



# Leigh-on-Sea Town Council

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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 13<sup>th</sup> October 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 4<sup>th</sup> 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=MVhpYnVNOdBzSXk5U1hqUjFZKzJDZz09>

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), David Bowry, Vinice Cowell, Anita Forde, Paul Gilson, Alan Hart, Damian O'Boyle, Vivien Rosier and Andy Wilkins*

*Helen Symmons*

Helen Symmons PSLCC  
Town Clerk  
8<sup>th</sup> October 2020

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







### **Consultation questions – White Paper: Planning for the future**

1. What three words do you associate most with the planning system in England?

**Unsuitable, underregulated and complex**

2. Do you get involved with planning decisions in your local area? **Yes**

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? **Email notification preferred, but easily accessible for those not on the internet.**

4. What are your top three priorities for planning in your local area?

### **Increasing the affordability of housing, Supporting the local and Protection of existing heritage buildings or areas**

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

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

7. 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? **Yes**

(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate? **There should be an agreement/Code of Conduct in place between neighbouring Councils**

8. (a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? **Yes**

(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? **Yes**

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? **No**

(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? **No**

(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? **No**

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

**Yes**

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

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

Plans? **No. 30 months is too long, as things are changing all the time.**

13. (a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

**Yes**

(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? **Digital formats need to be considered where possible for faster and easier ways to see. Those not online need to be considered and ensure things are fully accessible to all.**

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? **Yes. Stricter guidelines (quantity and size) as to how much development will go in the space.**

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

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? **Other – More of an emphasis on renewable energy. All new large builds should have solar panels/renewable energy included.**

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

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? **Yes**

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

20. Do you agree with our proposals for implementing a fast-track for beauty? **No**

21. When new development happens in your area, what is your priority for what comes with it? **More or better infrastructure**

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? **No – Leave as it is**

(b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area specific rate, or set locally? **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? **Yes, the developer should pay more on larger developments to support the local infrastructure.**

(d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? **No**

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

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? **Yes**

24. (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? **Yes**

24 (c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? **Yes**

24 (d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? **No – The steps are already in place**

25 Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? **Yes**

(a) If yes, should an affordable housing 'ring-fence' be developed? **Yes**

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010? **No**

## Pavement parking

### 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?**

Leigh-on-Sea Town Council

**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'?

A vehicle that is obstructing the pavement, preventing pedestrians, buggies or wheelchairs to safely pass on the pavement putting them at risk.

#### 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?**

People would be aware that pavement parking is not permitted, hopefully preventing them doing it again. This would be an advantage to pedestrians, allowing them to walk on the pavements safely.

## 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?

It would improve the overall appearance of the area, as the kerbs would be in better condition.

### 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?

It would be an advantage to be able to control the parking and be able to fine those now following the rules

## 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?

It would have a positive 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?

Positive

## 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?**

Funeral Directors

## 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:	Positive	Positive	Positive
disability, in respect of:	Positive	Positive	Positive
gender reassignment, in respect of:	No affect	No affect	No affect
pregnancy or maternity, in respect of:	Positive	Positive	Positive
race, in respect of:	No affect	No affect	No affect
religion or belief, in respect of:	No affect	No affect	No affect
sex, in respect of:	Positive	Positive	Positive
sexual orientation to:	No affect	No affect	No affect

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:	Positive	Positive	Positive

	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:	Positive	Positive	Positive
gender reassignment, in respect of:	No affect	No affect	No affect
pregnancy or maternity, in respect of:	Positive	Positive	Positive
race, in respect of:	No affect	No affect	No affect
religion or belief, in respect of:	No affect	No affect	No affect
sex, in respect of:	Positive	Positive	Positive
sexual orientation to:	No affect	No affect	No affect

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)

Southend Borough Council as the primary authority for the area deals with the TRO's for the area.

## Pavement parking restrictions

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

2010?	<input type="text"/>
2011?	<input type="text"/>
2012?	<input type="text"/>
2013?	<input type="text"/>
2014?	<input type="text"/>
2015?	<input type="text"/>
2016?	<input type="text"/>
2017?	<input type="text"/>
2018?	<input type="text"/>
2019?	<input type="text"/>

**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:					
number of injury claims made due to pavement parking in:					
number of injury claims for which compensation was paid in:					
number of injury claims made due to pavement parking for 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)?**

It would make the environment look better and provide a sense of order.

Residents would feel that they are finally being listened to and things are being done to ensure the area looks as aesthetically pleasing as possible.

## **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?**

Whilst we don't think more cycle facilities will cause issues for a national pavement parking prohibition it is worth mentioning that you will always get selfish individuals. More cycle lanes will result in people parking on the cycle lanes, with cyclists continuing to cycle on the pavement. This is only going to be rectified if there is the staff power to enforce it.

## Final comments

**54. Any other comments?**