



Leigh-on-Sea Town Council

71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP - Tel: 01702 716288
council@leighonseatowncouncil.gov.uk www.leighonseatowncouncil.gov.uk



Chairman: Cllr Paul Gilson
Vice-Chairman: Cllr Andy Wilkins
Town Clerk: Helen Symmons PSLCC

Members are requested to attend an online meeting of the
PLANNING, HIGHWAYS AND LICENSING COMMITTEE of Leigh-on-Sea Town Council
on **Tuesday 22nd September 2020** commencing at **7.30 pm**.

In accordance with Paragraphs 7 & 10(2) (b) of Schedule 12A of the Local Government Act 1972 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, you are hereby summoned to a meeting of Leigh-on-Sea Town Council, to be held online on Tuesday 4th August 2020 commencing at 7.30pm when it is hoped to transact the following business.

All participants are requested to enter the waiting room between 7.15 and 7.25 pm, ready for the meeting to commence at 7.30 pm.

To join the meeting:

Either click on this link

<https://us02web.zoom.us/j/2840165282?pwd=MVhpYnVNODBzSXk5U1hqUjFkZkZkZDZzOj09>

or use the Zoom App on your device and input:

Meeting ID: 284 016 5282
Password: 1996

Or you can phone dial into the meeting audio using one of the phone numbers:

One tap mobile
+442034815237,,2840165282#,,,,0#,,1996# United Kingdom
+442034815240,,2840165282#,,,,0#,,1996# United Kingdom

Dial by your location
+44 203 481 5237 United Kingdom
+44 203 481 5240 United Kingdom
+44 131 460 1196 United Kingdom
+44 203 051 2874 United Kingdom

Meeting ID: 284 016 5282
Password: 1996

Members of Council and members of the public are reminded that the meeting may be recorded by the Town Clerk in both audio and video to assist with the recording of Council minutes.

Committee Membership

Cllrs: *Doug Cracknell (Chairman), Vinice Cowell, Anita Forde, Paul Gilson, Alan Hart, Damian O'Boyle, Vivien Rosier and Andy Wilkins*

Helen Symmons

Helen Symmons PSLCC
Town Clerk
17th September 2020

Any member who is unable to attend the meeting should send their apologies before the meeting

AGENDA / BUSINESS TO BE TRANSACTED

1. APOLOGIES FOR ABSENCE.
2. DECLARATION OF MEMBERS' INTERESTS
3. APPROVE MINUTES OF LAST MEETING – [1st September 2020](#)
4. PUBLIC REPRESENTATIONS
5. WHITE PAPER – PLANNING FOR THE FUTURE – [Appendix 1](#)

The Ministry of Housing, Communities & Local Government has issued a new consultation on planning for the future. This consultation seeks any views on each part of a package of proposals for reform of the planning system in England to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed.

The main consultation document can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907956/Planning_for_the_Future_web_accessible_version.pdf

The policy consultation highlights that NALC are keen for Councils to respond to the consultation questions which NALC will be responding to and request the response form is submitted by 17.00 on Thursday 15th October 2020.

6. MANAGING PAVEMENT PARKING – GOVERNMENT CONSULTATION – [Appendix 2](#)

A consultation asking whether a change of existing pavement parking legislation should occur.

The Government are proposing 3 options:

1. Improving the Traffic Regulation Order (TRO) process, under which local authorities can already prohibit pavement parking.
2. A legislative change to allow local authorities with civil parking enforcement powers to enforce against 'unnecessary obstruction of the pavement'.
3. A legislative change to introduce a London-style pavement parking prohibition throughout England.

If the Council wish to respond to the consultation the deadline is the 22nd November 2020.

7. UNSOCIAL & DANGEROUS DRIVING

Agenda item requested by Cllr Gilson

8. LICENSING – Scouts of Leigh – [Appendix 3](#)

Following the hearing before the Southend Borough Council's Licensing Sub-Committee B held on Friday 4th September 2020, a copy of the decision is enclosed.

If any party wishes to appeal against this decision they must submit a Notice of Appeal to the Clerk to the Justices (Rochford & Southend-on-Sea Magistrates' Courts) Essex Magistrates' Courts, Osprey House, Hedgerows Business Park, Colchester Road, Springfield, Chelmsford Essex CM2 5PF within a period of 21 days beginning with the date on which they were notified by the Borough Council of the decision to be appealed against.

