

# OVERVIEW AND SCRUTINY COMMITTEE AGENDA

Wednesday, 21<sup>st</sup> November 2018 at 7:15 PM

Council Chamber, Braintree District Council, Causeway House,  
Bocking End, Braintree, CM7 9HB

**THIS MEETING IS OPEN TO THE PUBLIC**  
*(Please note this meeting will be audio recorded)*

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**Members of the Overview and Scrutiny Committee are requested to attend this meeting to transact the business set out in the Agenda.**

Councillor P Barlow (Chairman)  
Councillor Mrs M Cunningham (Vice-Chairman)  
Councillor Mrs D Garrod  
Councillor J Goodman  
Councillor A Hensman  
Councillor P Horner  
Councillor D Hume  
Councillor G Maclure

Councillor D Mann  
Councillor Mrs I Parker  
Councillor R Ramage  
Councillor B Rose  
Councillor P Schwier  
Councillor C Siddall  
Vacancy

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Chief Executive

## **INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS**

### **Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest**

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

### **Question Time**

The Agenda allows for a period of up to 30 minutes when members of the public can speak. Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) no later than 2 clear working days before the day of the meeting. The Council reserves the right to decline any requests to register to speak if they are received after this time. Members of the public can remain to observe the public session of the meeting.

Please note that there is public Wi-Fi in the Council Chamber, users are required to register in order to access this. There is limited availability of printed agendas.

### **Health and Safety**

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

### **Mobile Phones**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

### **Webcast and Audio Recording**

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### **Documents**

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## **PUBLIC SESSION**

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**1 Apologies for Absence**

**2 Member Declarations**

- 1) To declare the existence and nature of any interests relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice (where necessary) before the meeting.
- 2) To declare the existence and nature of any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Committee or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote on any particular matter.

**3 Public Question Time**  
(See paragraph above)

**4 Minutes of the Previous Meeting**

To approve as a correct record the minutes of the meeting of the Overview and Scrutiny Committee held on 19th September 2018 (copy previously circulated).

**5 Scrutiny of the Priorities for 2019-20 and Initial Budget Position.**

To receive a presentation from the Cabinet on the priorities for 2019-20 and to consider the Medium Term Financial Strategy; 2019-20 to 2022-23.

**Report and Presentation Slides are to follow.**

**Note:**

- 1) The report for this Item is prepared for the publication of the Agenda for the meeting of the Cabinet on 26th November 2018.
- 2) All Members of the Council are invited to attend for this Item as part of the Member Development Programme to enable them to understand the Council's priorities for 2018/19 and to receive details of the initial budget proposal to meet these priorities.
- 3) Only Members of the Overview and Scrutiny Committee can vote on this Item.

**6 Fifth Evidence Gathering Session for the Scrutiny Review into the Role of the Highway Authority in the Braintree District - Highways Function Enquiry with Parish and Town Councils 8th October 2018**

**5 - 21**

**7 Update on Task and Finish Groups**

To receive a verbal update on the progress of the Task and Finish Groups.

**8 Decision Planner**

To consider the Decision Planner for the period 1st December 2018 to 31st March 2019 (previously circulated).

**9 Urgent Business - Public Session**

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.

<b>Highways Function Enquiry with Parish and Town Councils 8<sup>th</sup> October 2018</b>		<b>Agenda No. 5</b>
<b>Portfolio</b>	<b>Environment and Place</b>	
<b>Corporate Outcome:</b>	<b>A sustainable environment and a great place to live, work and play</b>	
	<b>A well connected and growing district with high quality homes and infrastructure</b>	
<b>Report presented by:</b>	<b>Councillor Phil Barlow, Chairman of Overview and Scrutiny Committee</b>	
<b>Report prepared by:</b>	<b>Jessica Mann, Governance and Members Officer</b>	
<b>Background Papers:</b>	<b>Public Report</b>	
<ul style="list-style-type: none"> <li>• E-mail and letter to Parish and Town Councils</li> <li>• Responses from Parish Clerks on behalf of Parish and Town Councils</li> </ul>	<b>Key Decision: No</b>	
<b>Executive Summary:</b>		
<p>Members of the Overview and Scrutiny Committee are invited to consider the responses of Parish Clerks on behalf of Parish and Town Councils in respect of the recent Highways Enquiry.</p> <p>On 8<sup>th</sup> October 2018, an e-mail enquiry and accompanying letter was distributed to all Parish and Town Councils within the District to solicit responses from the Parish Clerks on their behalf. The enquiry sought the views of Parish and Town Councils as to their knowledge of the Highways Function and the services it provides, their experiences when engaging with the Highways Authority and how accessible they found the services provided to be, as well as any suggestions they had for improved liaison with the Highway Authority. The enquiry also sought the Parish and Town Council views on the subject of potential devolution of highways functions from Essex County Council and their inclination toward undertaking new functions.</p> <p>The Parish Clerks were asked to submit the responses of Parish and Town Councils by 5<sup>th</sup> October 2018. It was stressed that the Overview and Scrutiny Committee would seek to incorporate any responses received after this date, although there was no guarantee that they would be included.</p> <p>As of 5<sup>th</sup> October 2018, 13 responses from Parish and Town Councils had been collected in response to the enquiry. It is highlighted to Members that although the majority of responses received were detailed, some Parishes had declined to offer their comments on the matter.</p>		

