

Select Committee Agenda



Neighbourhoods and Communities Select Committee Tuesday, 17th November, 2015

You are invited to attend the next meeting of **Neighbourhoods and Communities Select Committee**, which will be held at:

**Committee Room 1, Civic Offices, High Street, Epping
on Tuesday, 17th November, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

A Hendry, Directorate of Governance
email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564246

Members:

Councillors M Sartin (Chairman), H Brady (Vice-Chairman), N Avey, R Gadsby, L Hughes, R Jennings, L Mead, A Mitchell, S Neville, A Patel and B Surtees

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Director of Governance) To report the appointment of any substitute members for the meeting.

3. NOTES OF THE LAST MEETING (Pages 5 - 14)

To agree the notes of the last meeting held on 15 September 2015.

4. DECLARATIONS OF INTEREST

(Director of Governance). To declare interests in any items on the agenda.

In considering whether to declare a pecuniary or a non-pecuniary interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to

paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a pecuniary or non-pecuniary interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

5. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 15 - 22)

Terms of Reference and Work programme

(Chairman / Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Committee. This is attached along with an ongoing work programme. Members are asked at each meeting to review both documents.

PICK Form

Also attached is a copy of the PICK form produced by Councillor S Neville on a default 20mph signed speed limit for the Epping Forest District. This PICK form was considered by the Overview and Scrutiny Committee at their October meeting and was referred to this Select Committee for consideration.

The O&S Committee agreed that an appropriate officer representative of Essex County Council be invited to attend a future meeting of this Select Committee (during the current municipal year) to report to members on the County Council's policy in relation to the imposition of 20mph zones on the local road network.

Members are asked to consider when they would like this item brought to their meeting.

6. KEY PERFORMANCE INDICATORS 2015/16 - QUARTER 2 PERFORMANCE (Pages 23 - 50)

(Director of Governance) to consider the attached report.

7. UTTLESFORD LOCAL PLAN - ISSUES AND OPTIONS CONSULTATION (Pages 51 - 54)

(Director of Neighbourhoods) to consider the attached report.

8. COMMUNITY SERVICES SUMMER ACTIVITIES 2015 (Pages 55 - 60)

(Director of Communities) to consider the attached report.

9. REVIEW OF THE LOCAL PLAN (UPDATE) (Pages 61 - 64)

(Director of Neighbourhoods) to consider the update on the current position of the

Local Plan.

10. FLY TIPPING CLEARANCE AND ENFORCEMENT (Pages 65 - 68)

(Director of Neighbourhoods) to consider the attached report.

11. ENFORCEMENT OF WASTE CONTAINERS STORED ON THE PUBLIC HIGHWAY (Pages 69 - 76)

(Director of Neighbourhoods) to consider the attached report.

12. UPDATE FROM THE GREEN CORPORATE WORKING PARTY (Pages 77 - 78)

(Director of Neighbourhoods) to consider the attached report and the verbal update.

13. WASTE MANAGEMENT PARTNERSHIP BOARD MINUTES FOR 17 JUNE 2015 (Pages 79 - 82)

To note the minutes of the Waste Management Partnership Board meeting held on 17 June 2015.

14. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider which reports, if any, should be submitted to the Overview and Scrutiny Committee at its next meeting.

15. FUTURE MEETINGS

To note the scheduled future meetings. They are:

17th December (special meeting)
19th January 2016; and
15th March.

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**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF NEIGHBOURHOODS AND COMMUNITIES SELECT
COMMITTEE
HELD ON TUESDAY, 15 SEPTEMBER 2015
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.45 PM**

Members Present: M Sartin (Chairman), H Brady (Vice-Chairman), N Avey, L Hughes, R Jennings, A Mitchell MBE, S Neville, A Patel and B Surtees

Other members present: R Bassett, G Waller and J M Whitehouse

Apologies for Absence: R Gadsby and L Mead

Officers Present D Macnab (Deputy Chief Executive and Director of Neighbourhoods), K Bean (Planning Policy Manager), K Durrani (Assistant Director (Technical Services)), G Wallis (Community, Health & Wellbeing Manager), C Wiggins (Safer Communities Manager) and A Hendry (Senior Democratic Services Officer)

9. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that there were no substitute members for this meeting.

10. NOTES OF THE LAST MEETING

The notes of the meeting held on 8 July 2015 were agreed.

11. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

12. TERMS OF REFERENCE AND WORK PROGRAMME

The Committee noted their Terms of Reference and Work Programme. It was noted that item 10 of the work programme on establishing a Museum, Heritage and Culture Development Trust would be rolled forward to a future meeting.

Councillor Surtees wondered if this Committee could look at the work taking place on the 'prevent initiative' and radicalisation. Mrs Wiggins said that if the committee wanted she could arrange to have some speakers come in to talk about these initiatives as a lot of work was taking place at County level. The Committee agreed to this and asked for something to come to their March 2016 meeting.

AGREED to look at the 'prevent initiative' and radicalisation issues at their March 2016 meeting.

13. CRUCIAL CREW INITIATIVE

The Community, Health and Wellbeing Manager, Gill Wallis introduced the report on the Crucial Crew initiative and its future. This was an annual event which was

facilitated and delivered by the Council's Community Service and Safety teams. It was specifically designed to educate primary school pupils aged 10 (year 6) in a range of personal safety, health and wellbeing topics.

Crucial Crew has been provided for over 10 years and was historically delivered over the same two week period in June, in line with agreed primary school timetables. This year every Year 6 primary school pupil in the Epping Forest District attended the half day events; in all 1351 Epping Forest pupils participated. In addition 13 schools from the Brentwood area paid to attend, bringing a further 408 children into the project, making a total of 1759 attendees.

The Community, Health and Wellbeing Manager made an amendment to the income table on the second page of their report. The income from the Brentwood Schools had been missed out, and a further £4,644 should have been included to bring the total up to £22,874.

The event has traditionally been held at Gilwell Park Scouting Headquarters; however, following recent notification of a planned increase in hire costs by approximately £2000 in 2016 it was decided that an alternative venue of Debden House would be piloted in 2016 for the same venue costs as 2015.

The Committee noted that the event holds a VIP morning, where in the past they had received the Lord High Sherriff of Essex and the current Chairman of the council to see what they did. Officers would like to open this up to all members so they can see the event in action. An invitation would be put in the Council Bulletin next year.

Councillor Mitchell asked about the expenditure of £80 listed in the report for refreshments, was this for the Children? She was told that it was for the staff. The children were told to bring their own packed lunch.

Councillor Neville noted that the vast majority of the income was not from EFDC, but from money officers had raised and he commended the amount of work they had carried out on this scheme.

Councillor Patel asked if they received any feedback from the schools taking part. He was told that officers did contact the schools after the event and asked for feedback which was invariably positive, with specific reference to the relevance and importance of the key messages delivered. They get them at just the right age, Year 6, just before they move up to secondary school. Officers were now also looking at perhaps extending this type of event by going into schools and talking to Year 8 pupils.

Councillor Surtees commented that for the money they produced an amazing amount of benefit for the children concerned. At the VIP event could they not invite some charities to view Crucial Crew in action and perhaps raise some more financial backing and maybe do more of these events in a year.

The Safer Communities Manager, Caroline Wiggins thanked the council for funding this event as a lot of other authorities did not fund things like this and noted that this was an important event for the children.

Councillor Brady asked if this was just for state schools and was told that it was inclusive for all types of schools.

Councillor Patel asked if they received any funding from Essex County Council. He was told that they did not as it was seen a multi authority event. They did however support the road safety events.

Councillor Patel then asked if children on alternative education programmes were catered for and was told that they were.

RESOLVED:

That the Committee noted the successes of the Crucial Crew initiative.

14. CHANGE IN AGENDA

With the Committee's agreement the Chairman took agenda item 8, the Community Safety Partnership, next.

15. DRAFT COMMUNITY SAFETY PARTNERSHIP ANNUAL REPORT FOR 2014-15

The Safer Communities Manager, Caroline Wiggins took the Committee through the draft Community Safety Partnership Annual report for 2014-2015. She noted that this had only been presented to the CSP that morning.

The Community Safety Partnership (CSP) was made up of representatives from Essex Police, Essex Fire and Rescue Service, Community Rehabilitation Service, Epping Forest District Council, Voluntary Action Epping Forest and the Magistracy. They meet on a quarterly basis to oversee the range of work undertaken and were responsible for undertaking an annual review of current crime and disorder issues.

Their main source of funding was from the Essex Police and Crime Commissioner (PCC) and although this has reduced, they have still managed to function efficiently and effectively.

Over the year they had assessed the following issues as local priorities:

- Domestic Abuse;
- Assault/violent crime;
- Anti-social behaviour; and
- Burglary in a dwelling.

They did some of the best work in Essex on domestic abuse by care and support of victims. They ran a sanctuary scheme with Community Safety, Essex Police and Essex County Fire & Rescue Service to provide enhanced security to very high risk victims that do not wish to move, making them feel safer at home. They also run 'J9' training courses across West Essex to deal with the preventative side of domestic abuse. Their work on Anti-social Behaviour (ASB) continues to be a priority area. They have an ASB investigator who is trained in mediation and is also the EFDC Restorative Justice Ambassador to the Office of the Police and Crime Commissioner. This was a new initiative to identify emerging problem families and provide support and mediation before problems escalate.

In 2013 with funding from the PCC, EFDC's community safety team purchased 5 cameras allowing the installation of a self contained CCTV system (camera, monitor and recorder). These were offered to local residents on a loan basis with an option to purchase at cost price. They would be used to assist across a broad range of

matters including gathering evidence in support of allegations of Anti-social Behaviour or deterring bogus callers.

Burglary from dwellings continued to be a priority crime due to the close proximity to the London Metropolitan area and the excellent transport links through the district. This allows travelling criminals to enter and leave by a number of different means.

EFDC manages an area (crime) analyst, funded by the CSP who was dedicated to support the partnership activities. If this Committee so wished, she could come and address them on the work she does.

AGREED that the area crime analyst be invited to a future meeting to give a rundown on the work she undertook.

During the year Epping Forest CSP and Braintree CSP along with Victim Support funded a six month Young Persons Independent Sexual Violence Advisor post to carry out targeted work with young people who have been the victims of sexual abuse or have been sexually exploited. On 1st April 2015 Epping Forest and Braintree CSPs and the office of the PCC agreed to joint fund the post for a further year.

Councillor Sartin noted that the CSP was doing a fantastic job in the district; it was unfortunate that more people were not aware of this. The Safer Communities Manager agreed they should be promoting them more, even if only by putting something in the member's bulletin. Councillor Sartin agreed if only just to show we were not wasting the money.

Councillor Avey said that there was a public perception that there was a lot of crime in the district, may be by publicising the work of the CSP it would help redress the balance. The Safer Communities Manager noted that we did suffer from criminals coming in from London, using hire cars to bring people in; sometimes flying them into London and then bussing them out. Councillor Waller added that over 70% of our crime was committed by people from outside our area. Councillor Avey said that the proposed closure of Police Stations would add to the disquiet.

Councillor Surtees asked what the council's involvement with restorative justice was and what about the more serious offender. The Safer Communities Manager noted that they had recently attended a meeting about this and agreed that because of cuts this would be more challenging for officers in the future. Councillor Surtees agreed that this would put an increasing burden on services provided by EFDC. There was an increasing need to pick up slack left by other agencies and it could not be done cheaply. This was a bleak situation.

Councillor Patel asked about sharing information with the Parish and Town Councils, as it was a big frustration not knowing what was happening on their patch. He was told that this was improving and they were doing a lot of work with the various Town/Parish clerks encouraging them to raise issues with us. There was a need to encourage more communication with the clerks. This annual report could go out to them for information.

Councillor Neville asked how they promoted the Neighbourhood Watch. He was told that this was handled by the County Council, although we did help.

Councillor Surtees said that the Town and Parish Councils needed more timely information. Councillor Waller said they also needed to keep the public informed; he

would like to champion the use of public information pillars, set up in public spaces. These could be used to post relevant notices and messages for public information. They would need local councils to take part in using them and would also need planning permission to put them up. The Safer Communities Manager said that they were looking into the funding for this.

Councillor Bassett noted that there was a lot of concern around rural areas, with the closure of Police Stations and the resulting fall in response times. Blatant daylight thefts were now taking place. Did we have some way of sending text alert messages to inform people of the neighbourhood watch that there were problems in their area? He was told that officers would find out if there was such a thing. Councillor Neville said that these messages were at the discretion of the Police officer on the beat.

Councillor Patel asked if there was any secure by design advice. He was told that one of the safety team, Mr Gardener, was trained in this and went around advising owners of properties at risk.

Councillor Surtees noted that there was an absence of support mentioned and as a priest he had noticed this. Could not the police use a network of trusted persons that can send in high priority reports to them? The Health and Wellbeing Manager said that EFDC was one of the best areas for volunteers and have about eight volunteer youth cadets, but there are also volunteers for the fire service called community agents. This could all get confusing.

The chairman noted that the meeting had covered a lot of ground on this report and they were happy to note and agree the draft report.

RESOLVED:

That the 2014-2015 Annual Report of the Community Safety Partnership was noted and agreed.

16. KEY PERFORMANCE INDICATORS 2015/16 - QUARTER 1 PERFORMANCE

The Director of Neighbourhoods, Mr Macnab introduced the Quarter 1 update on the Key Performance indicators specific to this Select Committee. As asked for at the last meeting the tables were reproduced in colour and they contained more numeric figures rather than percentages which could be misleading.

The committee went on to review each indicator that looked to be in trouble and question any inconsistencies that they came across.

NEI001 – *how much non-recycled waste was collected for every household in the district?* – Councillor Neville wanted to know what kind of recyclable went in the wrong bin. He was told that about 45% of rubbish in the black bin was food waste. Officers were looking at policies to address this. There was also a problem for blocks of flats and recycling, and this was a problem across all of Essex.

Councillor Patel asked how was this measured and was told by random sampling across the area.

NEI003 – *what percentage of our district had unacceptable levels of litter?* – It was noted that there was a combination of factors that was stopping the council meeting this target. Agency staff have been brought in to deal with street cleansing. We were

working with Biffa to improve this quickly, but it was hard to tell if the target would be met by the end of the year.