9. PLANNING APPLICATIONS – Application plans can be viewed at the Southend Borough Council planning portal, by clicking on the application address.
- a) LOS/20/0165 SOS/20/01323/FULH **(THAMES WARD)**
[15 HARLEY STREET, LEIGH-ON-SEA, ESSEX, SS9 2NJ](#)
Install dormer to rear, alter elevations.
 - b) LOS/20/0166 SOS/20/01255/FUL **(ELMS WARD)**
[135A LEIGH HALL ROAD, LEIGH-ON-SEA, ESSEX, SS9 1QY](#)
Erect dormer to rear of first floor flat and install three rooflights to front, reposition existing external staircase to rear and alter elevations (retrospective) (amended proposal)
 - c) LOS/20/0167 SOS/20/01418/TCA **(ST. CLEMENTS WARD)**
[24 SEAVIEW ROAD, LEIGH-ON-SEA, ESSEX, SS9 1AT](#)
Fell and remove one ornamental cherry tree (t1) to rear (application for works to a tree in a conservation area)
 - d) LOS/20/0168 SOS/20/01347/FULH **(ST. CLEMENTS WARD)**
[10 NEW ROAD, LEIGH-ON-SEA, ESSEX, SS9 2EA](#)
Replace single glazed wooden georgian sash box windows at front to wooden double-glazed box sash windows.
 - e) LOS/20/0169 SOS/20/01370/FULH **(HERSCHELL WARD)**
[24 VERNON ROAD, LEIGH-ON-SEA, ESSEX, SS9 2NG](#)
Erect entrance porch to front elevation.
 - f) LOS/20/0170 SOS/20/01241/AMDT **(LEIGH ROAD WARD)**
[112 UNDERCLIFF GARDENS, LEIGH-ON-SEA, ESSEX, SS9 1ED](#)
Application to vary condition number 2 (approved plans) to alter window sizes and materials (minor material amendment of planning permission 19/02179/fulh dated 22/01/2020).
 - g) LOS/20/0172 SOS/20/01330/FUL **(ELMS WARD)**
[92 RECTORY GROVE, LEIGH-ON-SEA, ESSEX, SS9 2HE](#)
Change of use from office (class b1) to a tattoo studio/ art gallery and shop (class sui generis)
 - h) LOS/20/0173 SOS/20/01376/FULH **(HERSCHELL WARD)**
[107 SALISBURY ROAD, LEIGH-ON-SEA, ESSEX, SS9 2JN](#)
Erect detached outbuilding to rear.
 - i) LOS/20/0174 SOS/20/01362/FULH **(ELMS WARD)**
[13 FAIRLEIGH DRIVE, LEIGH-ON-SEA, ESSEX, SS9 2HZ](#)
Erect single storey side and rear extension.
 - j) LOS/20/0175 SOS/20/01373/FUL **(ST. CLEMENTS WARD)**
[76A PALL MALL, LEIGH-ON-SEA, ESSEX, SS9 1RG](#)
Erect dormer to rear to form habitable accommodation in the roof space and install glazed gable end to front.
 - k) LOS/20/0176 SOS/20/00808/FULH **(ST. CLEMENTS WARD)**
[18 HILLSIDE ROAD, LEIGH-ON-SEA, ESSEX, SS9 2DT](#)
Install Velux windows to front and rear.
 - l) LOS/20/0177 SOS/20/01395/FUL **(BONCHURCH WARD)**
[SOPER MOTORCYCLES 1335 LONDON ROAD, LEIGH-ON-SEA, ESSEX, SS9 2AB](#)
Erect single storey rear extension to form additional floor space to existing commercial unit, use of ground floor commercial space as use class a2, erect rear extensions at first floor and roof level, and erect roof extension to front, in association with the conversion of the first floor and loft space into

Pillar One — Planning for development

1. What three words do you associate most with the planning system in England?
2. Do you get involved with planning decisions in your local area?
3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?
4. What are your top three priorities for planning in your local area?
Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas

Proposal 1

The role of land use plans should be simplified. We propose that Local Plans should identify three types of land — Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.