**Recommended Decision:**

That Members note the responses of Parish Clerks on behalf of Parish and Town Councils further to the Highways Function Enquiry, and consider what this may add to their ongoing work.

**Purpose of Decision:**

To assist Members with their evidence gathering and support the recommendations that will form the final report.

**Any Corporate implications in relation to the following should be explained in detail.**

<b>Financial:</b>	No matters arising out of this report.
<b>Legal:</b>	No matters arising out of this report.
<b>Safeguarding:</b>	No matters arising out of this report.
<b>Equalities/Diversity:</b>	No matters arising out of this report.
<b>Customer Impact:</b>	No matters arising out of this report.
<b>Environment and Climate Change:</b>	No matters arising out of this report.
<b>Consultation/Community Engagement:</b>	All Parish and Town Councils were invited to respond to the enquiry by 5 <sup>th</sup> November 2018.
<b>Risks:</b>	No matters arising out of this report; however, Members are asked to note that the final report is to be considered on 6 <sup>th</sup> March 2019 by the Overview and Scrutiny Committee, with the report to be submitted to Full Council on 25 <sup>th</sup> March 2019. Cabinet will receive and respond to the report in the new Administration following the District Elections on 2 <sup>nd</sup> May 2019.
<b>Officer Contact:</b>	Jessica Mann
<b>Designation:</b>	Governance and Members Officer
<b>Ext. No:</b>	2607
<b>E-mail:</b>	Jessica.mann@braintree.gov.uk

**SCRUTINY REVIEW INTO THE ROLE OF THE HIGHWAY AUTHORITY IN THE  
BRAINTREE DISTRICT HIGHWAYS FUNCTION ENQUIRY WITH PARISH AND TOWN  
COUNCILS – 8<sup>TH</sup> OCTOBER 2018**

Members of the Overview and Scrutiny Committee are invited to consider the responses of Parish Clerks on behalf of Parish and Town Councils further to the recent Highways Function Enquiry.

In order to give context to the proposed draft recommendations, the letter attached with the e-mail that was sent to Parish and Town Councils has been included with the responses.

Please note that direct responses only from Parish Clerks following the enquiry have been included in this report.

**LETTER SENT TO PARISH AND TOWN COUNCILS**

Dear Parish and Town Councils,

I am writing to you on behalf of Councillor P. Barlow, the Chairman of the Overview and Scrutiny Committee at Braintree District Council.

The Committee is currently conducting a Scrutiny Review into the role of the Highway Authority in the Braintree District, the Terms of Reference for which have been included with this letter. Councillor P. Barlow believes that it would be beneficial for Members of the Overview and Scrutiny Committee to receive a broader insight from the perspective of Parish and Town Councils regarding some of the issues encountered in relation to highways, and how those issues were resolved. The Committee would also like to seek Parish and Town Council views on the subject of potential devolution of highway functions from Essex County Council and a flavour of your inclination toward undertaking new functions.

We are looking to assist Members with this review by offering them as much information and evidence as possible around the subject area. Therefore, we are inviting comments from Parish and Town Councils to help inform the outcome of the review. We are very keen to hear of your knowledge of the Highways Function and the services it provides, your experiences when engaging with the Highways Authority and how accessible you found the services provided to be, as well as any suggestions you may have for improved liaison with the Highway Authority. Any evidence or information received will be explored in depth by the Committee and will form part of the evidence base that will serve to support the recommendations within the final report.

