

## **Environmental Services Committee – 3 March 2005**

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Minutes of the meeting of the **Environmental Services Committee** held on **3 March 2005** when there were present:-

Cllr J E Grey (Chairman)  
Cllr Mrs T J Capon (Vice-Chairman)

Cllr R A Amner	Cllr P R Robinson
Cllr R G S Choppen	Cllr C G Seagers
Cllr T G Cutmore	Cllr Mrs M S Vince
Cllr Mrs L Hungate	Cllr Mrs M J Webster
Cllr J M Pullen	Cllr P F A Webster

### **VISITING MEMBERS**

Cllrs P A Capon, T E Goodwin, K H Hudson, A J Humphries, G A Mockford, D G Stansby and M G B Starke.

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr C J Lumley.

### **OFFICERS PRESENT**

S Scrutton	- Head of Planning Services
J Crawford	- Transportation Manager
S J Neville	- Residential Services Unit Manager
N Khan	- Solicitor
A Law	- Solicitor
S Worthington	- Committee Administrator

### **COUNTY COUNCIL OFFICERS PRESENT**

P Grimwood	- District Manager, County Highways
P Craig	- District Officer, County Highways

### **ALSO ATTENDING**

C Smith, Gypsy Council

### **86 MINUTES**

The Minutes of the meeting held on 12 January 2005 were approved as a correct record and signed by the Chairman.

### **87 DECLARATIONS OF INTEREST**

Cllr T G Cutmore declared a prejudicial interest in item 10 of the agenda by

virtue of being acquainted with someone in one of the shops affected by the waiting restriction. He left the Chamber during discussion of this item.

### **88 ISSUES ARISING FROM OVERVIEW AND SCRUTINY**

The Committee considered the report of the Environment Overview and Scrutiny Committee on recommendations made at its meeting on 15 February 2005.

#### **1 A Local Development Scheme for the Rochford District**

##### **Resolved**

- (1) That the Local Development Scheme for the Rochford District be agreed for submission to GO-East, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004.
- (2) That authority be delegated to the Head of Planning Services to carry out minor amendments to the LDS to ensure consistency and correctness. (HPS)

### **89 PROGRESS ON DECISIONS**

The Committee received the Schedule relating to Progress on Decisions and in response to Member questions the following was noted:-

#### **Assessment of Odour Emissions from the Stambridge Sewage Treatment Works**

Members of the Committee would receive an update with respect to the consultant's report.

#### **Proposed Diversion of Footpath 11, Hockley**

This would go out to consultation next week.

#### **Proposed Diversion of Footpath 8, Great Wakering**

The landowner's formal agreement had been received and this would accordingly go out to statutory consultation.

#### **Parking for Care Workers**

Officers were currently consulting with the County Council on residents' parking schemes. Letters had been received from residents requesting residents' parking. It was hoped that a scheme could be introduced within the next few months.

### 90 PROPOSED LIMITED WAITING RESTRICTION 1 HOUR, NO RETURN IN 2 HOURS LAY-BY ADJACENT TO 509 – 519 ASHINGTON ROAD

The Committee considered the report of the Area Manager, County Highways asking Members to consider a request by several shop keepers for a limited waiting restriction on the lay-by adjacent to their premises to prevent loss of trade caused by inconsiderate long-term parking.

#### **Resolved**

That the proposed 1 hour limited waiting restriction no return in 2 hours be varied to 2 hours limited waiting no return in 2 hours, as set out in appendix 2 to the report, and that a Traffic Regulation Order be made to that effect. (County Highways)

### 91 REPORT OF THE TAXI LICENSING SUB-COMMITTEE – 1 FEBRUARY 2005

The Committee considered the report of the Taxi Licensing Sub-Committee on recommendations made at its meeting on 1 February 2005.

In response to a Member enquiry relating to the agreement of a fare prior to commencement of the journey for travel outside the district, rather than operating the meter, officers advised that it was a legal requirement to operate the meter for journeys within the district. However, in the case of journeys falling outside the district the customer and driver could agree to a fare, otherwise the meter would be operated as usual.

#### **Resolved**

- (1) That the 2005/06 charges for Hackney Carriage and Private Hire vehicles be as set out in the schedule appended to the report of the Head of Revenue and Housing Management (these having been previously agreed by Council, subject to this consultation process).
- (2) That a regulated regime for taxi fares be retained. (HRHM)

### 92 EAST OF ENGLAND PLAN

The Committee considered the report of the Head of Planning Services seeking Members' views on the East of England Plan, the draft revision of the Regional Spatial Strategy (RSS) for the East of England.

In response to a Member enquiry relating to the overall housing requirement of 478,000 nationally, officers advised that the calculation took into account in-migration, as well as out-migration. Clarification would be sought from the Regional Assembly as to what percentage of the allocation related to existing UK citizens.

During debate, Members were concerned that the current infrastructure was imperfect, with drainage problems and worn road surfaces, for example. It was important that this existing infrastructure was improved before seeking to introduce any new infrastructure.

In conclusion, Members were concerned that the Plan would place great pressure on the Metropolitan Green Belt.