Councillor Neville noted that there was a bin in his ward that was constantly overflowing, having investigated he found that this was not on the collection schedule. Were there any other bins not being scheduled for collection?

Councillor Jon Whitehouse wanted to know if Biffa were recruiting more street cleaners and what was the Council doing about this.

The Assistant Director (Technical Services), Mr Durrani, said that this indicator had not been worded properly. They were trying to make sure that Biffa recruited more permanent staff or brought back the staff that had the local knowledge. If they did not adhere to our standards set out in the contract we could fine them. They were working with us to improve this situation.

Councillor Surtees commented that there seemed to be very little continuity of the staff involved. The new ones were not familiar with the areas they work. Mr Macnab said that they now had the capacity to start tackling these problems.

NEI008 – *What % of the recorded incidences of fly-tipping...are removed within 10 working days of being recorded?* – Councillor Bassett commenting on fly-tipping said it was confusing to know who was responsible for removing them. We need a clear agreement with Essex County Council as they do not turn up for a lot of the ones we think they are responsible for. There was a need to review our policy. Officers offered to ask the Assistant Director, Neighbourhood Services to attend a future meeting to clarify what type of waste was being tipped, the complex legislation involved, and issues of land ownership.

AGREED – that the Assistant Director, Neighbourhood Services be asked to attend a future meeting to address the problems of fly-tipping.

NEI009 – *what % of out of hours noise complaints are responded to within 15 minutes?* – It was noted that had been some problems with the new call handling service, but these had now been resolved.

NEI010 – *what was the net increase or decrease in the number of homes in the district?* - Councillor Bassett said that developers have been given permission to build but they did not. As the cost of housing was high so developers tend to wait for the optimal moment to start building. Councillor Neville asked how many were to be affordable housing. The Director of Neighbourhoods replied that the Council has a policy of asking for 40% for larger developments. Councillor Bassett said that they averaged out at about 20%.

Councillor Patel noted that the second sentence under the corrective action proposed section did not sit well by saying that “the Council can encourage more building of dwellings by granting planning permission...” this assumes an almost automatic granting of permission on the Council’s part. Officers agreed and said they would change the wording.

NEI011 – *what %of the rent we were due to be paid for our commercial premises was not paid?* - The Director of Neighbourhoods said they were collecting 95% of the rents and this was still a good performance.

17. REVIEW OF THE LOCAL PLAN

The Planning Policy Manager, Mr Ken Bean, introduced a report updating the Committee on the Local Plan. They noted the key dates of the Local Development Scheme as agreed by the Cabinet on 11 June 2015 and noted that it would be submitted to the Planning Inspectorate by October 2017, the examination would be by early 2018 and adoption by September 2018.

The Green Belt Review has reached a key stage. The reports on the high level strategic Stage 1 Green Belt Review and settlement hierarchy was considered by the Cabinet on 3 September 2015. The Council had allowed a 6 week period for comments on the draft reports and received 20 responses (out of 24) from the Parish / Town Councils and 11 from District Councillors.

The original intention had been to work jointly with Harlow, with the appointment of consultants to undertake the more detailed next stage of the Green Belt review work which should be completed early next year. This would be a more detailed assessment of the broad locations identified in Stage 1 of the study. However, Cabinet decided that this second stage work should be undertaken solely for EFDC and outcomes then subsequently shared with Harlow and other neighbouring authorities. The consultant's brief included provision for workshops with officers, district council members and parish/town representatives.

The government has put a spotlight on Local Councils who fail to produce 'a published Plan by early 2017'; but it remains unclear how they would define a published plan and the precise timescale allowed for this. It was understood that the government would publish league tables identifying authorities poorly performing in terms of time taken to produce a Local Plan but again details of the criteria to be used to judge performance was unknown at present.

Considerable work had been undertaken under the duty to co-operate and working with our Strategic Housing Market Assessment (SHMA) partners (Harlow, Uttlesford and East Herts.) to update the SHMA and establish an objectively assessed housing need figure for both the wider area as a whole and for each of the local authorities. It was important to note that this figure was not the housing target for EFDC but represents a major stepping stone for establishing one. The revised SHMA was almost complete and was scheduled to be considered for sign off by the Co-operation for Sustainable Development Board on 22 September 2015 with a report then going to the October Cabinet meeting to be noted and the report added to the Local Plan evidence base.

The economic and employment work carried out by Hardisty Jones Associates would also shortly be complete and will also be reported to the Cabinet at their October meeting along with the revised SHMA. The economic work will give a range for job growth across the same four authorities during the new Local Plan period up until 2033. Detailed work on EFDC's local economy by the same consultants would also provide analysis of the employment sectors in our district, which were the strongest, how they were predicted to change and what type of employment space we should look to provide in the Local Plan, for example small business units, office space etc.

There have been delays in the strategic transport assessment work being undertaken by Essex County Council.

With regards recent progress made on Neighbourhood Plans, Moreton, Bobbingworth and the Lavers Parish Council has now submitted their draft plan for

examination. Epping Upland Parish Council has applied to establish a neighbourhood area for their parish and this is currently under consideration and being consulted on.

The government has recently issued new guidance, including a change of definition for the Gypsy and Traveller community. All Essex authorities would now need to carefully consider the impact of this for the Essex wide GTAA work and their policies in the light of this new guidance.

Members were reminded of the SHMA and economic work briefing on 21st September and advised that they would shortly be notified of dates during November when Local Plan workshops are to be arranged.

Councillor Bassett commented that we were now reaching the interesting stage in terms of work on key evidence including the position reached on the green belt review, housing and employment work. He noted that he had been through the SHMA document three times critically questioning the methodology and robustness, assumptions made and accuracy of information on which it relied, as he was not prepared to accept it as it was. As a consequence the headline objectively assessed housing need numbers for EFDC had now come down. This Council was undertaking a full Local Plan unlike many other authorities, who for example had only taken a core strategy to adoption. We have a difficult area to prepare a local plan for, with Harlow to the north, London to the south and two flood plains crossing the District. The more issues that we cover in the plan the more we find other matters that we still need to cover. We are getting into a dialogue with London under the duty to co-operate, and in the context of the next iteration of the London Plan, the GLA was also keen to get into a good dialogue with its neighbours.

Councillor Surtees asked if there was anyway to get the information from the SMHA briefings that were being held if some councillors could not attend them. Councillor Bassett replied that he was willing to set aside time and talk to anyone about this.

Councillor Jon Whitehouse asked what government league table we would be in and when were the detailed policies for Development Control going to be worked out as they were important. Mr Bean said that the members workshops would help shape the Local Plan and views expressed on policy content and detail would inform drafting of the policies. Officers would be sending out dates for the November workshops via emails and the Council Bulletin. As for the League Tables, it was understood that the government was still looking at criteria used to define these 'leagues'.

Councillor Neville asked if officers had a timescale for consideration of the Buckhurst Hill comments on the settlement hierarchy report, and in paragraph 8 of the report it mentions 'VISUM'. What was VISUM? Mr Bean replied that VISUM was one of the traffic models used; this was one of the more sophisticated types. He was still speaking to the Clerk at Buckhurst Hill about timings for responding to the Parish Council but was hopeful that a letter would be sent shortly.

Councillor Patel asked if the contributions made at the workshops that took place in 2012 were still relevant. Councillor Bassett said that yes, most of that was still relevant and comments made then would be considered and taken account of in progressing the Local Plan, although some things may have changed.

RESOLVED:

That the Select Committee noted the progress made on the Local Plan.

18. REVIEW OF THE WASTE CONTRACT - PICK FORM

The Director of Neighbourhoods, Mr Macnab, introduced the scoping report on the review of Waste and Recycling collection arrangements following the request from the Environment Portfolio Holder that Overview and Scrutiny undertake a review on his behalf.

The review was requested following problems that occurred after the switch to the four-day collection schedule and the introduction of new vehicles and technology on 12th May. Over a period of several weeks an unacceptably high level of missed collections were reported and the service was yet to fully stabilise. The Environment Portfolio Holder believed that that it was very important to establish the reasons behind this service failure and to this end requested that Overview and Scrutiny undertake a review on his behalf. It was agreed that the Neighbourhood and Community Select Committee was best placed to undertake this review. This would be undertaken by holding an additional special meeting dedicated to this single subject and would be held on 17 December 2015 in the Council Chamber. The meeting will also be webcast.

It was proposed that the structure of the meeting be broken down into four parts:

- **Part one** –the procurement process (the background on how the tenders were considered and the reasons for Biffa's success and the rationale behind that decision);
- **Part two** – Mobilisation and first six months of the contract (run up to the start of the contract and the first six months of operation);
- **Part three** – problems encountered (operational issues and the remedial actions and recovery plan); and
- **Part four** – conclusions and recommendations.

In attendance at the meeting, would be council officers, representatives from Biffa, representative from the consultant that supported and advised the Council through the procurement process, Cabinet members and members of the public.

The meeting would be advertised, probably about six weeks before and any possible attendees who wished to ask questions would be asked to contact us before hand giving an indication of what their question would be; if there were to be a lot of similar questions then officers may group them together and ask that a spokesman ask that question.

The Committee asked:

- that if possible, front line staff be asked to participate and/or their views sought;
- they would also like to know if Health and Safety protocols had been affected in the pressure to bring the service up to scratch;
- if there would be any relevant figure work to help them understand what happened and how it has progressed; and
- information on the problems that occurred with the IT systems.

AGREED – that a further updating report would go to the next meeting.

RESOLVED:

That the scope of the special meeting on the waste contract be agreed subject to the comments made by the Committee.

19. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Committee thought that a short report back to the Overview and Scrutiny Committee should be given on the items covered at this meeting, especially on the Crucial Crew Initiative and the waste review.

20. FUTURE MEETINGS

The meeting noted the future dates for this committee.

TERMS OF REFERENCE – SELECT COMMITTEE

Title: Neighbourhood and Community Services

Status: Select Committee

Terms of Reference:

General

1. To undertake overview and scrutiny, utilising appropriate methods and techniques, of services and functions of the Neighbourhood and Communities Directorates (not including Housing matters) and excluding those matters within remit of the Audit and Governance Committee, the Standards Committee or the Constitution Working Group;
2. To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee;
3. To keep under review:
 - (i) *Environmental enforcement activities;*
 - (ii) *Safer communities activities;*
 - (iii) *Waste management activities; and*
 - (iv) *Leisure Management*
 - (v) *Local Plan Scrutiny*
4. To respond to applicable consultations as appropriate;
5. To establish working groups as necessary to undertake any activity within these terms of reference;
6. To identify any matters within the services and functions of the Neighbourhoods Directorate and the community services and community safety activities of the Communities Directorate that require in-depth scrutiny and report back to the Overview and Scrutiny Committee as necessary;

Crime and Disorder

7. To act as the Council's Crime and Disorder Scrutiny Committee and to keep under review the activities of the Epping Forest Community Safety Partnership as a whole or any of the individual partners which make up the Partnership;

Performance Monitoring

8. To undertake performance monitoring in relation to the services and functions of the Neighbourhoods Directorate and the community services and community safety activities of the Communities Directorate, against adopted Key Performance Indicators and identified areas of concern;

Environment

9. To monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy / environmental policy and to receive progress reports from the Green Working Party.

10. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract;

11. To receive and review the reports of the Bobbingworth Nature Reserve (former landfill site) Liaison Group.

Leisure

12. To monitor and keep under review leisure management matters and in particular the procurement of the Leisure Management Contract.

Chairman: Cllr. Sartin

Neighbourhood & Community Services Select Committee (Chairman – Cllr Sartin)
Work Programme 2015/16

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Enforcement activity	January 2016	Annual report to Committee	8th July 2015; 15 September;
(2) CCTV action plan review	January 2016	Annual report to Committee	17 November;
(3) Annual Report of the Community Safety Partnership	September 2015	Completed - Annual report to Committee	17 December (special);
(4) KPIs 2014/15	July 2015	Outturn Report for 2014/15	19 January 2016; 15 March
(5) To review the specific quarterly KPI's for 2015/16	Quarterly	Progress reports to meetings: Q1 in September 2015; Q2 in November '15; Q3 in March '16	
(6) Receive notes of Waste Management Partnership Board	As appropriate	Notes reported to Committee at first available meeting following receipt.	
(7) Receive notes of the Bobbingworth Nature Reserve Liaison Group and updates as appropriate.	As appropriate	Notes to the Committee at first available meeting following receipt.	
(8) To receive updates from the Green Corporate Working Party	As appropriate (To receive an update on the current position in November '15)	To monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy/environmental policy and to receive progress reports from the Green Working Party.	
(9) Feedback on the success of the Crucial Crew Initiative and learning points for future programmes	September 2015	Completed	

Neighbourhood & Community Services Select Committee (Chairman – Cllr Sartin)
Work Programme 2015/16

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(10) Report on the outcome of Stage 1 feasibility study on the options for establishing a Museum, Heritage and Culture Development Trust	September 2015 TBA		
(11) Feedback on the success of the Summer Holiday Activity Programme and Learning points for future programmes	November 2015		
(12) Feedback on the success of the Reality Roadshow initiative and learning points for future programmes	January 2016		
(13) Report on the extensive new offer provided to visitors following the expansion and improvement of the Epping Forest Museum	March 2016		
(14) To receive regular updates on the current position of the Local Plan	Update to go to each meeting.	Committee to keep a watch in brief on the position of the District's Local Plan – (last went to Sept '15 meeting)	
(15) To review the waste Contract and associated problems as put forward by the PICK form	September (Scoping) and 17 December 2015	To scope out the PICK form at the September meeting and to hold a one off review in December 2015.	
(16) To receive a report on the 'prevent initiative' and radicalisation issues.	March 2016		

Neighbourhood & Community Services Select Committee (Chairman – Cllr Sartin)
Work Programme 2015/16

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(17) To receive a presentation from the Council's area crime analyst on her work.	January 2016		
(18) The Assistant Director, Neighbourhood Services to attend a future meeting to address the problems of fly-tipping	Possible for the November 2015 meeting		
(19) To review a PICK Form put forward By Cllr Neville on a default 20mph signed speed limit.	To be agreed	This item was passed to this Committee by the O&S Committee meeting held on 20 October 2015.	