Rather than adding this request to your agendas, I would be grateful if the Clerks could provide a response on behalf of the Councils. We would be grateful to receive your reply by Monday, 5<sup>th</sup> November 2018 to enable your response to be presented to the meeting of Overview and Scrutiny on 21<sup>st</sup> November 2018. We will seek to incorporate any responses submitted after 5<sup>th</sup> November as well, but please be aware we cannot guarantee that they will be included.

Can you please submit your comments either by post to the above address or e-mail to:-

E-mail: [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

Could you kindly include the wording "Overview and Scrutiny Review into Highways" in the subject heading.

If you require any further information or clarification regarding the request, please do not hesitate to contact me.

Yours faithfully,

Jessica Mann  
Governance and Members Officer

## **BRADWELL WITH PATTISWICK PARISH COUNCIL**

Further to your email below, Bradwell with Pattiswick Parish Council wish to make the following comments.

Whatever the roles of these various bodies, between them they take too long to make decisions and then to act upon them and their cost is far too high. For example, we are still waiting for the warning signs for pedestrians in Pattiswick. This was one of our first projects over two years ago. The signs cost less than £100 yet the project cost is £4,000 according to the Highways Panel. We, the Parish Council, could have completed the work in less than a month at a cost to the tax payer of less than £100.

The attitude of the Essex Highways is not constructive. The junction of The Street and Church Road at Tippetts Wade is dangerous. Twice we have asked for help to find a solution, yet no help has been forthcoming other than from our County Councillor, with whose help we may finally starting get somewhere – we need a meaningful discussion about what can be done by people with a CAN DO attitude. To often the response is negative as it does not fit within the “template”, when what is needed is a solution.

With regard to Tippetts Wade, it took a long time to persuade Essex Highways that there was a problem (we first asked in 2015) and that it was their problem to fix – and even when they acknowledged that there was a problem and it was their responsibility, it took almost a year for the issue to be resolved - far too slow. The problem was due to collapsed pipes under the road which was causing flooding at this location.

**Christine Marshall**  
**Parish Clerk & Responsible Financial Officer**  
**BRADWELL with PATTISWICK PARISH COUNCIL**



## **CASTLE HEDINGHAM PARISH COUNCIL**

Dear Sirs

### **Overview and Scrutiny Review into Highways**

Since the roads in Castle Hedingham were re-surfaced in November 2016, there has been a reduction in the need for one-off reports of potholes on the main routes through the village. Before this was done, potholes were patched but quickly deteriorated at the edges and needed to be repaired again. The Parish Council is also fortunate to have the support of Cllr David Finch as our member for Hedingham Ward and he has taken a keen interest in our Highways issues. Following persistent problems with the clearance of drains in the village, Cllr Finch has given us a Customer Service contact in Chris Stoneham who is always prompt in his replies to our queries and helpful in assisting us with non-routine Highways matters. We would ask you to consider the response from Castle Hedingham Parish Council in the context of this as we are sure other parishes are not so fortunate.

### **Report-it Tool, Essex Highways Website**

This appears to be well used by residents. At one time as Parish Clerk I seemed to be the only person using it, but now the majority of the reports on the map have been submitted by members of the public.

- Please maintain the ability to record and report issues without the need to use a postcode. Not all Highways problems are outside someone's house.
- Please add a date to the Current Status report for the latest update on each issue. We note that some issues seem to be left on the Report it map and some are deleted after a month so disappear altogether. There is no update on what progress is being made following subsequent routine inspections so it is not possible to track the progress of any individual report.
- While we accept that Highways resources are limited and need to be prioritised, our rural village issues are invariably assessed as "not as serious as other defects we are aware of". At present there are 44 reported footway problems (all reported directly by residents) on the map of Castle Hedingham, all assessed as non-urgent. It would be useful to know the criteria used to assess priority and to have some way of finding out what future plans might be for fixing these problems.

### **Local Services Fund and Local issues**

Cllr Finch encouraged the Parish Council to apply for the first awards of the Local Services Fund grant, which we have used to fund line marking equipment and additional hours for our Village Maintenance

Operatives in fixing local priority issues such as faded Keep Clear markings – never a high priority for Highways but vital for local residents in maintaining access, including for emergency vehicles. While we appreciate this grant, we only applied for one year and are unable to re-apply. This restriction was not made clear in the first round of applications and we would be keen to know if we could re-apply in the future for another grant.