5. Do you agree that Local Plans should be simplified in line with our proposals?

Proposal 2

Development management policies established at national scale and an altered role for Local Plans.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

Proposal 3

Local Plans should be subject to a single statutory "sustainable development" test, replacing the existing tests of soundness.

7.
 - a. Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?
 - b. How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Proposal 4

A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

8.
 - a. Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?
 - b. Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

Proposal 5

Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

9.
 - a. Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?
 - b. Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?
 - c. Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Proposal 6

Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

10. Do you agree with our proposals to make decision-making faster and more certain?

Proposal 7

Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

11. Do you agree with our proposals for accessible, web-based Local Plans?

Proposal 8

Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

Proposal 9

Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

- 13.
- a. Do you agree that Neighbourhood Plans should be retained in the reformed planning system?
 - b. How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Proposal 10

A stronger emphasis on build out through planning

13. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

Pillar Two — Planning for beautiful and sustainable places

15. What do you think about the design of new development that has happened recently in your area?

[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any/ Other — please specify]

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other— please specify]

Proposal 11

To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

Proposal 12

To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

Proposal 13

To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Proposal 14

We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

20. Do you agree with our proposals for implementing a fast-track for beauty?

Proposal 15

We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

Proposal 16

We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

Proposal 17

Conserving and enhancing our historic buildings and areas in the 21st century.

Proposal 18

To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.

Pillar Three — Planning for infrastructure and connected places

21. When new development happens in your area, what is your priority for what comes with it?

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space/ Don't know/ Other — please specify]

Proposal 19

The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally set rate or rates and the current system of planning obligations abolished.

22.

- a. Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold
- b. Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

[Nationally at a single rate / Nationally at an area-specific rate / Locally]

- c. Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?
- d. Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

Proposal 20

The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Proposal 21

The reformed Infrastructure Levy should deliver affordable housing provision

24.

- a. Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?
- b. Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

- c. If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?
- d. If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

Proposal 22

More freedom could be given to local authorities over how they spend the Infrastructure Levy

- 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?
 - i. If yes, should an affordable housing 'ring-fence' be developed?

Proposal 23

As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements:

Proposal 24

We will seek to strengthen enforcement powers and sanctions.

Pavement parking

Introduction

Thank you for responding to our consultation ‘Pavement parking: options for change’, your views will assist in deciding future policy for paving parking enforcement.

Closing date is 22 November 2020.

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this consultation to decide on the future of pavement parking enforcement policy including your:

favoured option of enforcement

views on all enforcement options

views on the vehicles exempted from these proposals

views on the effect of the policies on different societal groups

and your reasons in order to gain a thorough understanding of your viewpoint.

This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain any information that allows you to be identified, DfT will, under data protection law, be the controller for this information.

In this consultation we’re asking for:

your name and email address, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions)

whether you are representing an organisation and if so the name of that organisation

Plus as an individual we are asking for your views towards pavement parking in your local area and the reasons, to attempt to understand how much local action affects your viewpoint.

Additionally for an organisation we will ask:

for the organisation name, for identification of the business

if your organisation is a commercial business with deliveries and, if so, the amount of deliveries and your view towards the 20 minute delivery exemption, since this criteria is still open to change

if your organisation is a council and, if so, for numerous extended views on the

- impacts
- issues
- costs
- problems

- implementation

of the options plus previous parking enforcement experience at a local level to better inform our final decision

Your personal data is processed on behalf of DfT by Smartsurvey, with respect that they run the survey collection software only but will not be shared with any other third parties. DfT's privacy policy has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

Your information will be kept securely and destroyed within 12 months after the consultation has been completed. Any information provided through the online questionnaire will be moved to our internal systems within 2 months of the consultation end date.

Personal details

1. Your (for contact purposes only):

name?

email?

2. Are you responding as: *

an individual?

on behalf of an organisation? (Go to Organisation details question 6)

Problem

3. Do you think vehicles being parked on the pavement is a problem in your area? *

Yes

No (Go to Proposals question 14)

Don't know? (Go to Proposals question 14)

What problems?

4. Pavement parking causes you problems because:

you have a sight impairment?

- you have a mobility impairment?
- you use a buggy or pram to transport children?
- of another issue?

5. Would you leave home more often if there was no pavement parking? (Go to Proposals question 14 after answering)

- Yes
- No
- Don't know?

