

COUNCIL

22 NOVEMBER 2022

REPORT OF CHIEF EXECUTIVE

A.1 PETITION TO COUNCIL: NELSON ROAD, CLACTON-ON-SEA (Report prepared by Ian Ford)

In accordance with the Council's approved scheme for dealing with petitions, I formally report the receipt of a petition submitted by Councillors Alexander and Griffiths on behalf of Ms Maria Monteith, the lead petitioner, on 30 September 2022. The petition was supported by 60 residents of Nelson Road, Clacton-on-Sea (and further supported by 33 other local residents) and requested that the Council "...urgently exercised its planning enforcement powers to serve a Breach of Condition Notice on Lane Homes Construction Group in order to ensure that the contractor responsible for the new nine build houses makes good the unmade pavement and drop kerbs in Nelson Road that are required by the planning permission for this site."

Accordingly, this matter was investigated and a report was prepared and presented to the meeting of the Planning Committee held on 25 October 2022.

At that meeting, and in accordance with the Council's approved scheme, Ms Monteith, as the lead petitioner, was invited to address Members and to outline the action that the petitioners wanted the Council to take. The Ward Members, Councillors Alexander and Griffiths, also addressed the Committee. The Committee then discussed and deliberated on the petition and the report and decided:-

"That the Planning Committee instructs our Director of Planning to write, formally, to the Portfolio Holder responsible for Highways at Essex County Council to escalate this matter with a view to a speedy and satisfactory resolution – bearing in mind this is a matter that has been unresolved for in excess of a year and should have been concluded prior to occupation of the new homes.

The letter will explain that there has been a strong petition from a significant number of local residents that, with good reason, demonstrates that this is a matter of great public interest which is causing a great deal of local distress and which is undermining the public's faith in both their District and County Councils in carrying out their duties. Furthermore, the state of the footway has given rise to genuine concerns about the safety of pedestrians and damage to residents' vehicles – which could potentially give rise to claims against the Highway Authority as it falls within its duty to maintain the public highway.

With the full support and backing of the Members of this Planning Committee, the letter will demand that the completion of the footpath is given a higher priority and is resolved as a matter of urgency, utilising the available enforcement powers if necessary, and that this Council is provided with an explanation of the current position and a timetable for completing the works – which can be reported back to the Planning Committee and local residents."

Ms Monteith was then subsequently informed, in writing, of the Planning Committee's decision and the decision was published on the Council's website by way of the Minutes of that meeting.

RECOMMENDED - That the contents of this report be noted.

IAN DAVIDSON
CHIEF EXECUTIVE

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**BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE**

A.1 PETITION: NELSON ROAD, CLACTON-ON-SEA

Petition submitted by Ms Maria Monteith to the Council (via Councillors Alexander and Griffiths) on 30 September 2022.