### **Resolved**

That the East of England Regional Assembly be advised that the Council:

- (1) Supports the planning framework for the Thames Gateway/South Essex sub-region, but that this support is conditional on the provision of new infrastructure to assist employment generation and as a prerequisite to housing development and notes the suspension of support for the Plan by the Regional Assembly.
- (2) Is concerned about the realism of the overall housing and employment totals for the region and for Essex and that the Regional Economic Strategy does not correspond with the employment figures proposed in the East of England Plan; the Council supports the County Council's submission on these matters.
- (3) Broadly supports the Plan's core strategy, but is concerned about the inappropriate pressure that will be put on the Metropolitan Green Belt.
- (4) Is concerned about the proposed level of affordable housing provision, particularly given the need to ensure all new development makes a contribution to infrastructure.
- (5) Is convinced that without substantial investment in new infrastructure, including transport, health and education, the East of England Plan will not be capable of delivery. (HPS)

### **93 PLANNING FOR GYPSY AND TRAVELLER SITES – CONSULTATION**

The Committee considered the report of the Head of Planning Services seeking Members' views on a review of Circular 1/94 "Gypsy Sites and Planning".

The Committee welcomed Mr Charles Smith, from the Gypsy Council, to the meeting.

Responding to concerns raised by Members relating to the occupation of land by gypsies on the site of the Rochford Business Park, which resulted in a time-consuming and costly clearing up and decontamination exercise, which contributed to the final CPA result, and the occupation of the A130 site by gypsies and travellers, within the Metropolitan Green Belt, Mr Smith advised

that all Local Authorities should have a Race Relations Policy that made provision for the rights of gypsies and travellers. Each Local Authority should identify land that could be used as a site for gypsies and travellers within its district. At present the only way a gypsy could settle on land within Rochford District would be to build on land and gain planning permission retrospectively, as Rochford District Council had failed to identify any such land for gypsies and travellers.

In response to a Member enquiry relating to established residents funding gypsies and travellers, Mr Smith confirmed that gypsies and travellers paid Council Tax to the relevant Authority. He agreed that gypsies and travellers should have no more right than established residents to build on the Metropolitan Green Belt, but reiterated that no land had been identified for gypsies and travellers within Rochford District. There was nowhere for them to go.

Responding to a query about the different groups of gypsies and travellers around the country, Mr Smith advised that there were two distinct groups: Irish travellers and the Romany group; it was rare for travellers to fall outside either of these two groups.

In response to a concern raised relating to the Basildon district where, despite designated gypsy and traveller sites, gypsies and travellers were still using Metropolitan Green Belt sites within the Basildon district, Mr Smith confirmed that there was only one site provided in Basildon for gypsies and travellers, with a capacity for 20, which was insufficient.

Responding to a concern expressed about land left contaminated by gypsies and travellers within the Rochford ward and instances of gypsies and travellers being aggressive and hostile towards other residents, with some theft and damage to property, Mr Smith confirmed that the Gypsy Council condemned travellers who tipped rubbish and contaminated land and acted in an anti social manner. He did, however, believe that this was a law and order issue, which should be kept separate from the issue relating to accommodation needs.

In response to further queries relating to the accommodation target for gypsies and travellers, and whether there existed a formation of gypsies and travellers who could explore the issue of accommodation, Mr Smith advised that there were nationally between 5,000 – 7,000 gypsy families without accommodation pitches. There was a coalition of gypsies in place, but there were always some groups that would not work with others.

In concluding the debate, there was a general consensus that the requirement to identify sites for gypsies and travellers constituted a form of positive discrimination, which could cause resentment among established residents who themselves struggled to gain accommodation.

Cllr P F A Webster moved a Motion, seconded by Cllr T G Cutmore, which outlined a suggested response to the Gypsy and Traveller sites consultation document.

On a requisition pursuant of Council Procedure Rule 16.4, a recorded vote was taken on the Motion as follows:-

For (12) Cllrs R A Amner, Mrs T J Capon, R G S Choppen, T G Cutmore, J E Grey, Mrs L Hungate, J M Pullen, P R Robinson, C G Seagers, Mrs M S Vince, Mrs M J Webster, P F A Webster.

Against (0)

Abstentions (0)

### **Resolved**

That the Council's response on the Gypsy and Traveller sites consultation document be that Rochford District Council considers that the implementation of Government Circular 1/94 "Gypsy Sites and Planning" will almost certainly result in ever more gypsies and travellers coming to Rochford District. This Council believes that the great majority of established residents will not welcome this influx and certainly will not approve of Council providing permanent or temporary sites. Consequently, only when Central Government uses planning law or other legislation will this Authority provide sites – but not otherwise. (HPS)

## **94 WEBSTERS WAY ENVIRONMENTAL ENHANCEMENT SCHEME**

The Committee considered the report of the Head of Planning Services providing Members with an update on the Websters Way environment enhancement scheme and final details of the proposed improvements.

### **Resolved**

That the principles of the enhancement scheme and the arrangements for implementation be agreed. (HPS)

## **95 PROPOSED DIVERSION OF FOOTPATH 21, CANEWDON**

The Committee considered the report of the Head of Legal Services on an application from Wallasea Farms Ltd, in partnership DEFRA, for the diversion of public footpath 21 to facilitate the development of the wildlife wetlands scheme at Wallasea.

During debate there was a general consensus that the proposed diversion would constitute an improvement on the existing footpath, which in some places along the sea wall was in poor condition. Officers would seek clarification that, in the event of the diversion taking place, those using the

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footpath would have the same legal rights with respect to shooting as was currently the case.

### Resolved

- (1) That, subject to the grant of planning consent for the construction of the new sea wall and the wetland area and the Applicants bearing the cost of any necessary accommodation works and all the Council's expenses recoverable under Local Government (Recovery of Costs for Public Path Orders) Regulations 1993 as amended, the proposal to divert footpath 21, as shown on the plan attached to the report, be approved.
- (2) That the Head of Legal Services be authorised to take all necessary steps to secure the making and confirmation of a Public Path Diversion Order under the terms of Section 257 of the Town and Country Planning Act 1990 (HLS)

The meeting closed at 9.25 pm.

Chairman .....

Date .....