Organisation details

6. Your organisation's name is?

7. Is your organisation a commercial business? *

- Yes
- No (Go to Problem question 13)

Deliveries

8. Does your organisation routinely make deliveries as part of its business? *

- Yes
- No (Go to Problem question 13)

20 minutes parking exemptions

We are suggesting 3 options to address the problem of pavement parking, two of these options, stated as "option 2" and "option 3", if implemented would also include a business vehicle exception for deliveries.

This exception would allow 20 minutes, in line with existing London legislation, for a delivery to be completed.

9. Do you agree that 20 minutes of pavement parking would be adequate for a delivery? *

Yes (Go to Problem question 13)

No

Against 20 minutes exemption

10. Why not?

11. Of all the daily deliveries that you may make, what percentage do you think will take longer than 20 minutes each to be completed? *

0% (Go to Problem question 13)

1 to 10%

11 to 20%

21 to 30%

31 to 40%

41 to 50%

51 to 60%

61 to 70%

71 to 80%

81 to 90%

91 to 100%

Delivery types

12. In your opinion, what types of delivery that you make would require greater than 20 minutes?

Problem

13. Do you think vehicles being parked on the pavement is a problem in your area?

- Yes
- No
- Don't know?

Proposals

We are researching ways that we can address pavement parking problems and, as part of this, are already working to simplify the process for Traffic Regulation Orders (TROs), making them less time-consuming and burdensome to implement.

TRO's can be used by a council to prohibit pavement parking locally.

We are suggesting 3 options to address the problem of pavement parking, although we are not limited to these.

Option 1

This involves completing the simplification work on TRO's but no additional action beyond this. TRO's allow councils to restrict pavement parking and set their own conditions for exceptions to these rules.

Option 1 is explained in more detail in the consultation document.

Option 2

In addition to option 1 we would allow councils to enforce against 'unnecessary obstruction of the pavement'. This is not a general pavement parking prohibition like option 3, but instead empowers councils to issue Penalty Charge Notices in individual instances. However, this option, would include a suggested 20-minute exception, for business vehicles, allowing them to pavement park for up to this time in order to load or unload goods when no other choice exists, in places such as narrow streets. Standard exceptions would also apply for emergency service and utility vehicles.

Option 2 is explained in more detail in the consultation document.

Option 3

In addition to option 1 we would introduce an England-wide pavement parking prohibition. Unlike option 2 which allows for enforcement of individual instances of obstructive pavement parking, this would prohibit pavement parking nationally, while allowing councils to implement local exemptions (such as for narrow streets where pavement parking is essential to ensure traffic flows) which would be shown by use of traffic signs and bay markings. We also propose including a 20 minute exception, for business vehicles, allowing them to pavement park up to this time in order to load or unload goods when no other choice exists, in places such as narrow streets. Standard exceptions would also

apply for emergency service and utility vehicles.

Option 3 is explained in more detail in the consultation document.

14. Your preferred option is: *

- 1, simplification of TRO's but no additional action? (Go to View on options)
- 2, in addition to option 1 allow councils to enforce against 'unnecessary obstruction of the pavement'? (Go to View on options)
- 3, in addition to option 1 introducing an England-wide pavement parking prohibition? (Go to View on options)
- an alternative option?

Another option

15. Describe your alternative approach.

View on options

As part of our research we are asking for your views on options 2 and 3, irrespective of what you chose as your preferred option.

Option 2- allow councils to enforce against 'unnecessary obstruction of the pavement'

Option 2 - in addition to option 1 we would allow councils to enforce against 'unnecessary obstruction of the pavement'. This is not a general pavement parking prohibition, but instead empowers councils to issue Penalty Charge Notices in individual instances. However, this option would include a suggested 20 minute exception, only applicable to business vehicles, allowing them to pavement park for up to this time in order to load or unload goods when no other choice exists, in places such as narrow streets. Standard exceptions would also apply for emergency service and utility vehicles.

16. How would you define an 'unnecessary obstruction of the pavement'?

17. Do you think a warning notice should be given for first time offences of causing an unnecessary obstruction by parking on the pavement?

- Yes
- No
- Don't know?