One local issue which the Parish Council would like to resolve is improving the disabled access into the main gate to St Nicholas Church – this is the only entrance that does not have steps, but the surface is rutted with a steep rise into the churchyard causing difficulty for people in wheelchairs or with mobility aids and a safety hazard for pedestrians. It has been confirmed that this is Highways land but given such a low priority when reported to Highways that it has now been removed from the Report it map. Disabled access in an historic village such as Castle Hedingham is always going to be a challenge and the church is increasingly used for community social events so it is a high local priority for the Parish Council to improve access where we can. It is frustrating not to be able to communicate this priority to Highways. With a relatively small amount of funding and the necessary permissions from Highways the Parish Council might be able to find a local contractor to carry out the work more cost-effectively, but we appear to have reached a dead end in getting this resolved due to the low priority given by Highways.

#### Grass cutting: Public Rights of Way and Grass Verges

Castle Hedingham Parish Council receives a grass cutting grant of £207.15 per year from Essex County Council. This is a drop in the ocean in relation to the annual parish grass cutting budget of £9,500. The process of invoicing (“flipping a purchase order”) for this annually is unnecessarily complicated on the Marketplace system – for parishes who only invoice one item once a year the password has to be re-set every time (I eventually discovered it needs to be re-set every 3 months but there is no warning of this on the website) and responses to password re-set requests can take weeks. We are told this is for security reasons but even our online banking system which complies with all Parish Council financial regulations is much simpler and password re-set requests are activated immediately.

It is difficult to make sense of the annual grass cutting schedule for Essex Highways. The Parish Council has managed to get agreement to our taking responsibility for the cutting of one protected verge and the verges where we have planted our Memorial Avenue of trees in remembrance of the fallen of the village in both World Wars. We have not received a grant for adopting the maintenance of either of these areas and we are not entirely confident that they are not also being cut by Highways operatives. The Public Rights of Way for which Highways appear to be responsible do not seem to follow any logical pattern, some are isolated stretches away from main roads. We have also noticed that some on the Highways schedule don't get cut, while others not on their schedule are occasionally cut in error. The Parish Council could take on more responsibility for maintaining footpaths (and already does a considerable amount of work without Highways funding in order to maintain public accessibility). It is only in the last 12 months that we managed to find out that the Parish Paths Partnership is still operational and have signed up for the scheme. However response times to applications are terribly slow and we assume this is due to an under-resourced department rather than any problem with the individual officer responsible.

#### North Essex Parking Partnership

We have contacted NEPP on a number of occasions regarding parking issues in the parish. While they are friendly and prompt to respond when contacted by email or phone and Lisa Hinman has visited the village on two occasions to see the problems first hand, it is highly unlikely that any NEPP officers will ever visit the village to enforce any parking restrictions. On most occasions when we have asked for assistance they have told us they have no powers of enforcement or do not have the authority to deal with the issue. We have been referred by NEPP to the police who also say the parking issues are not their responsibility. This includes parking on the greensward along the A1017 which obstructs the sightlines of traffic leaving the village onto the main road, and parking on footpaths in a number of village locations forcing pedestrians to

walk in the road. We conclude that NEPP is only ever going to be of assistance to the parish in an advisory capacity.

#### Communication and other issues

- Advance warning of any work scheduled in the parish seems to be completely absent, including notification to residents or the Parish Council of the major resurfacing work 2 years ago.
- Diversion signs have been permanently left on one of our village greens since the road resurfacing. Highways have said they are the responsibility of contractors. When we eventually removed them ourselves, another set appeared in their place. We are never notified by Highways of what roadworks these diversion signs refer to. Looking up the latest issue on <https://roadworks.org/> tells us that there is a diversion in place in relation to a neighbouring village which may last until July 2020 – that will make a total of nearly 4 years with diversion signs left in place. The green is now damaged where sandbags have split and our grass cutting contractor has been unable to maintain the area.
- When the village roads were resurfaced, all the white lines were reinstated as before. Within 2 weeks a different Highways team came to the village and removed just one white H bar across a dropped kerb in the main street (where parking is always difficult), apparently because it was “not enforceable”. This has caused great distress to the resident and a neighbour dispute about the length of the H bar should it be reinstated using our own line marking equipment, which has led us to seek the advice of NEPP about the way to resolve the issue. This conflict and associated use of Highways, NEPP and parish resources was entirely unnecessary and would have been avoided had the H bar been left in its original situation following the road resurfacing.
- We have twice asked for a section of road to have the speed limit reduced from 40mph to 30mph. This is the main walking route to Hedingham School for children from the southern end of the village. It is a narrow road with a narrow footpath only on one side and difficult for large vehicles e.g. buses and farm traffic to pass simultaneously. We have been told by Highways that motorists will not adhere to a speed limit which does not make sense, so there is no chance of reducing it to 30mph. The danger for pedestrians on this road continues to cause concern and we believe that a reduction of the speed limit to 30mph would make sense to motorists, improve safety and would be a relatively inexpensive project.

