you for your time and openness to engagement with the committee on this matter. If you have any questions please don't hesitate to be in touch.

Yours sincerely

Councillor Derrick Louis  
Chairman of the Place Services and Economic Growth Scrutiny Committee

**Place Services and Economic Growth Scrutiny Committee members'**  
**LHP comments**

<b>Councillor</b>	<b>Comment</b>
Keith Bobbin	I think it is fine and will help the Highways Panels to do their work and will inform residents more, better. As a panel Chairman it will help me.
Ian Grundy	<p>1) The consultation and redrafting of the Terms of Reference seems out of touch/premature when there is a Task and Finish Group carrying out a study of the work of LHPs.</p> <p>2) The suggestion that safety reduction schemes are to be funded by the LHP budget above all other schemes makes nonsense of the role of local members and parish councils who have put forward individual schemes in the expectation they will be delivered in a reasonable time and not just be put back and back and possibly never.</p> <p>3) Quite rightly the Chelmsford LHP have briefed Members and Parish Councils on the progress of schemes but we still have schemes agreed years ago which have not been implemented. Everything takes far too long.</p> <p>4) There have been occasions when topping up/shared funding is offered by other partners seems complicated. Is there a defined procedure.</p> <p>5) Parish Councils have expressed amazement at some of the costs on local schemes in particular repairs to bridle ways/ public rights of way. These schemes could often be done locally at a more cost efficient way and therefore quicker.</p>
Chris Pond	<p>I think the proposal re Casualty Reduction Schemes (CRS) is unacceptable. I would prefer wording such as: Due weight should be given by LHPs to CRSs, given the duty of the Highways Authority to reduce casualties. Question: Is this statutory? If so please show me the relevant statute.</p> <p>Political balance: Yesterday at the briefing we were told the balance to be maintained was that of the County Council. That is not in the wording given with the draft. Please elucidate.</p>
Stephen Robinson	<p>I would welcome clarification on membership. The PSEGC members were unanimous that ALL County Members in each District should be on the LHPs. I realise that this would make the Chelmsford, Colchester and Braintree ones quite large; but I don't imagine that everyone would attend every time. It is crucial that all county members can have input into the work of their LHP.</p> <p>Section 5 says that Agenda will be available on ECC website. For absolute clarity, this should say "in advance".</p>

		<b>AGENDA ITEM 9</b>
		<b>PSEG/20/16</b>
<b>Committee:</b>	<b>Place Services and Economic Growth Scrutiny Committee</b>	
<b>Date:</b>	<b>12 September 2016</b>	
<b>LOCAL BUS CONSULTATION: LOCAL BUS TENDER ROUND 2017</b>		
<b>Enquiries to:</b>	<b>Christine Sharland, Scrutiny Officer</b> 0245 430450 <b>Christine.sharland@essex.gov.uk</b>	

In July 2016 a briefing paper was circulated electronically to Committee Members setting out background on a consultation that was due to be published on 'Local Bus Tender Round 2017' in August and September. At that stage the Committee's feedback was invited on how best to engage with councillors on this issue from a strategic perspective with the expectation that specific route changes would tend to be matters for the individual Local Member to take forward through the consultation itself.

### **Overview of briefing paper**

There are **67** local bus services with contracts that are due to expire in 2017. The County Council has followed the standard procedure for reviewing the network when contracts are expiring.

Last year consultation was undertaken on a revised local bus network covering the majority of services which taxpayers support. However, there were around 70 services where contracts were due to expire in 2017 and were not part of that review. All districts, except Tendring will be affected but the majority of the changes are in Braintree, Epping, Harlow and Chelmsford.

Most of these contracts have been in place for 7 years, so the tender prices are likely to increase. In addition over those seven years there have been changes in passenger usage and increased congestion.

Therefore, as is standard practice and a part of the re-design, it is proposed to make some larger changes to some services, including timetable changes and in

some cases the use of smaller vehicles. These changes are to reflect actual usage patterns and in order to maximise the likelihood that services will come in below £5 per passenger journey. So the changes in the re-design are to:

- Reflect changes in usage and travel
- Ensure that as many of the routes as possible meet the £5 value for money test

### **Summary of proposals**

- 21 services will be subject to either no change (**18** services) or only minor timetable changes (**3** services). These services are not exceeding or close to the ECC maximum subsidy level.
- 5 services will be withdrawn, either where there are commercial alternatives, or where the service is not sufficiently used to be viable.
- **6** services in Maldon will be reviewed in a separate consultation later in 2016 to allow the impact of the de registration of the Monday to Friday 91, 92 and 95 services in the areas affected to be taken into consideration.
- **12** services will see changes to the way in which they are currently delivered. These rural lifeline services are currently exceeding our maximum funding level per passenger journey or very likely to when tendered. Alternate transport such as shopper services, the use of a smaller vehicle more suited to the rural roads and demand responsive transport are being considered.
- It is proposed to make major changes to the timetables of **23** services. Due to the reasons outlined above it is expected that there will be a significant rise in the cost when we go out to tender. This will mean these services may exceed the maximum cost per passenger journey. For the majority of these services two or more options are being considered. The consultation asks residents to comment on each option. All options will be tendered. Options where the cost per passenger journey exceeds £5 can be disregarded and the affordable option put forward as a viable service.

Overall the re-design is seeking to protect the network. There will inevitably be changes to some individual journeys that are unwelcome, but the proposals try to minimise these while protecting the service by reducing cost. We will test the impact on individuals through consultation.

### **Next Steps....**

No particular issues were raised by Committee Members in response to the

briefing paper, albeit the opportunity to learn about proposals before they were circulated more broadly was welcomed.

At the next Committee meeting Helen Morris, Director for Place Commissioning, will be attending to provide an oral update on passenger transport matters.

**Action required by the Committee:**

**To note the action taken in July to advise the Committee about the proposed Local Bus Consultation.**

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		AGENDA ITEM 10
		PSEG/21/16
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	12 September 2016	
HIGHWAYS SURFACE DRESSING SITE VISIT		
Enquiries to:	Christine Sharland, Scrutiny Officer Christine.sharland@essex.gov.uk	

On 9 June 2016 a Committee site visit took place to provide Members with an opportunity to learn more about highways surface dressing and see how it is applied in practice. In September 2014 there was a Committee visit that focussed upon the repair of potholes and highways maintenance, and at that time Members had shown an interest in taking part in a follow up visit to find out more about the practical application of surface dressing.

Councillors Tony Durcan, Carlo Guglielmi, David Kendall, Chris Pond, Stephen Robinson, Kay Twitchen, and Andy Wood took part in the visit.

The Committee visited a site on the outskirts of Wickford. Highways officers explained how highways maintenance is managed and implemented, the actual process of applying surface dressing, the importance of temperature and weather conditions, and the traffic management requirements on site during works. Members were able to see close up the various equipment used, including a new machine that is able to cover apply material to the whole width of the carriageway thus reducing the overall length of time required for the surface dressing process.

It was interesting to witness how work is carried out on site, and watching work in progress generated a lot of questions from Members. Overall it fostered better understanding of the processes involved and reasons why things are done in a certain way thus challenging some of the criticisms directed at highway works eg the weather and road temperature are critical in the application of surface dressing and dictate the seasonal nature of the work as well as impact upon the planned programme of works.

On their return to the Springfield Highways Depot, Members received a presentation on asset management and surface treatment operations.

Before leaving the Depot Councillor Carlo Guglielmi accepted an invitation to see how 'Confirm' works in practice, which is the system used to manage highway fault reporting.

**Action required by the Committee:**

**To note report as a record of the Committee site visit.**

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