18. What do you think are the advantages and disadvantages associated with this option 2?

Option 3: an England-wide pavement parking prohibition

Option 3 - in addition to option 1 we would introduce an England-wide pavement parking prohibition. This would prohibit pavement parking as a default position, while allowing councils to implement local exemptions (such as for narrow streets where pavement parking is essential to ensure traffic flows) which would be shown by use of traffic signs and bay markings. This option would include a suggested 20 minute exception, only applicable to business vehicles, allowing them to pavement park for up to this time in order to load or unload goods when no other choice exists, in places such as narrow streets. Standard exceptions would also apply for emergency service and utility vehicles.

19. Do you think a national prohibition should apply: *

- on no roads (since you are against the proposal)? (Go to Option 3: an England-wide pavement parking prohibition question 21)
- on all public roads within the country?
- only on roads with speed limits up to 40mph (this includes roads in villages, towns and cities)?
- in an alternative way of your description?

National prohibition

20. Should a national prohibition apply to:

- pavements only?
- pavements and verges?

Option 3: an England-wide pavement parking prohibition

Councils would exempt certain areas, where pavement parking remains essential such as narrow terraced streets with no off-street parking availability, by use of traffic signs and bay markings.

These signs and markings would be used to indicate to motorists where they were allowed to park.

21. What are your views on the impact this would have on the built and historic environment?

22. What do you think are the advantages and disadvantages of option 3:

for rural areas
including
villages?

for suburban
areas ?

for town and
city centres?

overall?

Option 2 environmental effect

23. Do you believe option 2 would have an impact on the environment?

- Yes
- No (Go to Option 3 environmental effect question 25)
- Don't know? (Go to Option 3 environmental effect question 25)

Option 2 Environmental impact

24. What impact?

Option 3 environmental effect

25. Do you believe option 3 would have an impact on the environment?

- Yes
- No (Go to Exceptions question 27)
- Don't know? (Go to Exceptions question 27)

Option 3 environmental impact

26. What impact?

Exceptions

For both options 2 and 3 we propose exceptions for:

fire brigade purposes

police purposes

parking in accordance with a direction given by a constable

ambulance purposes

the provision of, or in connection with, urgent or emergency health care, by a registered medical practitioner, registered nurse or registered midwife

the purpose of saving life or responding to another similar emergency

the purpose of providing assistance at an accident or breakdown

postal services (within the meaning of section 125(1) of the Postal Services Act 2000)

delivery, collection, loading or unloading of goods to, or from any premises, in the course of business (where this cannot reasonably be carried out without the vehicle being parked on a pavement; and the vehicle is so parked for no longer than is necessary for these purposes, and in any event for no more than a continuous period of 20 minutes)

collection of refuse by, or on behalf of, the council

street cleansing purposes by, or on behalf of, the council

gritting or salting or the clearance of snow by, or on behalf of, the council

road works by, or on behalf of, the council

road maintenance (including street furniture) by, or on behalf of, the council

street works by, or on behalf of, the council or statutory undertakers, including utility companies

to comply with the duty in section 170 of the Road Traffic Act 1988 to stop after an accident

For option 3, we also propose an exception for any vehicle authorised by the council to be parked in a specified place at a specified time.

27. What, if any, other additional vehicles or services would you like to exempt and why?

Equality

In developing its pavement parking policy, the department will give due regard to the objective of:

eliminating discrimination

advancing equality of opportunity

fostering good relations

between people who share protected characteristics of:

age

disability

gender reassignment

pregnancy or maternity

race

religion or belief

sex

sexual orientation

28. How do you think "option 2" will affect people who share the following protected characteristics of:

	eliminating discrimination? (Positively/Negatively /No affect/Don't know?)	advancing equality of opportunity? (Positively/Negatively /No affect/Don't know?)	fostering good relations between people? (Positively/Negatively /No affect/Don't know?)
age, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
disability, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
gender reassignment, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
pregnancy or maternity, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
race, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
religion or belief, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
sex, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
sexual orientation to:	<input type="text"/>	<input type="text"/>	<input type="text"/>

Where you indicated negative impact, describe your reasons why?