From our local perspective, issues involving Highways matters are some of the most frequently raised by residents with the Parish Council and take up a large amount of Councillor and clerk time, not least because they seem so difficult to resolve. Wherever possible we try to consult and co-operate with Highways, however tempting it may be to take matters into our own hands. As a Parish Council we understand the need for Highways to prioritise and make best use of resources. However from the Parish Council point of view our experience is that the general attitude and culture of the Highways Authority towards our rural community’s needs is patronising and dismissive rather than co-operative.

Thank you for your consideration of the response from Castle

Hedingham Yours sincerely

Claire Waters (Parish Clerk)

**PARISH CLERK FROM COGGESHALL PARISH COUNCIL (THESE COMMENTS BELOW REPRESENT THE VIEWS OF THE PARISH CLERK ONLY AND NOT THOSE OF THE PARISH COUNCIL)**

Please see below my comments in relation to the Scrutiny Review. Please note that these are my comments as Parish Clerk and do not represent the views of Coggeshall Parish Council.

Personally, I love using the online portal for reporting issues relating to Highways matters. It is also very useful for tracking previously reported issues and also checking if a matter has already been reported by a member of public. The only complaint is that it is often difficult to find the overview – although I have now booked marked it. (<https://www.essexhighways.org/transport-and-roads/tell-us/track-it.aspx>)

However, very often the feedback is vague and unless something is considered dangerous, remedial work is not often carried out. I have a number of issues which relate to vegetation overgrowing footpaths which do not appear to have been resolved over a number of years. I am aware that the responsibility is that of the land owner to cut back hedges etc, but it appears there is too much leniency on this matter. For example, we have a bus stop in Colne Road which is totally obscured by a hedge which has been allowed to grow over the post. As a result, sometimes the buses do not stop and I have received complaints from several residents. This has been reported by myself and also members of public. (see photos 1 & 2). Again on the Colchester Road, Coggeshall, a hedge has been allowed to grow so that only 18” of footpath remains (see photo 3).

Additionally, I believe that we used to get an email with feedback once the problem had been inspected. This was very useful but doesn't seem to happen anymore.

I will admit that as a new clerk four years ago, it did take me a while to understand who was responsible for what. A representative from ECC Highways did attend a clerk's meeting and give a presentation and this was extremely useful. The relationship between EEC and the BDC Local Highways Panel was not initially clear either. It may help if Parishes could appoint a Councillor who becomes a “Highways Champion” and occasional meetings could be held to disseminate information and inform of policies.

Hope the above is of help

**Debbie Morgan**  
**Clerk to Coggeshall Parish Council**

## **EARLS COLNE PARISH COUNCIL**

Governance  
Braintree District Council

Dear Jessica

Please find below, comments from Earls Colne Parish Council.

### Planning

- Essex County Council Highways appear to be uninterested in, and do not get fully involved in, the Planning procedures.
- They appear to think that existing Highway Infrastructure can cope regardless of the amount of extra traffic, both vehicular and pedestrian, that is generated.
- Cllr Kevin Bentley stated in a letter to Earls Colne Parish Council that 'the Highway Authority are a Statutory Consultee' and implied that they were not obliged to comment on matters raised during the planning process unless specifically requested by Planning Officers.
- As a result, Highways do not appear to be taking the Planning process seriously and don't respond to objections made on Highway grounds from the General Public or Parish Councils. Even, in some cases, where a claim is made that the proposals are in direct contravention of the County Councils own design standards.
- Planning Officers accept their bland assurances that a development will have no significant effect on the Highway infrastructure which results in the Planning Committee disregarding the objections made on Highway grounds.
- County Highways are, reportedly, very unlikely to attend a planning appeal.
- They do not make any effort to consult with Parish Councils on Section 106 issues and make totally inadequate proposals as a result, or in ignorance, or both. It would appear they do not even read the proposals submitted by the Parish Council.
- As a result, Parish Councils will have to make an application via the Highways Panel when, if successful, the costs involved will come from their budget rather than the Developers pocket.
- When proposals are submitted via the Highways Panel there is no dialogue between applicants and the decision makers and, furthermore, no clear reasons given for schemes being turned down. It needs to be said, however, that Cllr Jo Beavis, with the co-operation of the Liaison Officer, is working hard to improve the situation in this regard and with some encouraging success.