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**Request by Member for Scrutiny Review
2015/16 Work Programme**



Please complete the form below to request consideration of your issue by the
Overview and Scrutiny Committee

Proposers Name: Steven Neville	Date of Request 1st September 2015
Supporting Councillors (if any): Ken Angold-Stephens Stephen Murray Brian Surtees	
Summary of Issue you wish to be scrutinised: <p>To assess, whether, in principle, we think that Epping Forest moving to a default 20mph signed limit. Exceptions of higher speed roads would be determined by the Traffic Authority. That a pilot scheme be employed in a reasonably wide area. Slower built up area speed limits have many Public Health benefits. Scrutiny can invite a few expert speakers, (including the 20's Plenty for Us organisation) on the issue to get an overview. If accepted after scrutiny then write to Essex County Council making representations that we wish to go 20mph limited with the suggested pilot scheme.</p>	
<p align="center">NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATORY NOTES TO THIS FORM FOR FURTHER INFORMATION</p>	
Public Interest Justification: <p>Epping Forest has a role to play on Public Health issues. 20 mph limits has been proven to encourage people to walk more, children to play outside more and increases use of bikes. It reduces isolation as people feel more confident in crossing roads. It helps vulnerable people to feel less vulnerable. For older people there is 10 times less risk of death (47% at 30mph to 5% at 20mph)/ It can also reduce the number of crashes and casualties. Casualties fall by about 20%. Other authorities have found the costs of implementation are around £3 per head. As a Council we are keen to encourage healthier and fitter individuals. This in turn will reduce costs and pressures on the NHS and thus local hospitals.</p>	

Impact on the social, economic and environmental well-being of the area:

20mph limits increase exercise levels according to a report by Public Health England and the Local Government Association 'Obesity & the environment: increasing & physical activity & active travel.' As a Council we are keen to encourage healthier and fitter individuals. This in turn will reduce costs and pressures on the NHS and thus local hospitals. Limiting to 20mph reduces pollution as there is less wasted acceleration from 20-30mph in built up areas, people will drive cars less and walk and use other forms of sustainable transport more.

Council Performance in this area (if known: Red, Amber, Green): N/A as implementation is an Essex Highways function but we can have an influence if we chose to support this for residents.

Keep in Context (are other reviews taking place in this area?) None.

Office Use:	
Pick score:	Considered By OSCC:



Report to: Neighbourhood and Community Services Select Committee

Date of meeting: 17 November 2015

Portfolio: Safer, Greener and Transport Portfolio Holder (Councilor G. Waller)

Subject: Key Performance Indicators 2015/16 - Quarter 2 Performance

Officer contact for further information: B. Copson (01992 564042)

Democratic Services Officer: A. Hendry (01992 564246)

Recommendations/Decisions Required:

That the Select Committee review progress against the Key Performance Indicators within its areas of responsibility, at the end of Quarter 2 (Q2)

Executive Summary:

The Local Government Act 1999 requires that the Council make arrangements to secure continuous improvement in the way in which its functions and services are exercised, having regard to a combination of economy, efficiency and effectiveness.

As part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives, are adopted each year by the Finance and Performance Management Cabinet Committee. Performance against the KPIs is monitored on a quarterly basis by Management Board and overview and scrutiny to drive improvement in performance and ensure corrective action is taken where necessary.

Reasons for Proposed Decision:

The KPIs provide an opportunity for the Council to focus attention on how specific areas for improvement will be addressed, and how opportunities will be exploited and better outcomes delivered. It is important that relevant performance management processes are in place to review and monitor performance against the key performance indicators to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under performance.

Other Options for Action:

No other options are appropriate in this respect. Failure to monitor and review KPI performance and to consider corrective action where necessary could have negative implications for judgements made about the Council's progress, and might mean that opportunities for improvement are lost.

Report:

1. A range of thirty-six (36) Key Performance Indicators (KPIs) for 2015/16 was adopted by the Finance and Performance Management Cabinet Committee in March 2015. The KPIs are important to the improvement of the Council's services, and comprise a combination of some former statutory indicators and locally determined performance measures. The aim of the KPIs is to direct improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district.
2. Progress in respect of each of the KPIs is reviewed by the relevant Portfolio Holder, Management Board, and overview and scrutiny at the conclusion of each quarter. This report includes in detail only those indicators which fall within the areas of responsibility of the Neighbourhoods and Community Services Select Committee
3. A headline Q2 performance summary in respect of each of the KPIs falling within the Neighbourhoods and Community Services Select Committee's areas of responsibility for 2015/16, is attached as Appendix 1 to this report together with details of the specific six-month performance for each indicator.
4. Improvement plans are produced for all of the KPIs each year, setting out actions to be implemented in order to achieve target performance, and to reflect changes in service delivery. In view of the corporate importance attached to the KPIs, the improvement plans are agreed by Management Board and are also subject to ongoing review between the relevant service director and Portfolio Holder over the course of the year. The Improvement Plans for indicators which have failed to reach target performance for the quarter are attached at Appendix 2 to this report.

Key Performance Indicators 2015/16 – Quarter 2 Performance

5. **All indicators** - The overall position with regard to the achievement of target performance for all of the KPIs at the end of Q2 was as follows:
 - (a) 26 (72%) indicators achieved target at the end of Q2;
 - (b) 10 (28%) indicators did not achieve the Q2 target; although
 - (c) 1 (10%) of indicators not achieving target performed within its tolerated amber margin.
6. **Neighbourhoods and Community Services Select Committee indicators** - Twelve (12) of the Key Performance Indicators fall within this Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at the end of Q2 for these twelve indicators, was as follows:
 - (a) 7 (58%) indicators achieved the Q2 target;
 - (b) 5 (58% indicators did not achieve their Q2 target; and
 - (c) 0 (0%) indicators performed within their tolerated amber margin.
7. The 'amber' performance status used in KPI reports identifies indicators that have missed the agreed target for the quarter, but where performance is within an agreed tolerance or range (+/-). The KPI tolerances were agreed by Management Board when targets for the KPIs were set in February 2015.
8. The Select Committee is requested to review second quarter performance in relation to the KPIs for 2015/16 within its areas of responsibility.

Resource Implications:

Resource requirements for actions to achieve specific KPI performance for 2015/16 will have been identified by the responsible service director/chief officer and reflected in the budget for the year.

Legal and Governance Implications:

There are no legal or governance implications arising from the recommendations of this report. Relevant implications arising from actions to achieve specific KPI performance for 2015/16 will have been identified by the responsible service director.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district. Relevant implications arising from actions to achieve specific KPI performance for 2015/16 will have been identified by the responsible service director.

Consultation Undertaken:

The performance information and targets set out in this report have been submitted by each appropriate service director and have been reviewed by Management Board. The individual KPI improvement plans for 2015/16 will be agreed by the Board.

Background Papers:

KPI submissions are held by the Performance Improvement Unit.

Impact Assessments:

























Risk Management

There are no risk management issues arising from the recommendations of this report. Relevant issues arising from actions to achieve specific KPI performance for 2015/16 will have been identified by the responsible service director.

Equality:

There are no equality implications arising from the recommendations of this report. Relevant implications arising from actions to achieve specific KPI performance for 2015/16 will have been identified by the responsible service director.

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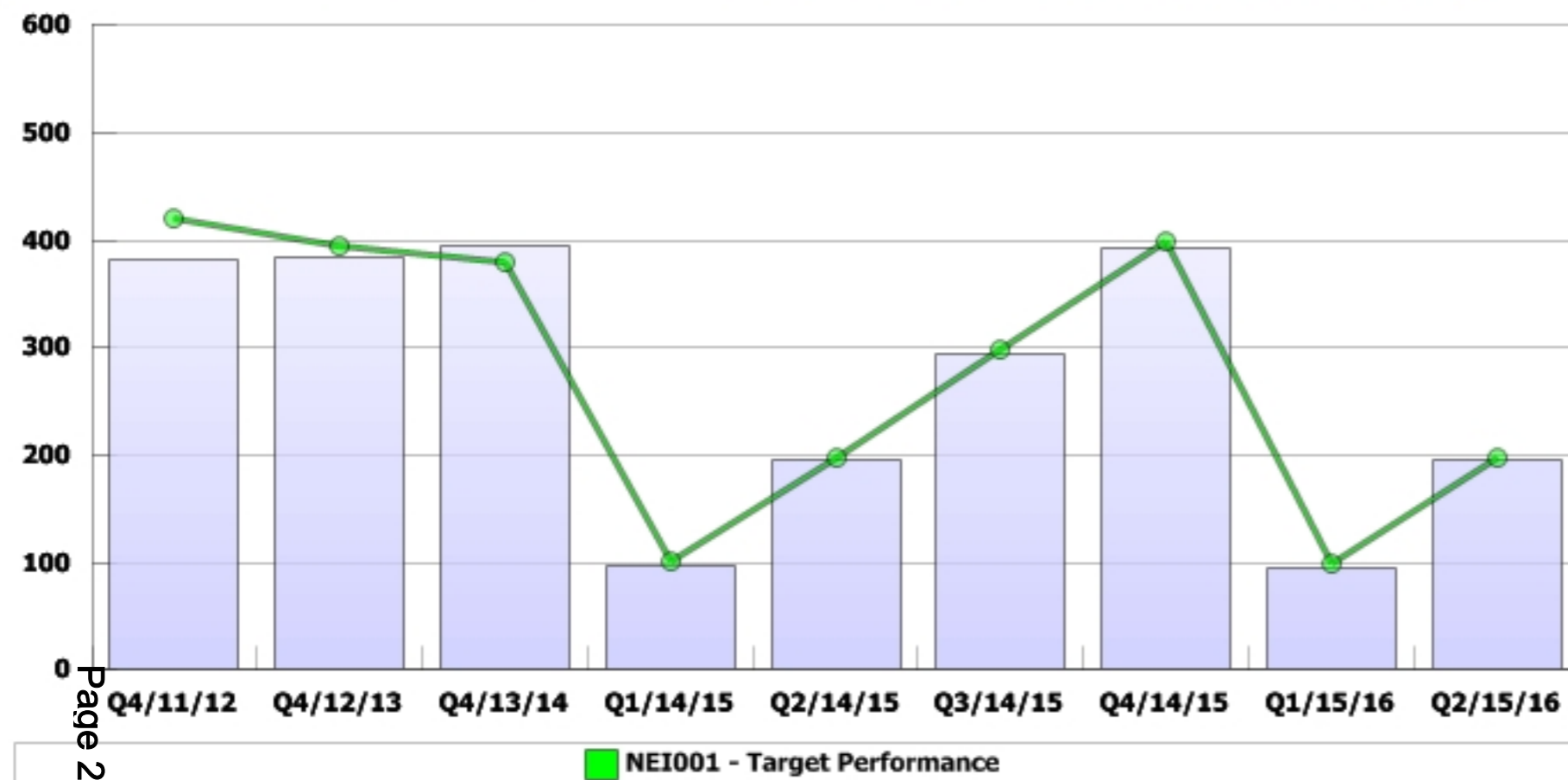
Quarterly Indicators		Quarter 1		Quarter 2		Quarter 3		Quarter 4		Is year-end target likely to be achieved?
		Tgt	Actual	Tgt	Actual	Tgt	Actual	Tgt	Actual	
Neighbourhoods Quarterly KPIs										
NEI001	(Non-recycled waste) (kg)	100	95		199	197		299	400	Yes
NEI002	(Household recycling) (%)	64.58%	61.00%		62.53%	60.30%		61.51%	60.00%	No
NEI003	(Litter) (%)	8%	11%		8%	8%		8%	8%	Yes
NEI004	(Detritus) (%)	10%	14%		10%	15%		10%	10%	No
NEI005	(Neighbourhood issues) (%)	95.00%	96.22%		95.00%	95.91%		95.00%	95.00%	Yes
NEI006	(Fly-tip investigations) (%)	90.00%	95.35%		90.00%	95.33%		90.00%	90.00%	Yes
NEI007	(Fly-tip: contract) (%)	90.00%	90.84%		90.00%	92.42%		90.00%	90.00%	Yes
NEI008	(Fly-tip: non-contract) (%)	90.00%	67.72%		90.00%	81.28%		90.00%	90.00%	Uncertain
NEI009	(Noise investigations) (%)	90.00%	87.80%		90.00%	91.63%		90.00%	90.00%	Yes
NEI010	(Increase in homes) (no.)	70	48		111	80		182	230	Uncertain
NEI011	(Commercial rent arrears) (%)	3.00%	5.19%		3.00%	4.65%		3.00%	3.00%	No
NEI012	(Commercial premises let) (%)	98.00%	98.98%		98.00%	99.32%		98.00%	98.00%	Yes

NEI001 How much non-recycled waste was collected for every household in the district?

Additional Information: This indicator supports reductions in the amount of residual waste collected, through less overall waste and more reuse, recycling and composting. Quarterly targets and performance details for this indicator are measured in kilograms per household, and represent the cumulative total for the year to date.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual
Q2/15/16	199	197
Q1/15/16	100	95
Q4/14/15	400	393
Q3/14/15	298	294
Q2/14/15	199	196



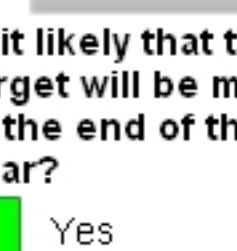
Annual Target: 2015/16 - 400kg
2014/15 - 400 kg

Indicator of good performance:
A lower waste figure is good

↓ is the direction of improvement

Is it likely that the target will be met at the end of the year?

Yes



Comment on current performance (including context):

(Q2 2015/16) Given the wider trend in the waste industry of increasing non recycling tonnage it is encouraging that the Council is on track to meet the year end target.