29. How do you think "option 3" will affect people who share the following protected characteristics of:

	eliminating discrimination? (Positively/Negatively /No affect/Don't know?)	advancing equality of opportunity? (Positively/Negatively /No affect/Don't know?)	fostering good relations between people? (Positively/Negatively /No affect/Don't know?)
age, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>

	eliminating discrimination? (Positively/Negatively /No affect/Don't know?)	advancing equality of opportunity? (Positively/Negatively /No affect/Don't know?)	fostering good relations between people? (Positively/Negatively /No affect/Don't know?)
disability, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
gender reassignment, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
pregnancy or maternity, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
race, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
religion or belief, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
sex, in respect of:	<input type="text"/>	<input type="text"/>	<input type="text"/>
sexual orientation to:	<input type="text"/>	<input type="text"/>	<input type="text"/>

Where you indicated negative impact, describe your reasons why?

Council

The remainder of these questions, excluding the final comments section, are specifically about the impact on councils and only if responding officially on behalf of a local council should you respond.

30. Are you representing a council? *

- Yes, continue to council questions.
- No, go to final comments. (Go to question 54)

Impact on councils

We are asking for your views on options 2 and 3 for pavement parking enforcement regarding:
experiences

staffing

costs

31. Has your council introduced a TRO, or TROs, to implement pavement parking restrictions? *

Yes (Go to Pavement parking restrictions question 33)

No

Don't know? (Go to Injury claims question 36)

No pavement parking restrictions

32. Why not? (Go to Injury claims question 36 after answering)

Pavement parking restrictions

33. How many pavement parking TROs did your council issue in:

2010?

2011?

2012?

2013?

2014?

2015?

2016?

2017?

2018?

2019?

34. How long does a TRO take for you to put into place (in weeks)?

35. What is the average monetary cost (to the nearest £) of implementing a single TRO:

overall?

in administration cost?

in legal cost?

for advertising?

for traffic sign or road marking creation and installation costs?

Injury claims

36. What was the:

	2019?	2018?	2017?	2016?	2015?
number of injury claims made to your council in:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
number of injury claims made due to pavement parking in:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
number of injury claims for which compensation was paid in:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
number of injury claims made due to pavement parking for	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2019? 2018? 2017? 2016? 2015?

which compensation was paid in:

total compensation paid for injury claims in:					
---	--	--	--	--	--

total compensation paid due to pavement parking in:					
---	--	--	--	--	--

Pavement repairs

37. What was the:

2019? 2018? 2017? 2016? 2015?

total spend on pavement repairs in:					
-------------------------------------	--	--	--	--	--

the percentage of this total spend due to pavement parking:					
---	--	--	--	--	--

Option 2

Option 2 - in addition to option 1 we would allow councils to enforce against 'unnecessary obstruction of the pavement'. This is not a general pavement parking prohibition, but instead empowers councils to issue Penalty Charge Notices in individual instances. However, this option would include a suggested 20-minute exception, only applicable to business vehicles, allowing them to pavement park for this time in order to load or unload goods when no other choice exists, such as narrow streets, plus standard exceptions for emergency service and utility vehicles.

38. If your council has civil enforcement powers, and is permitted to enforce the offence of 'unnecessary obstruction', would your council elect to do this? *

- Yes
- No (Go to Option 3 question 42)
- Don't know?

Choosing to enforce option 2

39. What number of staff, in your authority, would need to learn the new enforcement guidance?

To enforce this offence your Civil Enforcement Officers would need to issue additional Penalty Charge Notices (PCN's). The cost of

issuing

processing

these PCN's is covered by the penalty income.

40. Can you foresee any additional, unfunded costs outside of the normal costs of issuing and processing PCNs?

- Yes
- No (Go to Option 3 question 42)
- Don't know? (Go to Option 3 question 42)

Additional costs

41. What are these costs (list the individual costs and the total average expenditure based on a per annum basis)?

Option 3

42. In your authority area, estimate based on your total road network, on how much road pavement parking is necessary to ensure free-flowing traffic is maintained, give the amount:

in kilometres?

as a percentage of the total road length?

43. What do you expect an assessment of your road network, in order to identify exemptions, to cost overall and how do the costs break down individually (£)?

44. Would your authority need to provide more parking provision to implement option 3?

- Yes
- No
- Don't know?

Provide any relevant evidence to support this view.

45. Provide an estimate of the cost of implementing exemptions in your area including:

staff costs?

traffic signing costs?

bay marking costs?

removal of signage for previously implemented TROs restricting pavement parking in your area?