### Reported Issues

- Illogical procedures when attending to issues raised, for example:
  - Engineer attends and takes photographs but no further action.
  - Eventually, it could be days, weeks or only after further requests, a Gang arrive and carry out necessary work.
  - Surely a responsible Gang Leader can make decisions, record the details and carry out the necessary work in one visit?
- In-action on reported issues.
- Lack of communication regarding reported issues.

### In Summary

- The reluctance of the Highway Officers, especially at the engineering level, to make contact and discuss issues with Parish Councils is the root of the problem. The current situation makes it difficult for Councils to understand and impart effectively to their constituents why comments appear to be ignored or why proposed schemes are rejected or changed significantly.

### Devolution of Highway Functions

- Earls Colne Parish Council is in favour of such an initiative and has registered its desire to be involved in any pilot scheme.
- This comes with a number of proviso's:-
  - That a sufficient and realistic long term system is set up to provide the additional funding necessary for such a venture which must include all additional costs including administration.
  - That funding includes for:-
    - Additional staffing where appropriate including admin as well as manual operatives.
    - The necessary specialist training for staff involved in new tasks & skills, including all health and safety issues.
    - The provision of the necessary and suitable equipment needed to carry out the devolved tasks including any ongoing maintenance and replacement costs.

Yours sincerely

Parish Clerk (Angela Emerson)

## **FINCHINGFIELD PARISH COUNCIL**

Dear Sirs,

Response to Highways Overview and Scrutiny Review.

LHP - Access to and responses from Highways Liaison Officer - always available and timely, a very good, helpful service even if the panel response is not the positive outcome you would like.

Highways Online Reporting Portal - Simple to use, however, an email to advise an issue has been inspected, resolved or pushed back would be very useful.

Lighting issues to date have been resolved in an acceptable time scale.

Footpath / Verge maintenance response timing is probably one of the largest issues in this parish, with some works either never completed and or require several attempts to have the matter dealt with.

There are other on-going Highways related issues in the parish around run-off flooding and ditch clearance which attitude has unnecessarily tarnished the member's and residents overall view of Highways, this matter is truly sad as the minimal cost of resolving the two main issues would instantly dissolve any negative feelings towards Highways.

The Bridge is an entirely separate matter.

This council did not opt-in to the partnership pilots, members seeing the scheme as a dereliction of Highways duty to perform the tasks they are employed to provide. As Clerk I am keeping a watching brief and would be interested in the experience of those who do take part.

Kind regards

**Ian Brown**  
**Clerk to Finchingfield Parish Council**

## **GREAT BARDFIELD PARISH COUNCIL**

Dear colleagues

In reference to the letter sent on behalf of Cllr Barlow, my Council comment as follows:

- Certainly they could improve communication on planned closures with affected parishes rather than us relying on our District Councillors passing on the information which is appreciated but dealing directly with the Clerk would be welcome.
  - More updates on timings of closures would also be useful and less contradictory information.
  - Better clearer signage. More thought into how/where signage is needed.
  - Pavements seem to be ignored although these can be just as hazardous to pedestrians – are these programmed in for inspection/work
  - Improved contact to enable follow up on outstanding reports – perhaps an indication when work will be carried out.
- 
- Re devolving responsibilities: Over the years there have been times when, like other PCs, the Council have said “we could have done for half the price” not really knowing how achievable this might be but at the same time willing to look at taking on various works. Nevertheless without knowing what sort of works could be devolved it is difficult to comment. It would definitely mean more work for a PC, that doesn’t have the expertise and would need guidance on appropriate materials, contractors, insurance etc.

