

Report to the Council

Committee: Cabinet
Date: 28 February 2023
Subject: Technical Services Portfolio
Portfolio Holder: Councillor Ken Williamson

Recommending:

That the report of the Technical Services Portfolio Holder be noted.

1. Regulatory & Technical Services:

Environmental Health

We are currently consulting on the Draft Air Quality Action Plan from Friday 20 January to Friday 17 February 2023.

The Air Quality Action Plan is relevant for everyone, whether they:

- Live in the District
- Work in the District
- Go to school (or take your children to school) in the District
- Visit the District

Air Pollution is recognised as a contributing factor in heart disease and cancer and particularly affects the most vulnerable like children, older people, and those with pre-existing health conditions. The annual cost of air pollution in the UK is estimated to be around £16 billion. Everyone is affected by air pollution and clean air is important for us all. The Air Quality Action Plan 2023-2028 setting out our vision to reduce pollution in Epping Forest District. The consultation can be completed via the link:

[Have your say on the proposed Air Quality Action Plan](#)

Once we have reviewed all responses, we will produce a final version of the Air Quality Action Plan 2023-2028 and will be considered for adoption by the Council's Cabinet in March 2023.

Anti-Social Behaviour

The Safer streets project continues to progress across all three teams, work carried out includes:

- Waste Amnesty events have been run by the enviro team on the Ninefields estate WA.
- New CCTV is now installed and fully operational across the 9 sites identified within the project.
- The team have conducted joint consultation with residents in Ninefields, Waltham Abbey regarding the play area and environmental changes in the area.

Crimestoppers zones that were implemented late last year have shown a 1 month evaluation showed a 100% increase in reports in the zone areas. (Ninefields, Waltham Abbey and Limes, Chigwell).

Enviro Enforcement

The team are performing well and enforcement for Flytipping and littering has increased;

| Fixed Penalty Notices Issued Quarter Period to date Oct - Dec 2022 | | | | | | |
|---|---------------|------------------------|-------------|------------------|--------------------------|------------------|
| Offence Type | Issued | Pending payment | Paid | Income | Referred to legal | Cancelled |
| Littering | 6 | 0 | 3 | £450.00 | 3 | 0 |
| Fly-tipping | 10 | 1 | 4 | £1,600.00 | 4 | 1 |
| Failure to comply with a community protection notice (CPN) | 1 | 0 | 0 | £0.00 | 1 | 0 |
| Failure to produce waste transfer notes | 4 | 0 | 2 | £360.00 | 0 | 0 |
| Failure to produce waste carriers' licence | 0 | 0 | 0 | £0.00 | 0 | 0 |
| Failure to comply with Household Duty of Care requirements | 4 | 0 | 3 | £1,200.00 | 1 | 0 |
| Failure to comply with a notice requiring the correct disposal of waste relating to trade or commercial waste receptacles | 1 | 0 | 0 | £0.00 | 1 | 0 |
| Total | 26 | 1 | 12 | £3,610.00 | 10 | 1 |
| Previous Year (2021)/Quarter Comparison | 2 | 0 | 0 | £0.00 | 1 | 1 |

There is currently a Duty of Care Initiative – So far Epping, Waltham Abbey and Loughton Town Centres have been visited with 269 businesses visited with 83 compliant (31%) and 186 (69%) that didn't have any waste licences in place or paperwork not available. Follow up visits to those that have not complied is currently in progress.

CCTV

The CCTV team are now piloting the Digital Asset Management System (DAMS) process to upload CCTV footage direct to the Police. This will save some costs on media and time. This system does not work with all systems however we are working with the software creators to improve compatibility.

Mobile cameras have been deployed to capture persistent fly tippers at Howards Court and a covert deployment to capture another persistent fly-tipper is currently in progress.

Environmental Protection and Drainage Team

Officers continue to work proactively with Essex Highways staff to help resolve issues of highway flooding affecting properties and the highway. Recent notable works include resolution of long standing highway drainage issues at Parklands / Galley Hill, Waltham Abbey. Following the localised flooding in the later part of 2022, the lack of major winter storms affecting the district meant that there have not been major flooding incidents to date. Officers have implemented a highway gateway scheme at North Weald at the end of Church Lane with the assistance of a contractor.

Highway Rangers

Recent jobs completed include installing several new and renovated finger posts and an extensive path clearance at Lenthal Path, Debden adjacent to the Central Line Station. This path has a public right of way but has not been maintained for many years. The clearance was undertaken with officers from Highway Rangers, Environmental Protection and Drainage Team and the Grounds Maintenance teams and was then street cleaned by Biffa, it is now safer and more accessible.

Many reports that are made to the team are rejected as they are works that the rangers cannot work on such as defective street-lights, pot holes or private hedges which remain the responsibility of Essex Highways. Any requests for the Highway Rangers should be reported through <https://www.eppingforestdc.gov.uk/environment/highway-rangers-service/>

Grounds Maintenance

Grounds officers have been assisting the Housing Management Team with the provision of new landscaping schemes at Waltham Abbey and Loughton, these new shrub borders include low-level lighting installations to further enhance the schemes. The teams have also been working on the provision of a new playground at Ninefields, Waltham Abbey. It is anticipated this new facility will be installed over the coming months in readiness for the school holidays.

The new fleet of grounds trucks have been performing well. The vehicles are fitted with modern fuel-efficient engines and have proven to be very reliable. Much use is being made of the 4 new electric vehicles, with charging points now installed at both Oakwood Hill and Town Mead depots. A new fleet check app is also being trialled to provide an electronic record of daily checks and provide information to fleet about the maintenance and upkeep of the vehicles. Any additional maintenance or service requests can be recorded by the driver on the app and the information electronically sent to fleet. This replaces the old paper-based records and provides a more efficient and effective vehicle management system.