To enforce these offences your Civil Enforcement Officers would need to issue additional Penalty Charge Notices (PCN's). The cost of issuing processing these PCN's is covered by the penalty income.

46. Can you foresee any additional costs beyond issuing and processing PCNs?

- Yes
- No (Go to Benefits of option 3 question 51)
- Don't know? (Go to Benefits of option 3 question 51)

Additional costs

47. Give an explanation and breakdown of the number of additional:

staff for your council?

salary costs for your council?

hiring costs for your council?

training costs for your council?

48. What additional staff roles do you envisage?

49. Do you expect any other, non staff, costs to arise from a national parking prohibition?

- Yes
- No (Go to Benefits of option 3 question 51)
- Don't know? (Go to Benefits of option 3 question 51)

Non-staff costs

50. What are these costs (list the individual costs and the total average expenditure based on a per annum basis)?

Benefits of option 3

51. What, if any, potential benefits (including any monetary benefits) do you think there will be for your authority from a national parking prohibition (such as existing costs being reduced)?

Greater cycle facilities

The government is looking to local authorities to introduce more cycle facilities to encourage active travel.

52. Do you think this will cause issues for a national pavement parking prohibition?

- Yes
- No (Go to Final comments question 54)
- Don't know? (Go to Final comments question 54)

Greater cycle facilities issues

53. What issues?

Final comments

54. Any other comments?

DECISION NOTICE
Licensing Sub-Committee B
Held: Friday, 4th September 2020
Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP Application for
Grant of Premises Licence

The sub-committee has before it an application by Scouts of Leigh Ltd for the grant of a Premises Licence at Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP.

We have listened to all the evidence and submissions and have read all the documents. We have had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. We have considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Each contested application is decided on its merits.

The application was presented by Ms A Alston on behalf of the applicants. The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between Essex Police, the Licensing Authority and the Applicant, should the application be granted. These were included in

Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment). Sixteen (16) representations had however, been received from local residents, Leigh Town Council and the three local ward Councillors.

Prior to the hearing, the applicant amended the application and conditions to mirror the conditions that had been imposed following the grant of planning permission for the premises. Further amendments were also agreed between the applicants and the Licensing Authority, the effect of which had resulted in a number of the objections being withdrawn. A revised report setting out the amendments was circulated prior to the meeting.

Six of the representations were however, not withdrawn. Four of those, namely Ms Gridley, Ms Sporton, Ms Sverdloff and Mr Sverdloff, attended the hearing and gave evidence. Councillor Cracknell also attended the hearing and gave evidence on behalf of Leigh Town Council. Councillor Mulroney, also attended the hearing to present the representation on behalf of Mr Johnson.

The objections/representations related to concerns of noise and public nuisance, particularly, the noise of patrons attending and leaving the premises, the disturbance caused by customers using the external areas and the current nuisance caused by intoxicated patrons which could be exacerbated by the grant of the licence. The need for another licensed premises in a compact residential and heritage area was also questioned, as well as issues relating to the planning merits of the application.

The need for licensed premises, the rationale for making the application and the merits of the planning application are not matters for the sub-committee to consider. The current issues being experienced in the area are not attributable to these premises and neither the police nor Environmental Health, who are the experts in their respective field in relation to public nuisance, crime and disorder had objected to the application.

The sub-committee did, however, note that the terminal hour for the sale of alcohol matched the hours the premises was open to the public and the kitchens would usually be closed for orders after 9.30-10.00 p.m. It therefore felt that whilst consumption of alcohol was not a licensable activity, an appropriate reduction in the hours when alcohol could be purchased with a meal would help to reduce any disturbance to residents.

On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of the amended application, subject to the reduction in the terminal hour for the supply of alcohol. The application is therefore granted subject to the following:

- (i) The provision of the sale of alcohol shall be permitted on the premises daily from 09:00 to 23.30 from 1st May until 30th September and from 12.00 until 23.30 from 1st October until 30th April including Bank Holidays;
- (ii) The Mandatory Conditions set out in Appendix 1 to the amended report of the Executive Director (Neighbourhoods and Environment); and
- (iii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police, the Licensing Authority and the Applicant as set out in Appendix 2 to the amended report of the Executive Director (Neighbourhoods and Environment).