Regards

Kate Fox  
Parish Clerk  
Great Bardfield Parish Council



## **GREAT NOTLEY PARISH COUNCIL**

Dear Sirs,

Further to your request for information about liaison between the Parish Council and Essex Highways I can confirm my experience as Clerk to Great Notley Parish Council as follows –

The issues that I raise with Highways are usually potholes in the roads, uneven pavements and kerbs, faulty streetlights and vegetation growing into the public highway. I have also recently had to raise an issue of flooding in the underpass within the Parish.

The most common way of reporting an issue is via the online reporting tool which is easy to use and provides a reference number. The most common problem is that it then often takes a very long time for issues to be dealt with. For example, one particular streetlight was not repaired for almost 18 months and the comments on the website are often generic and not helpful.

Also, residents cannot understand why works take such a long time and that some issues such as filling in potholes are often not carried out as they are not considered sufficiently severe by Essex County Council.

For more urgent matters (such as the underpass flooding) it is necessary to ring the phone number for highways but that always takes you to a call centre who will refuse to put you through to a particular officer or department but just log the call and state that the report will be passed on. In some urgent cases it is dealt with promptly but the feedback is poor and often the only way to get an urgent issue dealt with is by involving the County Council member.

I have been made aware of the intention of the County Council to devolve certain Highway issues to the Parish sector and this is a concern. It is not clear what issues will be passed down and whether the Parish Council will have the means or resources to deal with such issues. It will inevitably involve more expense for the Parish sector which may increase Parish precepts whilst removing a financial burden from the County Council. Thus, it is unlikely for there to be a saving for the tax payer as it will merely move the expense from one public authority to another. Until more information about the proposals is known it is not possible to comment further.

I hope that this information is of use in your review

Regards

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Suzanne Walker  
Clerk to Great Notley Parish Council

## **GREAT SALING PARISH COUNCIL**

Sorry for our late reply

Our experiences over the years have not been good and we feel that we have experienced many contradictory and, indeed, unhelpful responses from the Highways Authority.

Great Saling Parish Council ("GSPC") have asked on several occasions for traffic calming measures to be introduced in our village. Great Saling is on the main thoroughfare between the B1256 and Great Bardfield, Thaxted and onwards. As such, the amount of heavy traffic and the amount of through traffic through our small village is relatively high and increasing by the year. However, Essex Highways say that they do not allow traffic calming in Essex. This is factually incorrect. Great Bardfield, which is the next village along, has traffic calming as you enter the village from the Great Saling side. Rayne which is the next village to Great Saling in the other direction, has several different types of traffic calming in place. These are two examples of traffic calming in the immediate vicinity, let alone throughout the rest of Essex. Great Saling needs traffic calming in order to stop heavy lorries speeding through - this volume will increase as Nash/Baileys have been granted planning permission to enlarge their animal feed facility.

Residents have experience of reporting pot holes and hearing nothing for up to three years ago.

Highways have taken years to act on requests and then, even when the request has been approved, have failed to put up the signs requested due to "costs and priorities".

Both GSPC and its residents have had poor interactions with, to name a few, the pot hole team, the drain covers team, the finger signpost team.

It seems to us that whenever speeding surveys are requested in places where it is obvious that speeding is taking place, the speeding surveys are set up to fail.

A couple of examples of poor interactions:

One of Great Saling's residents being told by a previous Highways Chair that he had to cut his hedge back to make it less dangerous for large lorries to use Hyde Lane despite the fact it has and had a weight restriction!

One of Bardfield Saling's residents being told by a previous Highways Chair that an "unusual" speed limit (ie reducing the current speed limit in an area where perhaps a lower speed limit would not be standard) could "confuse" drivers.

I hope that our comments and examples above make it clear that GSPC feel that there a lot can be done to improve the Highways Authority in Essex.

Best wishes  
Great Saling Parish Council

## **KELVEDON PARISH COUNCIL**

Dear Sirs

Kelevedon Parish Council's (KPC) feedback is as follows:

With regard to liaising with BDC on highways issues, such as litter problems, fly tipping, removal of dead animals, grass and verge cutting etc, our experience has been very good. In particular, I would like to feed back to you that the response from Paul Partridge and his team is excellent, with most requests being actioned and undertaken within a short space of time. Currently, KPC doesn't undertake any grass verge cutting for BDC, but we would be willing to discuss this going forward.