Corrective action proposed (if required):

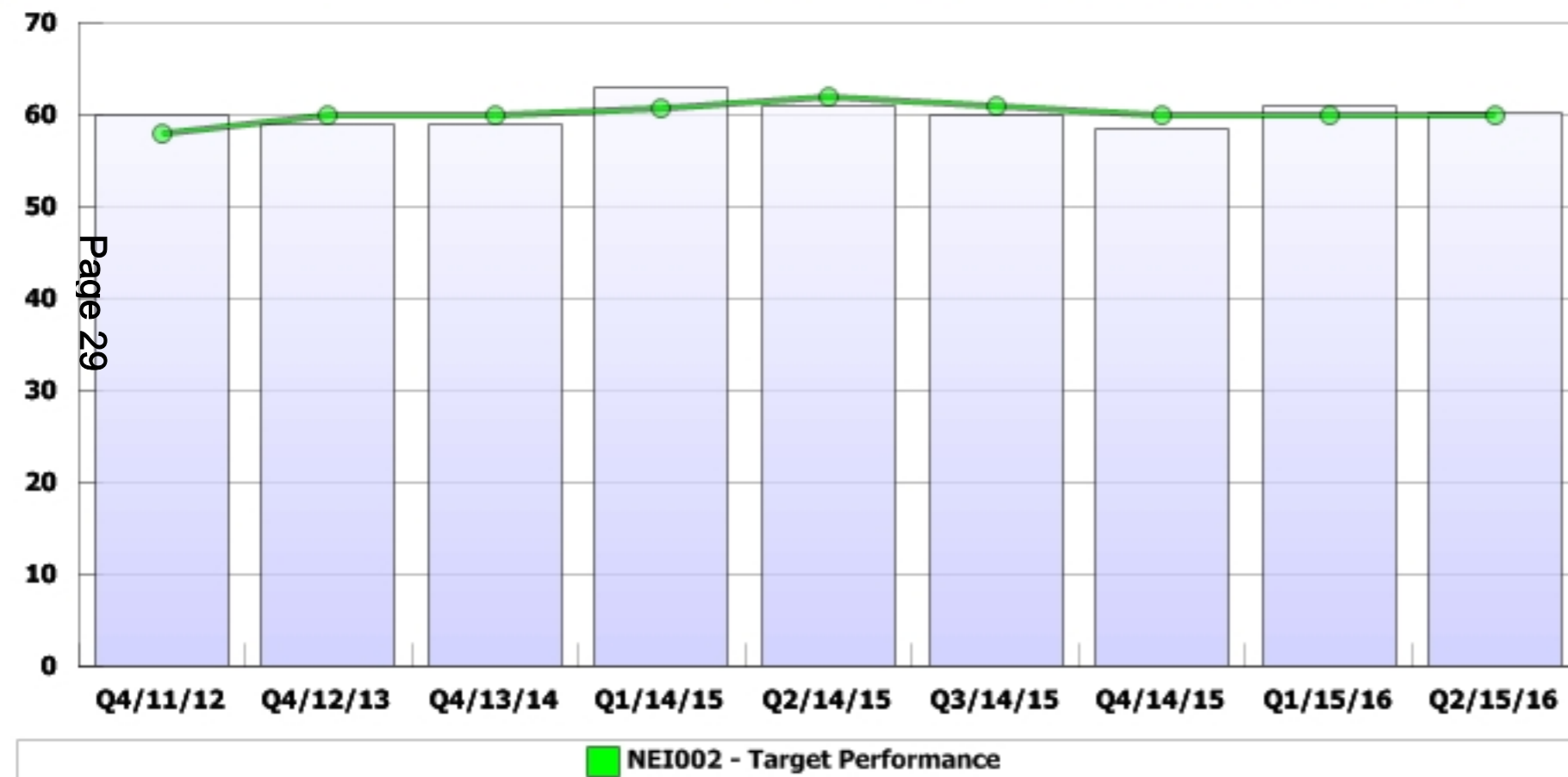
(Q2 2015/16) The trend of tonnage collected is on track to meet the year end target. however there is no room for complacency and efforts need to be continued to keep the residual waste tonnage low.

NEI002 What percentage of all household waste was sent to be recycled, reused or composted?

Additional Information: This indicator supports year on year reductions in the amount of residual waste collected, and measures the percentage of household waste arisings sent for reuse, recycling, composting or anaerobic digestion.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Performance Status
Q2/15/16	62.53%	60.30%	✗
Q1/15/16	64.58%	61.00%	✗
Q4/14/15	60.00%	58.53%	✗
Q3/14/15	61.02%	60.00%	✗
Q2/14/15	62.03%	61.00%	✗
Annual Target:	2015/16 - 60.00%	2014/15 - 60.00%	

Indicator of good performance: A higher percentage recycled is good
 ↑ is the direction of improvement



Is it likely that the target will be met at the end of the year?
 No



Comment on current performance (including context):

(Q2 2015/16) The year end target is to recycle 60% of all household waste across the District, however recycling performance is variable throughout the year. To cater for this seasonal nature of this indicator quarterly performance targets are adopted.

The performance for this quarter is below the target. It is becoming increasingly difficult to meet this target as the weight of materials that can be recycled are decreasing.

Corrective action proposed (if required):

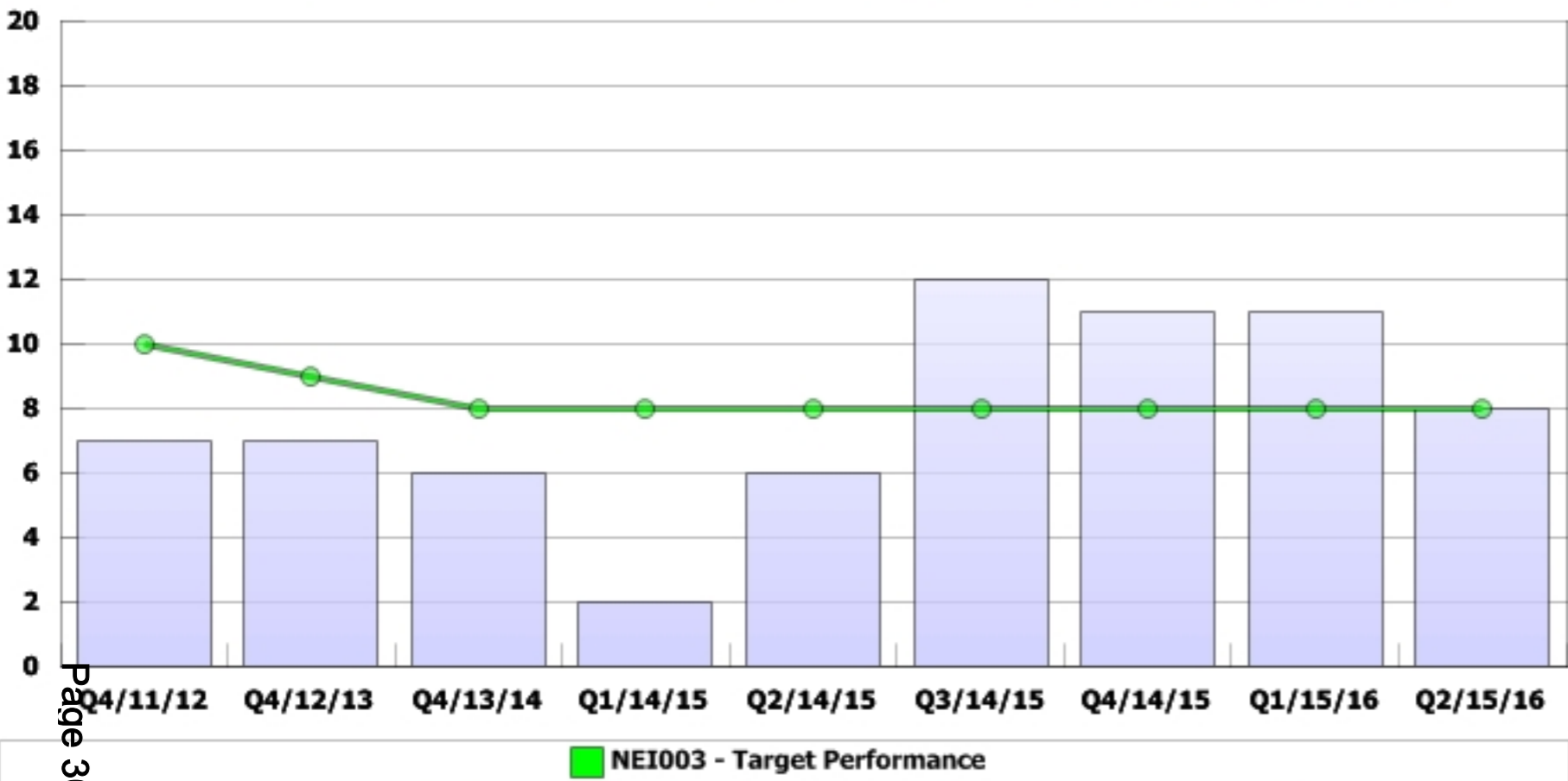
(Q2 2015/16) Biffa are now collecting more materials for reuse and recycling. New plans are being prepared to carry out recycling of weekly food waste from schools. Some blocks of flats will receive new recycling facilities. New strategies are being developed to reduce contamination in communal bins, which is one of the problem areas across all multi occupancy dwellings. The commencement of new collections: small electrical items, textiles and batteries should, in time, help with recycling performance.

NEI003 What percentage of our district had unacceptable levels of litter?

Additional Information: This indicator seeks to reduce unacceptable levels of litter. Performance is based on surveys of prescribed sites carried out over four quarterly periods each year, and represents the percentage of relevant land with deposits of litter which exceed the acceptable level.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Status
Q2/15/16	8%	8%	✓
Q1/15/16	8%	11%	✗
Q4/14/15	8%	11%	✗
Q3/14/15	8%	12%	✗
Q2/14/15	8%	6%	✓

Annual Target: 2015/16 - 8%
2014/15 - 8%

Indicator of good performance:
A lower percentage is good

↓ is the direction of improvement

Is it likely that the target will be met at the end of the year?
 Yes

Comment on current performance (including context):

Corrective action proposed (if required):

(Q2 2015/16) The strategies put in place to reduce litter have made significant improvement. It is anticipated this will continue for the rest of the year.

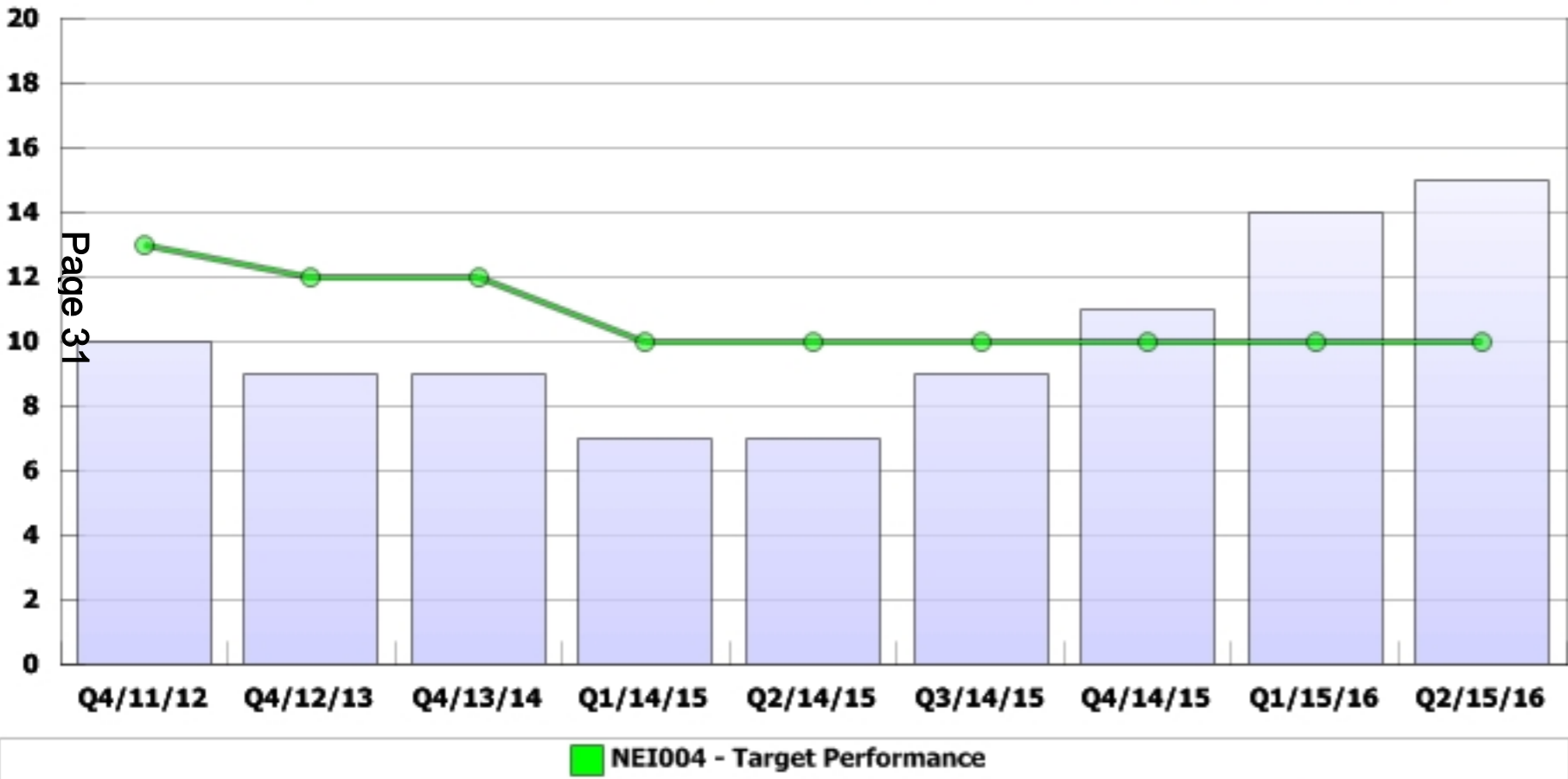
(Q2 2015/16) The new strategies have made an impact and the performance in this quarter has improved significantly.

NEI004 What percentage of our district had unacceptable levels of detritus (dust, mud, stones, rotted leaves, glass, plastic etc.)?

Additional Information: This indicator seeks to reduce unacceptable levels of detritus. Performance is based on surveys of prescribed sites carried out over the four quarterly periods each year, and represents the percentage of relevant land with deposits of detritus which exceed the acceptable level.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Status
Q2/15/16	10%	15%	✗
Q1/15/16	10%	14%	✗
Q4/14/15	10%	11%	✗
Q3/14/15	10%	9%	✓
Q2/14/15	10%	7%	✓

Annual Target: 2015/16 - 10%
Target: 2014/15 - 10%
Indicator of good performance: A lower percentage is good
 ↓ is the direction of improvement

Is it likely that the target will be met at the end of the year?
 No



Comment on current performance (including context):

(Q2 2015/16) This target is linked to NEI 003 and covers the level of detritus in the District. Like NEI003 performance is measured by carrying out around 900 individual inspections over the course of a year. However unlike the previous indicator it has not been possible to achieve any improvement.

