

Questions pursuant to Council Procedure 11.2

The following questions have been received, on notice, from Members:

Question One

From Councillor Andy Pemberton to Councillor Michael Talbot, Portfolio Holder for the Environment:

“Brook Farm Retail Park

Is there anything this Council can do to encourage the retail shops to clean the car parks around this area as this is becoming a bit of a mess lately?

Is there any way these businesses could sponsor someone to do this?”

Question Two

From Councillor Chris Griffiths to Councillor Mick Skeels Snr, Portfolio Holder for Leisure and Tourism:

“The closure of the toilets in the High Street in Clacton Town Centre has been the subject of a number of enquiries. The facility was used by a number of older residents using shops in the High Street, and concerns have been raised, that some of our retired community no longer enjoy good health or mobility, and struggle to get to the toilets in Rosemary Road. The High Street car park is often the first stop for those visiting the town and it would make sense to have a toilet in a car park that visitors can use.

Could the Portfolio Holder tell us what action he intends to take to address the concerns of some of our older residents, and if it is his intention to reinstate or reopen a much needed toilet at this location?”

Question Three

From Councillor Michael Talbot to Councillor Nicholls, Portfolio Holder for Corporate Enforcement:

“With reference to the question I asked you on the 15th May to which you gave me a complete answer to the points I raised, I now wish to ask the following:

The Planning Enforcement Notices served on the freehold properties in Point Clear Bay refer to a breach of the planning permission granted to them in the late 1950's, with the deaths suffered in the East Coast Floods of 1953, still very fresh in planners' minds.

The occupation restriction prevented residence in properties for the period between 31st of October and 1st March in the following year, when flooding was thought most likely.

The current Enforcement Notices state, inter alia, that the service of these notices is to protect the owners from the risk of flooding during the above period of time.

In the late 1980's Tendring District Council were prepared, on payment of a planning fee by the applicant, to vary the occupation conditions to allow occupation during the restricted period from midday on Friday to midday on the following Monday and in addition legal occupation for a continuous period of ten days to include Christmas Day and New Year's Day in any year. This to me seems inconsistent with the original restriction and prompts the questions:-

- *Are you satisfied with the continued service of enforcement notices to selected homes in the Bay area knowing that:-*

**One home can have the original 50 year old condition forbidding occupation from 31st October to the following 1st March.*

**Their neighbour next door in identical property can have totally unrestricted occupation granted by means of a legal determination endorsed by this Council.*

**Next door whilst they may still have restrictions, they have in addition to the original condition, permission to occupy their property at specific times during the winter season (as set out above)*

**Their next door Chalet may have a 'Personal Permission' granted to the owner by an Inspector, to occupy without restriction 365 days per year, but this personal permission ceases when the owner leaves the property as it does not alter the extant planning permission?*

I think this situation is grossly unfair to those with restricted occupation where they suffer the same 'Flood Risk' as those next door who have not been served with Enforcement Notices. There are rumours that the Planning Inspectorate is to call for a Public Inquiry and so therefore:

- *Can the Portfolio Holder inform us of any date set for this Inquiry and will individual residents be advised by the Inspectorate in due course?"*