With regard to liaising with ECC highways, the experienced is mixed. The 'Report It' online system provides an easy way of reporting issues and now provides an email back with a note of the reference number, which is good. However, after this, the communication between the Parish Council and ECC stops. You can look up the reference number to see what has been actioned, however, most of these come up as having been looked at but are not a priority. There is no easy way to find out any more information, or talk to anyone to find out what the situation is with any given report. For example, we have a broken highways sign on the list, advising the layout of the A12 junction ahead, however, this has still not been repaired three years later. Attempting to find out when this will be firstly removed, and then replaced, is nigh on impossible.

This then leaves Clerks with no choice but to request information via their County Councillor, or directly to the relevant Cabinet Member. As we understand it, Highways issues make up around 85% of Member enquiries, which highlights the problems around communication. Apart from taking up County Councillors' time unnecessarily, it is also very frustrating for Parish Councils not to be able to communicate with Highways directly. A dedicated phone number for Parish Councils (not members of the public) to find out details of jobs and further information, would then enable us to take those queries from the public, filter it, answer what we can and then refer directly with Highways for the information we can't find elsewhere. This would be a much more efficient way for information to be gained and would negate the need for the majority of those emails to ECC Members. It would also reduce the frustration felt by Clerks and Parish Councillors, who feel very disengaged from the maintenance of the highway in their own parish.

For Public Rights of Way, again the experience can be mixed. KPC has now opened up communication with the PROW team at ECC and is in the process of signing up for the P3 scheme. We have therefore been able to meet with PROW officers to walk the paths with us, agree maintenance remits and advise on how to take the scheme forward. I also deal with P3 for another Parish Council and the system seems to work quite well. However, for queries and problems outside of P3, it works in the same way as the 'Report It' system above, which again can be quite frustrating. Our recent experience with an urgent situation on a PROW following a fallen branch was, however, very good, with a quick response time.

KPC are very interested in taking some devolved functions for Highways, especially with issues such as encroaching vegetation on the pavements and overhanging the PROWs etc. To enable Parish Councils to undertake local issues in a faster timescale would result in those niggly jobs being prioritised and completed, rather than being labelled low priority and continually being bumped to the bottom end of the queue.

We hope that this response gives a flavour of our experience.

Regards  
Philippa

## **PENTLOW PARISH COUNCIL**

Dear Sir

I write on behalf of Pentlow Parish Council to advise Councillors have no comments to make regarding the above review.

Regards  
Katherine Hoye {Mrs}  
Parish Clerk

## **RIVENHALL PARISH COUNCIL**

Dear Jessica,

Thank you for your communication re the above.

I understand that Rivenhall PC Chairman, James Abbott has already given evidence as and ECC member.

As Clerk to RPC I can say that we are au fait with the work of the BDLHP, having successfully submitted several schemes for consideration and we have a very good understanding of the relationship between BDC and the various Highway authorities (ECC & HE).

Our main point of issue continues to be in relation to the on-going PRoW maintenance.

Kind regards,  
Keith Taylor  
Clerk – Rivenhall PC

## **SIBLE HEDINGHAM PARISH COUNCIL**

Hello

Highways issues form the largest complaints from the public. All issues are reported on the Highways website which is not the easiest website to use and responses have to be looked for at a later date.

PROW issues are very high in the village as we have a number of footpaths and unfortunately once reported to Highways it takes a long time for an inspector to investigate. The standard response is that it does not meet the criteria to be fixed or it does not require immediate action, neither comment is very helpful to feed back to the residents. NEPP do not seem to be very visible in the village and parking issues are very high with residents getting very vocal.

Forms submitted to the Local Highways Panel for schemes seem to just sit there, we have been waiting for a number of years for the zebra crossing to be upgraded to a signalized crossing.

We do not think that a devolution from ECC will make life any easier and the Parish Council does not wish to undertake any new functions which could prove expensive and time consuming.

Regards  
Glenda McCoyd  
Clerk SHPC

**WITHAM TOWN COUNCIL**

Dear Jessica

**Overview and Scrutiny Committee – Role of the Highway Authority in the Braintree District**

I must apologise for the late response to your letter.

Members of the Town Council had an opportunity to consider the role of the Highway Authority and made the following comments –

- Action is incredibly slow
- Ranger Service is inadequate
- Systems are unnecessary complex
- Local Highways Panel is unduly cumbersome and rarely delivers
- The website has improved.

Yours sincerely

Mark Squire  
Town Clerk