Corrective action proposed (if required):

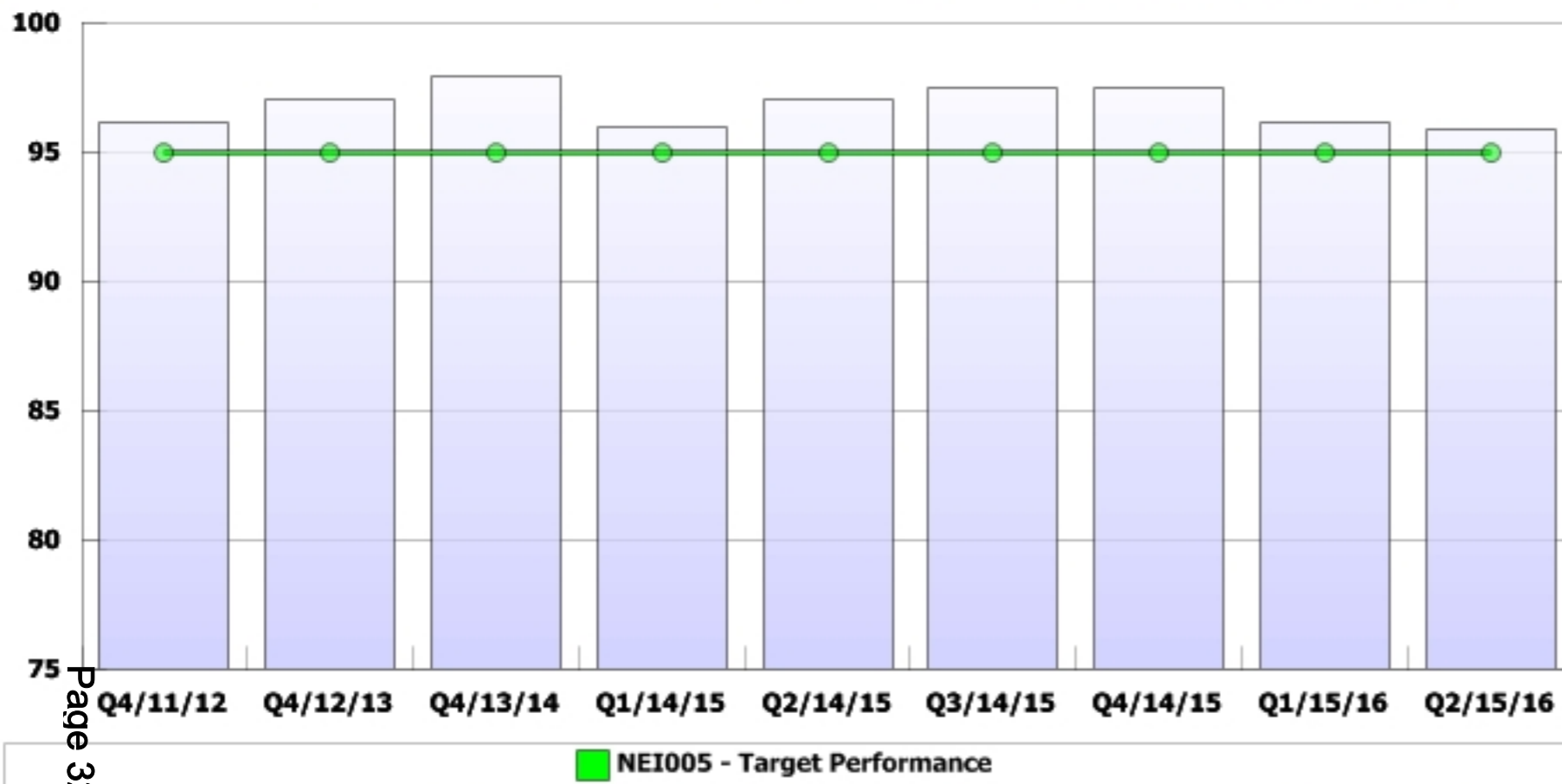
(Q2 2015/16) Officers continue to work with Biffa to ensure continuity in staff, increased contract monitoring by Council officers to identify areas for improvement. There is the need to improve the quality of the Biffa's own supervision to ensure that standards do not drop.

NEI005 What percentage of the issues and complaints received by the Environment & Neighbourhoods Team received an initial response within 3 days?

Additional Information: Dealing with 'enviro-crime' is a key element of the 'Safer, Cleaner, Greener' initiative, and this indicator measures the percentage of issues raised and complaints received by the Environment and Neighbourhoods Team that are responded to within three working days

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Performance
Q2/15/16	95.00%	95.91%	✓
Q1/15/16	95.00%	96.22%	✓
Q4/14/15	95.00%	97.51%	✓
Q3/14/15	95.00%	97.56%	✓
Q2/14/15	95.00%	97.08%	✓

Annual Target: 2015/16 - 95.00%
 2014/15 - 95.00%

Indicator of good performance:
 A higher percentage is good

↑ is the direction of improvement



Is it likely that the target will be met at the end of the year?

Yes



Comment on current performance (including context):

(Q2 2015/16) Target achieved. 1499 out of 1563 issues and complaints received an initial response within 3 working days

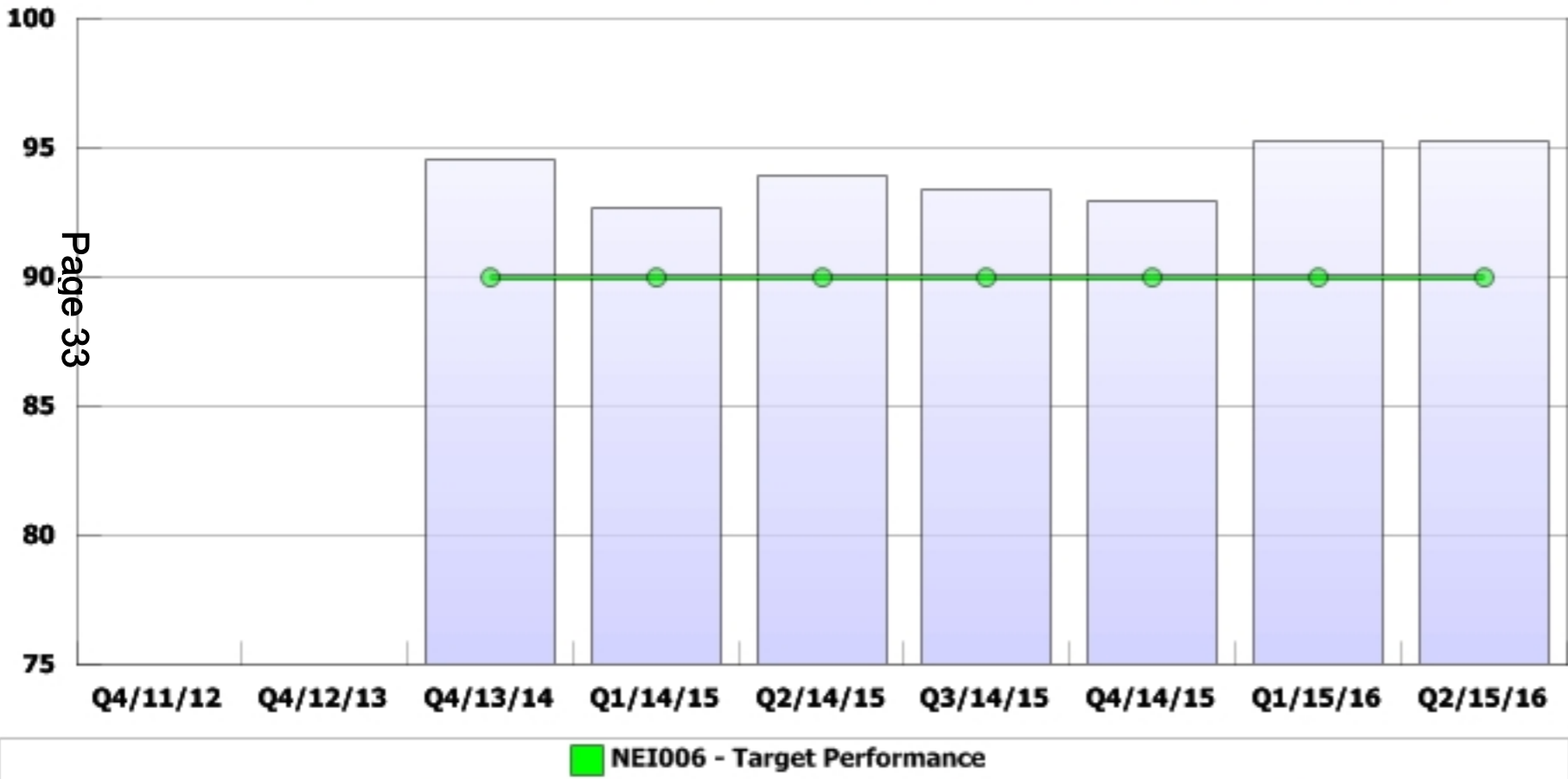
Corrective action proposed (if required):

NEI006 What percentage of the recorded incidences of fly-tipping are investigated within 3 working days of being recorded?

Additional Information: The Team register all fly-tipping incidents reported or found on public and private land in the district. Incidents that may have evidence that can lead to the source of the waste are investigated, subject to resources and priorities at that time. Clearance is delayed until investigated (unless there are other factors that require the waste to be cleared immediately).

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Direction of Improvement
Q2/15/16	90.00%	95.33%	↑
Q1/15/16	90.00%	95.35%	↑
Q4/14/15	90.00%	93.00%	↑
Q3/14/15	90.00%	93.47%	↑
Q2/14/15	90.00%	93.93%	↑

Annual Target: 2015/16 - 90.00%
 Target: 2014/15 - 90.00%

Indicator of good performance:
 A higher percentage is good

↑ is the direction of improvement

Is it likely that the target will be met at the end of the year?
 Yes



Comment on current performance (including context):

(Q2 2015/16) Target achieved 245 of 257 incidents of fly-tipping that were investigated in this period were within 3 working days of the fly-tip being recorded.

N.B. A working day is any one of Monday to Friday inclusive. Bank Holidays are not a working day. The three working day period shall commence the next working day after the incident has been reported to the Council.

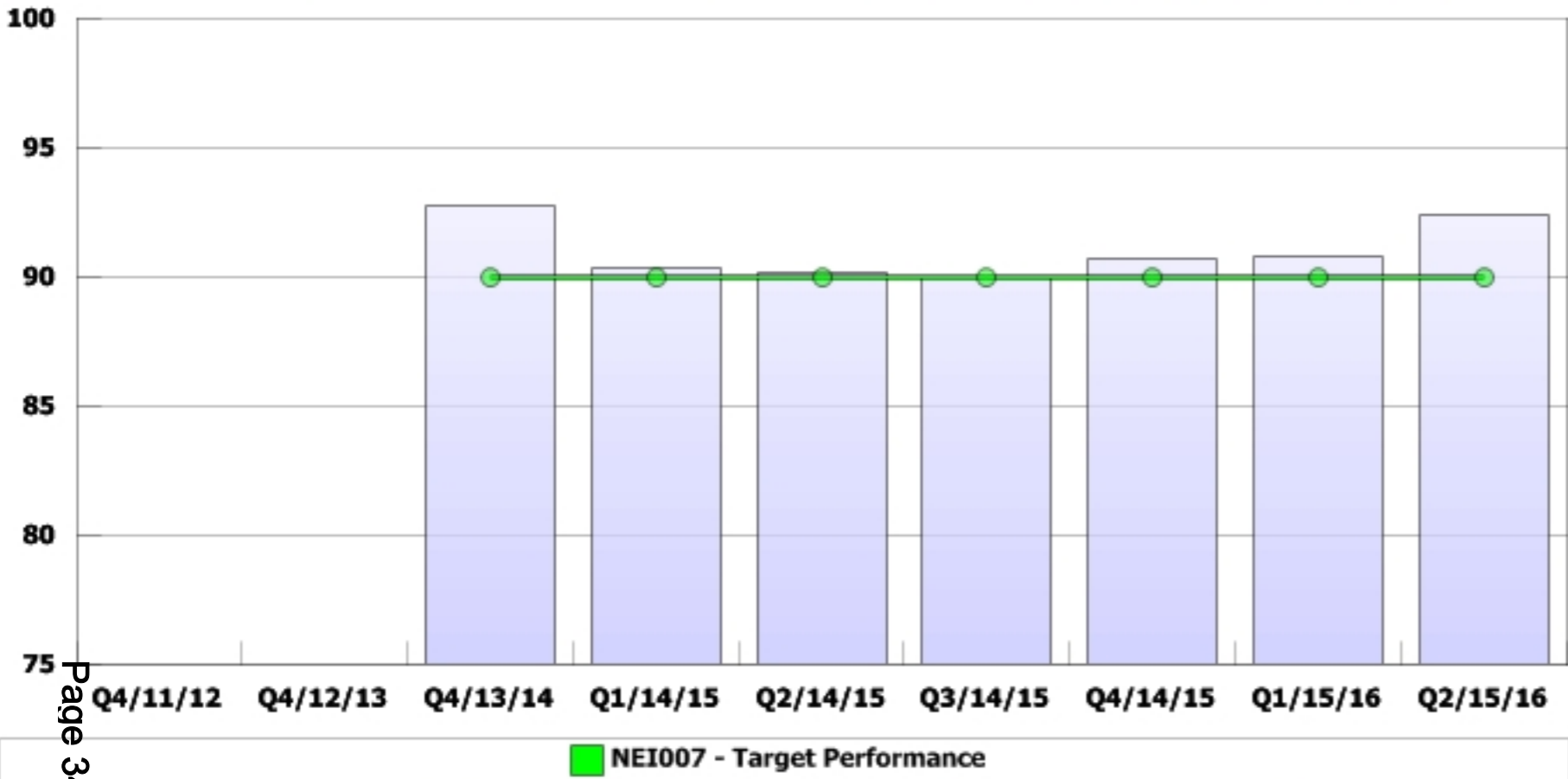
Corrective action proposed (if required):

NEI007 What percentage of the recorded incidences of fly-tipping (contract cleared) are removed within 5 working days of being recorded?

