

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Traffic Regulations Working Party

Date: Tuesday, 19th January, 2021

Place: Virtual Meeting via MS Teams

Present: Councillor R Woodley (Chair)
Councillors K Robinson (Vice-Chair), K Buck, P Collins, D Cowan,
T Cox, D Garston, D Jarvis, A Moring, C Nevin and M Terry

In Attendance: S Harrington T Row and J Leggett

Start/End Time: 6.30 pm - 7.30 pm

1 Apologies for Absence

Apologies for absence were received from Councillor Wakefield (no substitute).

2 Declarations of Interest

The following interest was declared at the meeting:

(a) Councillor D Garston – Application Ref Nos. 18/00301a & 18/00300a 146 and 144 Lymington Avenue, Leigh on Sea – Disqualifying non-pecuniary interest: Applicant/Agent is very well known to him and has discussed the applications with him (withdrew).

3 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)

The Cabinet Committee received a report of Executive Director (Neighbourhoods and Environment) presenting the exceptional circumstance applications for permanent vehicle crossings (PVX) as set out in Appendix 1 to the report. Applicants or their representatives attended the meeting to present their respective applications.

With reference to applications ref nos. 20/00300a and 20/00301a, the Working Party was informed that both of these applications had been previously considered at its meeting on 24th September 2019 but had been the subject of a complaint to the Local Government Ombudsman. As a result, the Ombudsman had found fault, on the basis that there was a lack of record of the Committee's

decision, both the decision itself and the consideration given to the dimensions of the potential driveway or the exceptional circumstances put forward by the applicant. The Ombudsman had therefore recommended that the applications be reconsidered by the Council. An email from the applicant setting an additional extenuating circumstance had been circulated to the Committee prior to the meeting. The Working Party also had before it the decision of the Ombudsman and a copy of the reports that had been previously submitted to the Working Party in respect of these applications.

The Working Party considered the submissions made by the applicants both in writing and orally at the meeting. It had regard to the relevant legislation, the Council's current policy in respect of applications for exceptional circumstances, together with the efficient and safe use of the highway by all users.

Resolved:-

That Cabinet Committee be informed that, whilst the Working Party was sympathetic to the situations faced by the applicants, it was unable to identify any extenuating reasons that would warrant an exception to the current established policy. Accordingly, the Cabinet Committee be recommended to refuse the following applications:

Application Reference No. 20/00252
Application Reference No. 20/00253
Application Reference No. 20/00300a
Application Reference No. 20/00301a

Chair: _____