Countrycare

Since November nine volunteer dates have been held over seven sites with average numbers at 16 volunteers per task. This represents a value of approximately £8000.00 to EFDC based on the minimum wage.

At Epping Upland Millennium Garden, the volunteers dug a new pond and erected a gated fence around it and created two hibernaculum - places where a hibernating animal shelters for the winter. The old pond that had not survived was uncovered and there are plans to reprofile this one so there is a network of waterbodies on the site. Six other sites have had volunteer tasks held at them, two tawney owl boxes, two barn owl boxes and two kestrel boxes have been installed at various sites. On others some bee hotels, drainage solutions, glade expansions, coppicing, thinning of trees and invasive plant removal has occurred.

2. Planning Services

Building Control

Income and budgets

Income through fees and charges by the end of October (Month 7) was at approximately £385,000. This remains on track to achieve our anticipated full year budget of £540,000 with the usual seasonal drop in site commencements in December and January. The cost of delivering the Building Control Service is currently forecast to come within £1000 of the full year budget of £732,000.

We continue to monitor share of applications against private sector competition as the new regime for Building Control driven by the Building Safety Act restricts the market competition

for higher risk residential building work, Approved Inspectors are naturally looking to backfill with lower risk domestic and commercial work that is more prevalent in Epping Forest

Legislative Change

The register for licensed Building Inspectors is due to open in October 2023, and the current deadline for all inspectors to have been assessed for competency and licensed remains to be April 2024. Members of the team have been engaged in additional, grant-funded structured training; however, this is limited by resource availability to prevent detriment to service provision. We remain concerned that the timeframe proposed by the Building Safety Regulator is ambitious and risks starving the sector of resource if some existing professionals choose to change career or retire before this date.

Dangerous Structures

The Council were successful in persuading the freeholder of a block of properties in Egg Hall to take urgent action to remove part of a wall that was becoming a risk to the highway on Palmers Hill in Epping. We remain in dialogue with them while longer-term repairs to other parts of the wall are costed. We also remain in contact with the Freeholder of a block of flats adjacent to the public footpath between Chigwell Lane and Torrington Drive in Loughton where a footpath has had to remain closed for over a year. The complexity of the remedial work combined with the cost burden on the numerous leaseholders in the building entitles the affected parties to consultation under Section 20 of the Landlord and Tenant Act.

Service Improvements

The team are currently working from North Weald Airfield due to the working pattern and vehicle use required of the inspectors and the vast resource retained in paper format required for regular access. We are working with colleagues in ICT to implement mobile working devices that will reduce our reliance on this resource and limit the financial and environmental impact of continued paper working.

Development Management

SAC Backlog

The SAC backlog project has now effectively ended. A limited number of applications are awaiting the signing of S106 Legal Agreements before permissions may be issued. The project officer departed the Council at the end of 2022. The matter has therefore been removed from the Corporate Risk Register.

Service Improvements and Service Plan

Steps continue to be taken to improve the new planning back-office system to allow more effective and efficient administration of Development Management matters. The data migration/publishing project dealing with a limited number of documents that did not publish correctly in the new system will be completed in the coming weeks.

The Development Management Service has agreed draft Terms of Reference for establishment of a Development Management Improvement Board which will be presented to the Portfolio Holder for consideration before a Board is constituted. An initial workshop with relevant service managers and Directors was held in January 2023. The Planning Advisory Service <https://www.local.gov.uk/latest-news-pas> has offered to assist with the improvement activities to be undertaken during 2023.

Notable Appeals

There are a number of notable appeals worth mention to Members:

- Land at Gladwyns Farm, Public Inquiry held on 24 January 2023 – appeal against and Enforcement Notice issued relating to the unauthorised use to storage & distribution of Non-Agricultural equipment and materials (B8 Storage & Distribution). The appeal was dismissed and the Notice upheld. The Council was awarded full costs as the appeal was considered hopeless and found to constitute unreasonable behaviour by the appellant. Documents viewable here:
https://eppingforestdcpr.force.com/pr/s/detail/a0X8d000001HqIQEAS?c_r=Arcus_BE_Public_Register
- 177 High Road (Volvo Garage), Chigwell, Appeal Hearing held on 07 December 2022 – appeal against refusal of planning consent for a proposed mixed-use development to provide 35 residential dwellings (Use Class C3) and 512 sqm of commercial floorspace (Use Class E) together with cycle and car parking, landscaping, provision of new pavement and loading bay on Brook Mews and associated infrastructure. The appeal was allowed subject to conditions and a legal agreement. This application was recommended for approval at Area Planning Sub-Committee South but overturned by Members. As part of the planning application a £600,000 financial contribution was offered towards off-site affordable housing, despite the scheme being confirmed through independent assessment as not being viable. However, at appeal this offer was withdrawn. Documents viewable here:
https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NyJdAAK/epf286820?c_r=Arcus_BE_Public_Register
- Land to the South of Chigwell Rise, written representations appeal against refusal of planning consent for permission for use of site as a burial ground with associated landscaping, access improvements and ancillary storage and reception buildings. The appeal was dismissed due to the impact on the openness of the Green Belt. This application was recommended for approval at Area Planning Sub-Committee South but overturned by Members for three reasons. A cost application was partially upheld since the second and third reasons for refusal were based on local knowledge of Members with no substantive evidence to support this position. The costs awarded amount to £6,000 (exc VAT). Documents viewable here:
https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Ny57AAC/epf213119?c_r=Arcus_BE_Public_Register

As Portfolio Holder for these services, I would like to express my thanks to all Officers in the various Departments that have assisted in the total review of our services and staffing. The whole task has been delivered in a professional and open manner.