Additional Information: This indicator specifically considers fly-tip incidents which occur on land which the council is responsible for clearing and which can be cleared under the existing waste contract.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Direction of Improvement
Q2/15/16	90.00%	92.42%	↑
Q1/15/16	90.00%	90.84%	↑
Q4/14/15	90.00%	90.79%	↑
Q3/14/15	90.00%	90.02%	↑
Q2/14/15	90.00%	90.23%	↑

Annual 2015/16 - 90.00%
 Target: 2014/15 - 90.00%

Indicator of good performance:
 A higher percentage is good

↑ is the direction of improvement

Is it likely that the target will be met at the end of the year?

Yes



Comment on current performance (including context):

(Q2 2015/16) Target achieved. 256 of 277 (92.42%) incidents were cleared under the waste contract within the target of 5 working days.

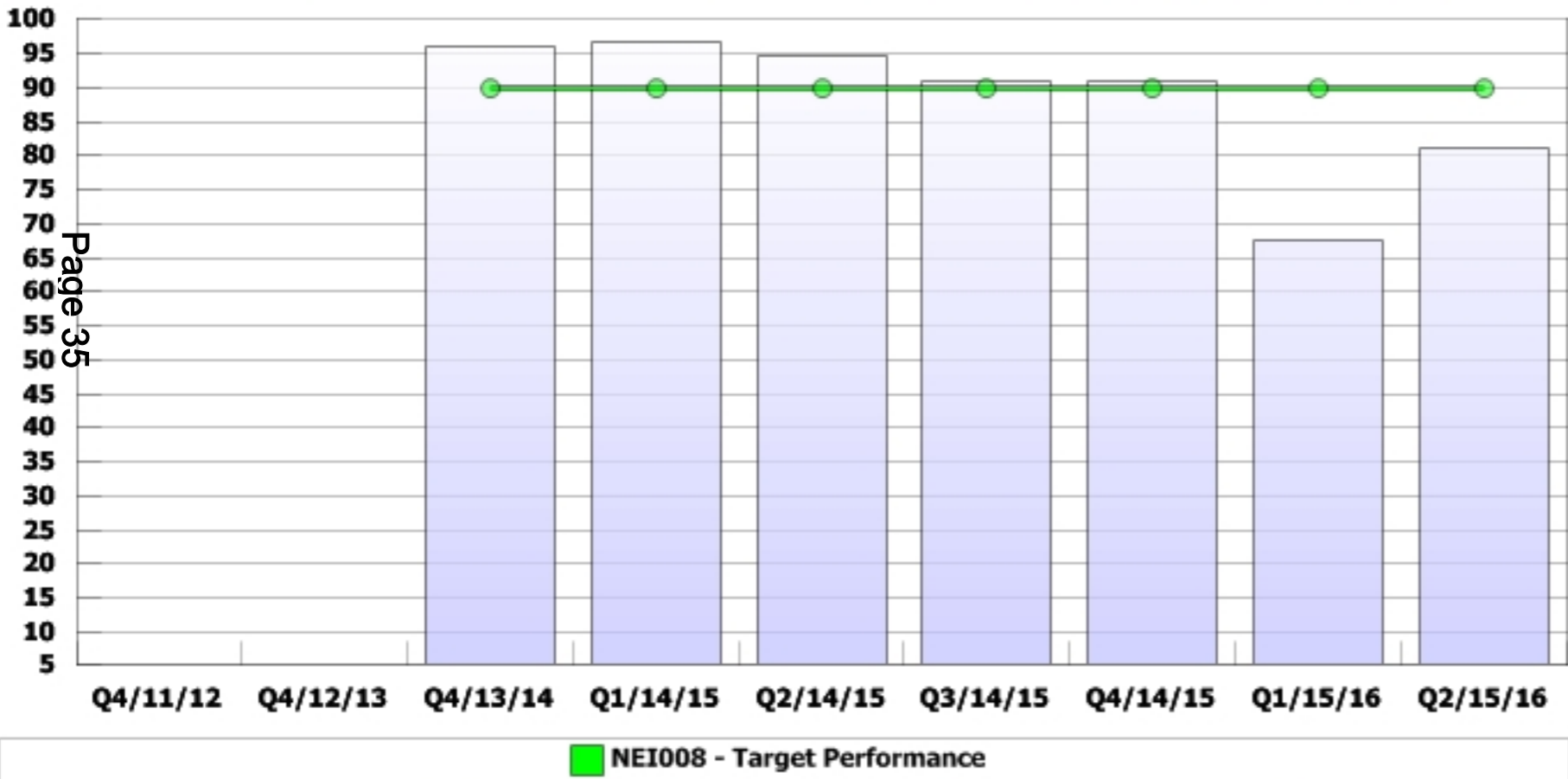
Corrective action proposed (if required):

NEI008 What percentage of the recorded incidences of fly-tipping (variation order / non-contract) are removed within 10 working days of being recorded?

Additional Information: This indicator specifically considers fly-tip incidents which occur on land which the council is responsible for clearing and which require an additional variation order or other non-contract clearance.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Status
Q2/15/16	90.00%	81.28%	X
Q1/15/16	90.00%	67.72%	X
Q4/14/15	90.00%	90.85%	✓
Q3/14/15	90.00%	90.98%	✓
Q2/14/15	90.00%	94.61%	✓

Annual Target: 2015/16 - 90.00%
Target: 2014/15 - 90.00%

Indicator of good performance: A higher percentage is good

↑ is the direction of improvement

Is it likely that the target will be met at the end of the year?

Uncertain



Comment on current performance (including context):

(Q2 2015/16) The target has not been achieved. 343 incidents were cleared within 10 working days, out of 422 incidents = 81.28%. However, data for Q2 is a cumulative figure including the data for Q1.

In Q1 as previously reported, we experienced considerable difficulties with BIFFA and the change in some household waste collection days/routes. This resulted in a backlog in passing on and inspecting some fly-tips that require an additional quote before clearance work can commence. We also identified a technical problem with passing on some reports for clearance, which meant some clearance requests were not being picked up automatically when BIFFA's system integrated with the Council's software.

These issues were rectified in Q2. The figures for the second part of the period, Q2 alone – 01/07/15 to 30/9/15, achieved the target. 211 incidents out of 232 were cleared within the target = 90.95% (compared with 67.72% in Q1).

Corrective action proposed (if required):

(Q2 2015/16) The workload pressure due to issues around the change in waste contractor and technical issues with integrating software have now been resolved. We have also introduced more automatic reporting to try and identify any errors before they fail the target.

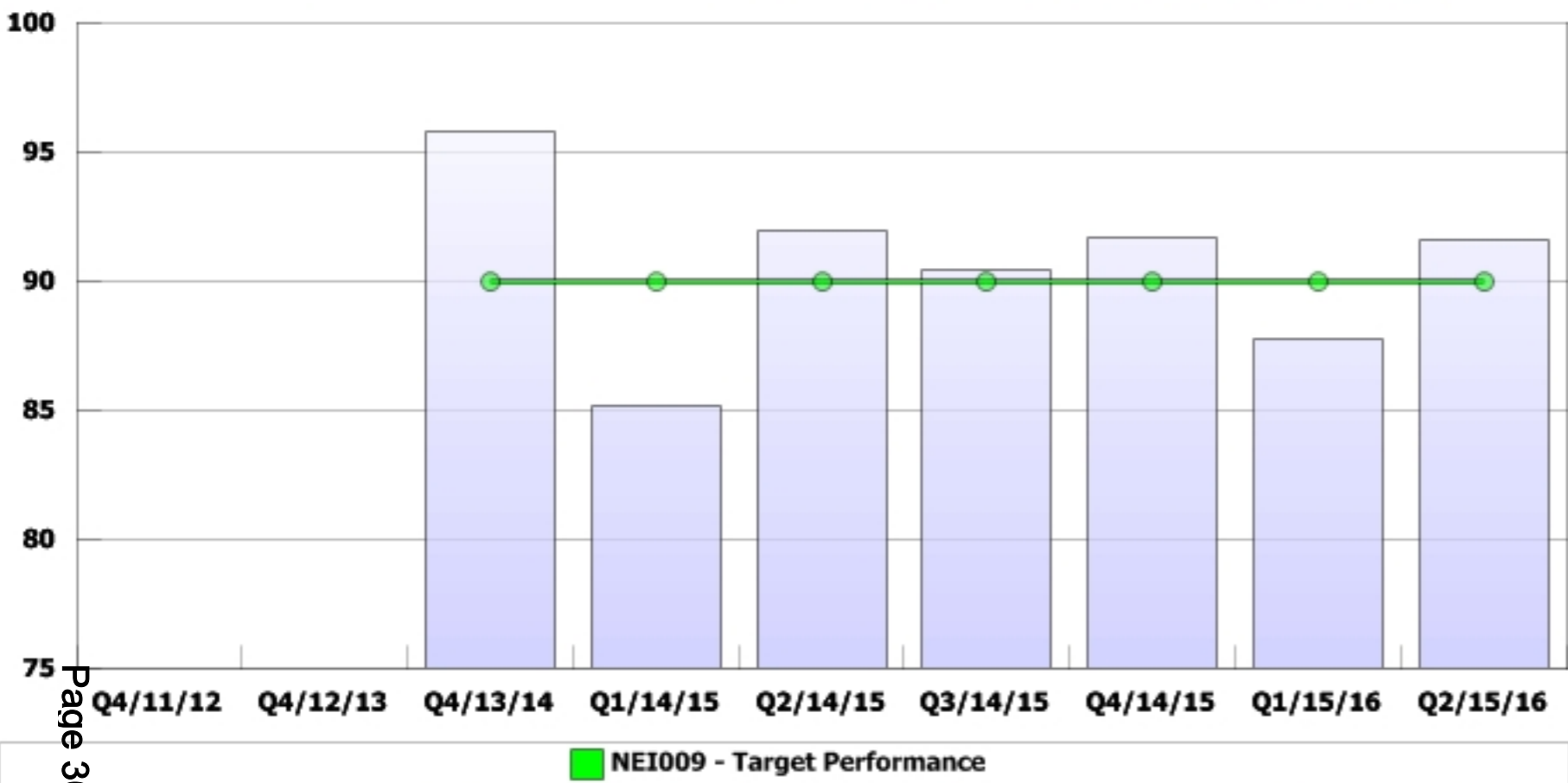
We expect quarter 3 (alone) to achieve the target, but overall the cumulative total is still likely to be below the 90% target due to the under achievement in Q1.

NEI009 What percentage of out of hours (OOH) noise complaints are responded to within 15 minutes?

Additional Information: The callout service for noise complaints is 24 hours (restricted emergency service after 00:00 and before 13:00 at the weekend). Calls are recorded by the Council's stand-by officer and passed to the duty noise officer who telephones the complainant. A response has been made when the duty noise officer has telephoned the complainant.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual	Status
Q2/15/16	90.00%	91.63%	✓
Q1/15/16	90.00%	87.80%	✗
Q4/14/15	90.00%	91.77%	✓
Q3/14/15	90.00%	90.51%	✓
Q2/14/15	90.00%	92.00%	✓

Annual Target: 2015/16 - 90.00%
 Target: 2014/15 - 90.00%
 Indicator of good performance: A higher percentage is good
 ↑ is the direction of improvement

Is it likely that the target will be met at the end of the year?
 Yes

Page 36

Comment on current performance (including context):

(Q2 2015/16) The target has been achieved.
 208 of 227 calls achieved the target and received a call back within 15 minutes (91.63%). There are still a number of issues that need to be improved regarding Mears initial call handling, however the duty noise officer has been able to obtain details quickly in most cases and contact the complainant within 15 minutes of being paged.

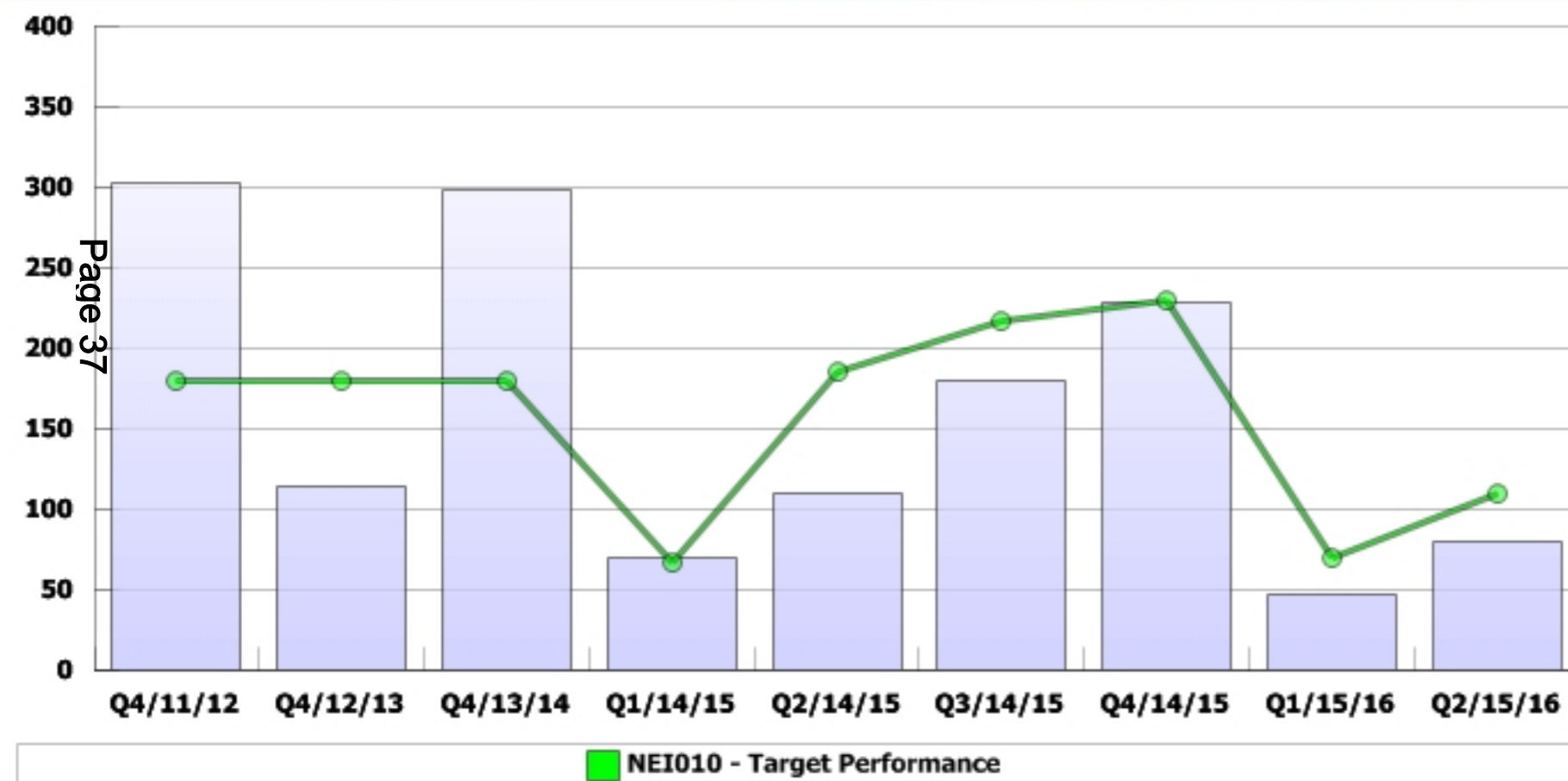
Corrective action proposed (if required):

NEI010 What was the net increase or decrease in the number of homes in the district?

Additional Information: This indicator encourages a greater supply of new homes to address long-term housing affordability issues, and measures the net increase in dwelling stock over one year. Quarterly targets and performance details for this indicator represent the cumulative total for the year to date.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual
Q2/15/16	111	80
Q1/15/16	70	48
Q4/14/15	230	229
Q3/14/15	209	181
Q2/14/15	187	111

Annual Target: 2015/16 - 230
2014/15 - 230

Indicator of good performance:
A higher number is good

↑ is the direction of improvement



Is it likely that the target will be met at the end of the year?

Uncertain

Comment on current performance (including context):

(Q2 2015/16) – Our Quarter 2 KPI figure is 32, and our quarterly cumulative figure is 80. Our Q2 figure is a decrease from Q1, and as we are now halfway through the monitoring period it indicates that we will have difficulties in meeting our Annual Target for 2015/16 Housing Completions of 230 additional units. However some larger developments currently under construction could be completed by April next year, and any one of these would likely to bring us over the target number.

Provision for future housing development will be made through new housing designations in the emerging Local Plan.

Corrective action proposed (if required):

(Q2 2015/16) - None proposed at this time.

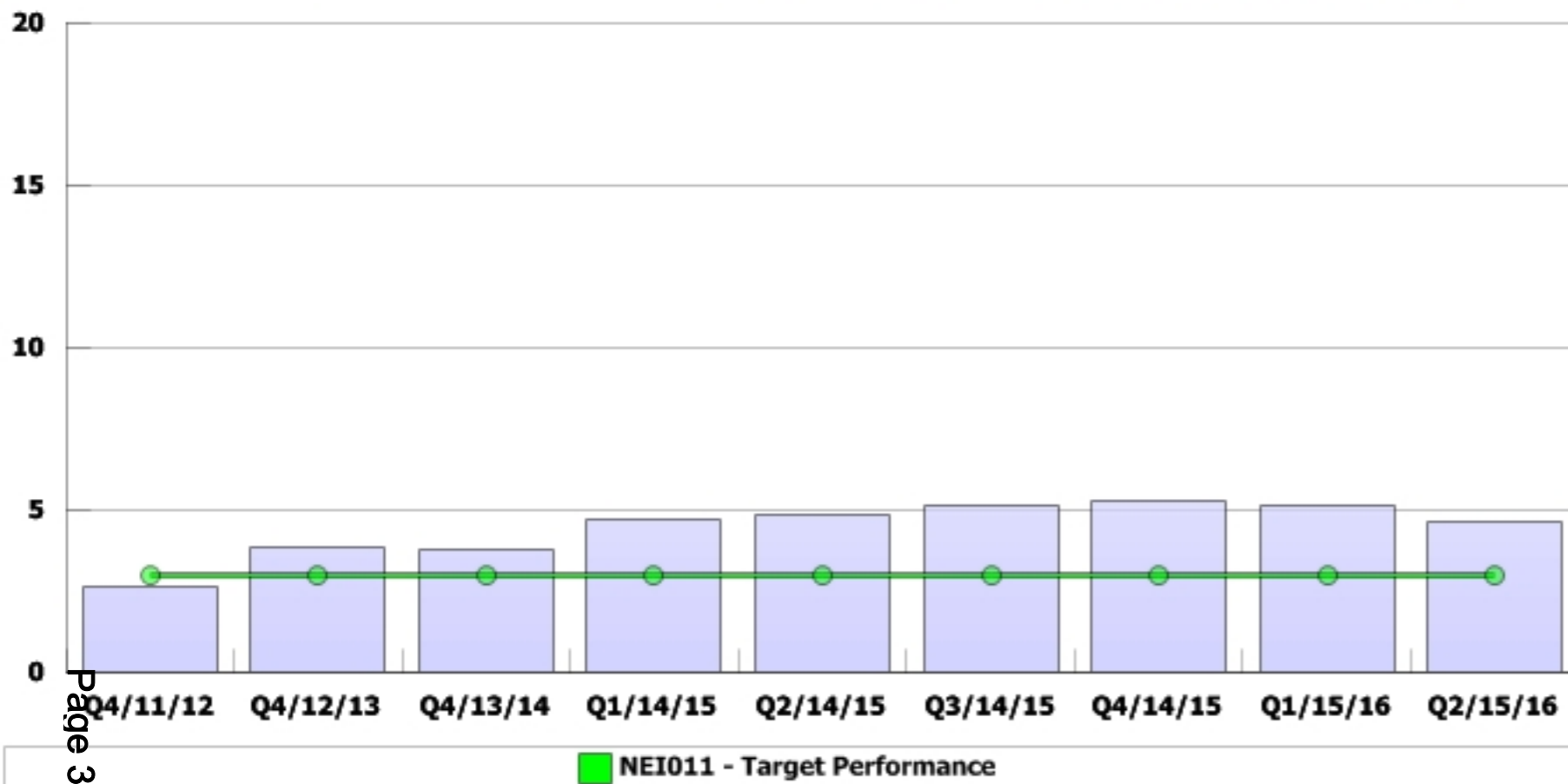
It is important to note that the Council has a limited influence over housing completion figures meeting targets. The Council can encourage more building of dwellings by granting planning permission, making strategic housing site allocations through the Local Plan etc., but it does not actually build the vast majority of the dwellings, so it cannot control if and when they are completed. Even if a site is given planning permission, the state of the housing market can mean that at times, housebuilders will not complete units they have permission to build, if it is felt that they will not be sold. This means that even if the Council grants sufficient permissions, it cannot guarantee a completion rate.

NEI011 What percentage of the rent we were due to be paid for our commercial premises was not paid?

Additional Information: This indicator is a measure of a local authority's rent collection and arrears recovery service for its property portfolio and assists in monitoring the collection of important income to the Council. Performance against this indicator is reported on a quarterly basis.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual
Q2/15/16	3.00%	4.65%
Q1/15/16	3.00%	5.19%
Q4/14/15	3.00%	5.33%
Q3/14/15	3.00%	5.17%
Q2/14/15	3.00%	4.86%



Annual Target: 2015/16 - 3.00%
2014/15 - 3.00%

Indicator of good performance:
A lower percentage is good

↓ is the direction of improvement

Is it likely that the target will be met at the end of the year?

No



Comment on current performance (including context):

(Q2 2015/16) The debt has reduced by approximately 10% as a result of regular arrears meetings and greater tenant liaison. Whilst arrears do fluctuate, they are at their lowest since Q4 2013/14.

Corrective action proposed (if required):

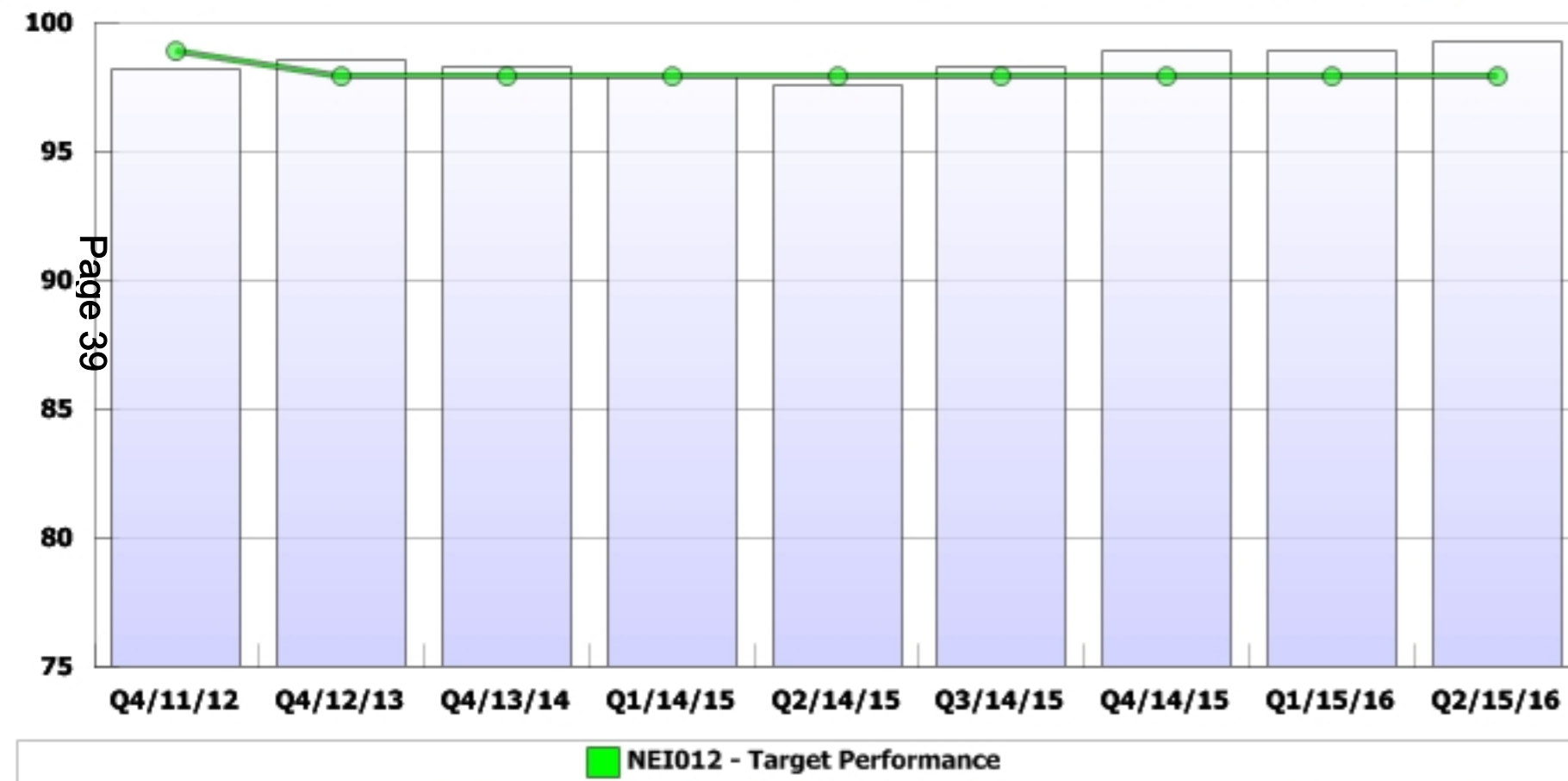
(Q2 2015/16) Currently reviewing debtors policy and working with finance and legal on strategy for larger debts.

NEI012 What percentage of our commercial premises was let to tenants?

Additional Information: This indicator monitors the effectiveness of the local authority's asset management function and helps to monitor the vitality of the Council's commercial and industrial portfolio. Performance against this indicator is reported on a quarterly basis.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564042.

Current and previous quarters performance



Quarter	Target	Actual
Q2/15/16	98.00%	99.32%
Q1/15/16	98.00%	98.98%
Q4/14/15	98.00%	98.98%
Q3/14/15	98.00%	98.31%
Q2/14/15	98.00%	97.63%



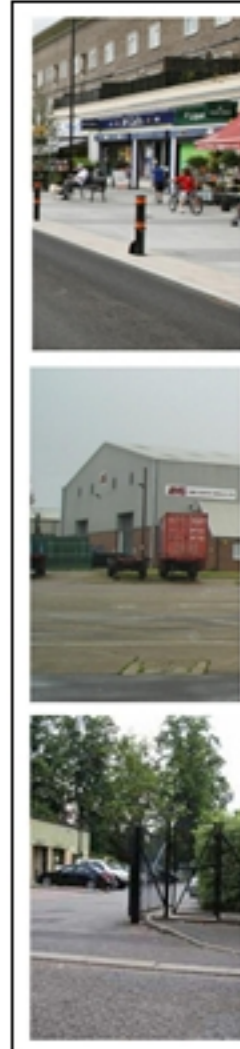
Annual Target: 2015/16 - 98.00%
2014/15 - 98.00%

Indicator of good performance:
A higher percentage is good

↑ is the direction of improvement

Is it likely that the target will be met at the end of the year?

Yes



Comment on current performance (including context):

(Q2 2015/16) Vacancy rate has reduced as a result of a new letting. Remaining 2 vacant properties currently under offer. Oakwood Hill awaiting roof works outcome and 12 Hillhouse progressing to legals.

Corrective action proposed (if required):

(Q2 2015/16) Nothing further to be done.

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NEI02 What percentage of all household waste was sent to be recycled, reused or composted?

Outturn			Target
2012/13	2013/14	2014/15	2015/16
59.14%	59.00%	58.53%	60.00%

Responsible Officer

Derek Macnab
Director of Neighbourhoods

Improvement Action	Target Dates	Key Measures / Milestones
Collection calendar to every household around publicity on recycling of textiles, batteries and small WEEE electrical items	October 2015	Delivery of new collection calendar
Review Policy options for dealing with situations when dry recycling (cans, paper, cardboard plastic containers and glass bottles) are presented in the residual waste stream (black lidded wheelie bin) and what actions could be taken to encourage residents to avail the recycling services offered at the door step	Policy review by Cabinet in December 2015	Policy agreed
Use of community events to publicize the materials and extent of recycling in the district	ongoing	Attendance at events

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

At this stage no additional budget is envisaged however some reallocation of budgets within Waste Management Service may be required to rationalise expenditure, for example to carry out additional publicity

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.

Waste analyses have repeatedly shown that some residents do not make full use of the door step recycling services. Recycling performance has dipped in some other local Essex authorities.

NEI04 What percentage of our district had unacceptable levels of detritus(dust, mud, stones, glass etc.)?

Outturn			Target
2012/13	2013/14	2014/15	2015/16
9%	9%	11%	10%

Responsible Officer

Derek Macnab
Director of Neighbourhoods

Improvement Action	Target Dates	Key Measures / Milestones
Joint inspections with Biffa will take place when assessing this KPI – regular monitoring of all zones after cleansing to ensure standards are reached subject to workload and collection problems	October 2015 January 2016	Reduction in detritus
Development of a computer App for monitoring streets	October 2015	Reduce double handing/input of data collected

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

No impact envisaged

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.

Now that the refuse and recycling collection services are beginning to normalise it should be possible to refocus on this Indicator and increase the performance to meet and exceed the target.

NEI08 What percentage of the recorded incidences of fly-tipping (variation order / non-contract) are removed within 10 working days of being recorded?

Outturn			Target
2012/13	2013/14	2014/15	2015/16
NEW KPI	96%	91%	90%

Responsible Officer

Derek Macnab
Director of Neighbourhoods

Improvement Action	Target Dates	Key Measures / Milestones
eg. Implement postal campaigns to encourage take up of direct debit council tax payments at end of Q1 & Q3	14th July 2015 and 14th January 2016	Increased rate of council tax collection at end of Q2 and Q4
Target achieved 2014/15. A new system of recording fly-tips and clearance data has been implemented to integrate with BIFFA. This has enabled a standard report to be produced that automatically identifies potential service failures or errors in data. We are hoping to implement officer mobile reporting, to further speed up the process of clearance immediately after an inspection for evidence has been completed.	Target monitored on a weekly basis and reported at each quarter	Target aimed to ensure that large or hazardous fly-tip deposits (that cannot be cleared under the waste contract) are quickly cleared and any delay identified and challenged.

Improvement Action	Target Dates	Key Measures / Milestones

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.

NEI10 What was the net increase or decrease in the number of homes in the District?

Outturn			Target
2012/13	2013/14	2014/15	2015/16
115	299	229	230

Responsible Officer

Derek Macnab
Director of Neighbourhoods

Improvement Action	Target Dates	Key Measures / Milestones
<p>There are no specific improvements planned, partly because performance in the 2014/15 year was only one unit short of the target, and partly because the Council does not have much control over the outcome of this indicator, as it does not have control over how many housing units are built in the district. Obviously the Council can encourage more building of dwellings by granting planning permission, making strategic housing site allocations through the Local Plan etc., but it does not actually build the vast majority of the dwellings, so it cannot control if and when they are completed. Even if a site is given</p>	n/a	n/a

planning permission, the state of the housing market can mean that at times, housebuilders will not complete units they have permission to build, if it is felt that they will not be sold. This means that even if the Council grants sufficient permissions, it cannot guarantee a completion rate.

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

n/a

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.

n/a

NEI11 What percentage of the rent we were due to be paid for our commercial premises was not paid?

Outturn			Target
2012/13	2013/14	2014/15	2015/16
3.90%	3.80%	5.33%	3.00%

Responsible Officer

Derek Macnab
Director of Neighbourhoods

Improvement Action	Target Dates	Key Measures / Milestones
Regular team meetings to ensure arrears are being reduced and if applicable instalment plans are being introduced / met.	At least once a quarter	Reduction in overall arrears outstanding more than 90 days
Closer liaison with Finance and Legal teams to ensure debts are manageable and being passed to Legal if no prospect of obtaining rent amicably	On-going	Increased number of "older" debts longer than 90 days going to Legal
Suggest improvements in current process / policy to make collection of arrears more efficient and successful	By end December 2015	Amendment in policy to allow fewer reminders and a more streamlined process eg bailiffs / legal.

Improvement Action	Target Dates	Key Measures / Milestones
Direct Property Manager liaison with tenants in arrears.	On-going	Reduction in overall arrears

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.



Report to Neighbourhoods and Community Services Select Committee

Date of meeting: 17 November 2015

**Subject: Uttlesford Local Plan Issues and Options
Consultation**

Officer contact for further information: I White

Committee Secretary: A Hendry

Recommendations/Decisions Required:

To respond to two of the consultation questions as follows:

- (a) **Cross-boundary strategic planning issues should include:**
- **housing provision for the settled and travelling communities, taking account of the 2015 SHMA, the updated Essex GTAA, and the planning constraints of neighbouring authorities;**
 - **implications for housing need, employment demand and commuting patterns from development at Stansted Airport and the Harlow Enterprise Zone;**
 - **major infrastructure projects including Junction 7a of the M11 and the upgrading of the A414 in the Hertford area;**
- (b) **It is unfortunate that the timing of this consultation has meant that the final version of the SHMA (published on 15th September) has not been included or even mentioned in the consultation document. This is a key piece of joint evidence prepared for the four partner authorities in the Housing Market Area. Such an important piece of evidence should be explicitly referred to, and would be helpful in explaining the option figures for housing growth;**
- (c) **The consultation document should also refer to the Co-operation for Sustainable Development Group which is one of the key mechanisms through which SHMA partners have been, and will continue to be, engaged on cross-boundary issues such as housing and jobs provision and distribution, and infrastructure requirements.**

Report:

1. **Uttlesford District Council's previous Local Plan ran into difficulties at Examination in Public in late 2014. The Inspector's main concerns were about Objectively Assessed Housing Needs (OAHN) and the capacity of the village of Elsenham to take the amount of new development being proposed. In his letter of 19th December 2014, the Inspector concluded that the scale of work required to address these issues was such that it could not be completed within the normal maximum 6-month period for a suspended Examination. He also commented that a new settlement may be an appropriate means of catering for the future long-term growth of the district, and recognised that there were limits to the expansion capacity of the district's 2 market towns – Great Dunmow and Saffron Walden. Uttlesford withdrew the Plan from examination in February 2015.**
2. **The current Issues and Options consultation on a new Local Plan is intended to be the first of three such exercises, and is for a 6 week period ending on Friday 4th December 2015. It includes 19 questions broken into 3 categories – general issues;**

areas of search; and the overall level of development and different strategies (scenarios) for delivering development. The new Local Plan will cover the period up to 2033.

3. Uttlesford is one of the Strategic Housing Market Area (SHMA) partners with this Council (the others being Harlow and East Herts) and Members will be aware that the updated SHMA report and a linked Economic Evidence study were included in the Local Plan evidence base at Cabinet on 8th October. The OAHN figures for this Council and Uttlesford from 2011 to 2033 are, respectively, 11,300 and 12,500, but these are not housing target figures as account needs to be taken of planning constraints (eg Green Belt) and all other relevant evidence base issues. Discussions will therefore need to continue with SHMA and other partners about distribution of housing within the wider SHMA area.
4. The Issues and Options document proposes a settlement hierarchy comprising – (i) market towns – Great Dunmow and Saffron Walden; (ii) key villages (7 in total) – the major focus for development in the rural area; (iii) type A villages – which have a primary school and some local services; and (iv) type B villages – 23 being named, but including other smaller villages and hamlets – these do not have a primary school and have limited local services.
5. The consultation document discusses two potential levels of new housing (580 and 750 dwellings per year – the former being recommended by the Inspector at last year's EIP) and considers an outline range of options for distribution of the development (scenarios) related to the settlement hierarchy, but also including proposals for one or two new settlements. It is made clear that these are not the only possible options for growth. As the SHMA period runs from 2011, the OAHN figures need to include existing but unimplemented permissions (5,000), and an allowance for windfalls (estimated at 50 per year or 750 over the 15 year period of the Plan). The net OAHN figure for Uttlesford to 2033 is therefore 6,750 new units (ie 12,500 minus 5,000 minus 750). Over 15 years, 580 dwellings per year would result in 8,700 new units (the document uses the figure 8,750), and 750 dwellings per year over 15 years creates 11,250 new houses (the document uses the figure 11, 750).
6. Officers are concerned that the SHMA is not mentioned in the consultation document as this is a key piece of joint evidence prepared for the four authorities in the Housing Market Area. Such an important piece of evidence should be explicitly referred to. The Sustainability Appraisal non-technical summary, which accompanies the Issues and Options consultation, refers to the joint SHMA in several places as being unfinished, but it was sent to the four partner authorities on 15th September, so these statements are already out-of-date and incorrect.
7. Officers are also disappointed that there is no reference to the Co-operation for Sustainable Development Group. This is one of the key mechanisms through which the SHMA partners have been, and will continue to be, engaged on cross-boundary issues such as housing and jobs provision, and infrastructure requirements. The next stage of consultation for the Uttlesford Plan should benefit from the discussions (at Officer and Member level) of this group – this should help the district council to justify its selection of options for future growth and perhaps to identify other options. These would in turn have implications for additional scenarios and areas of search.
8. Officers do not believe it is helpful or necessary to answer the majority of the consultation questions, as most depend on a detailed knowledge of Uttlesford (eg the appropriateness of the proposed settlement hierarchy, and issues and evidence concerning areas of search) and are more relevant to residents and businesses of the district.
9. The consultation does however mention consideration of cross-boundary issues and identifies three – (i) the growth and development needs of the wider area; (ii) the

impact of Stansted Airport on the wider area; and (iii) the impact of more people using the A120 and M11 – and asks for suggestions for other cross-boundary issues which the Local Plan should address.

10. The consultation document can be viewed on www.uttlesford.gov.uk/lpconsult

Reason for decision: Important at this early stage of new Local Plan preparation to identify strategic cross-boundary issues, and to draw attention to the potential level of housing development that may be need over the Plan period, also taking account of planning constraints in other districts.

Options considered and rejected: Not to respond to the consultation

Consultation undertaken: Within Planning Policy team

Resource implications:

Budget provision: From existing resources

Personnel: From existing resources

Land: None

Community Plan/BVPP reference:

Relevant statutory powers: Planning and Compulsory Purchase Act 2004;

Localism Act 2011

Background papers: Uttlesford Local Plan Issues and Options Consultation 2015

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required): N/A

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Report to Neighbourhoods & Communities Select Committee

Date of meeting: November 2015

Subject: Community Services Summer Activities 2015

Officer contact for further information: J Warwick (01992 564350)

Committee Secretary: A. Hendry (01992 564246)



Recommendations:

That the Committee notes the success of the Community Services Summer Activities 2015 programme, which is delivered to children and young people throughout the Epping Forest District.

Report:

Background

The Council's Community Services Team organises and delivers a summer holiday activities programme each year, which provides a wide range of activities to engage children, young people and their families.

This year, almost 2000 people participated in the extensive range of activities on offer which included physical activities such as; Soccer Tots, mountain biking Play in the Park and Play in the Forest sessions and dance programmes. Creative activities included; the "Little Red Riding Hood & Friends", "My Monster and Me" and "Flyaway Katie" productions, along with "How to...Draw", "How to Colour in" and "Animation in a Day" workshops. Museum family-days and sessions such as; "Make a Mini Museum" were also provided and there was a comprehensive inclusion programme on offer for children and young people with additional needs.

Each year, an appealing summer activities brochure is produced as the main source of advertising the programme and this is delivered to all schools in the district. Additionally, fliers, posters, school visits, social media, a website presence, radio interviews and attendance at community events and Town Shows are all utilised to promote the summer programme. (A copy of the Summer Activities 2015 brochure is attached for ease of reference.)

This year saw the launch of an on-line booking portal, accessed via the Council's website, and this went live one month in advance of the opening of the traditional telephone line booking system. The on-line service enabled parents and carers to browse through the brochure online and pre-book their chosen activities at a time convenient to them. Approximately 250 people utilised this service.

The following information provides an overview of the activities and events provided.

1. Playschemes – now branded as ‘Activity Camps’ for 5 – 11 year olds

Playschemes, which have been running successfully for almost 20 years, have been re-branded as ‘Activity Camps’ to give them a fresh appeal. A team of Play Workers are recruited to operate and manage the camps and they receive a plethora of important training including, paediatric first aid, health and safety, positive behaviour management and safeguarding prior to the summer holidays. Play Workers are predominately young people recruited from Epping Forest District, many of whom go on to pursue careers in teaching or the care sector. Many see their time as Council Play Workers are invaluable in terms of gaining early skills and experience in their chosen professions. Activity Camps are operated in the most strategic locations within the District in terms of ease of access and suitability of the venue and this summer they took place at Town Mead in Waltham Abbey and Chigwell Hall (previously known as Metropolitan Police Club), Chigwell. Running for four weeks from 8.45 – 3.30pm each day, the Activity Camps included a wide variety of sports, arts, dance, drama and health improvement activities. Over the last few years, a number of places have been booked by the Local Delivery Groups (LDG’s) which support local primary schools in the area and 85 places were booked during the summer for families that are unable to pay for the sessions themselves. This provides a valued service for families who may live chaotic lives and for whom the summer holidays can be an incredibly challenging time.

2. Play in the Park & Forest

The Play in the Park sessions were increasingly popular again this year, with up to 100 people taking part at each venue. These two-hour open sessions are provided free of charge to children and families with a re-charge of £65 being covered by participating Parish and Town Councils across the district. For this contribution, 3 members of staff and a van full of sports and play equipment is taken to designated venues which included; Abridge, Buckhurst Hill, Epping, Loughton, North Weald, Ongar and Waltham Abbey this year.

Play in the Forest is a similar initiative, which facilitates activities such as; den building, nature trails and woodland arts and crafts across a range of unique forest sites in the district. Organised in collaboration with the Council’s Countrycare Team, Play in the Forest is designed to introduce local families to our wonderful green space and encourage increased activity out in the fresh air. A charge of £2.50 is made for these sessions to cover the cost of equipment and wider resources.

3. Inclusion Programme

The Inclusion Programme, which is funded through Essex County Council, was extremely successful over the summer this year with around 40 x local families taking part. Activities included a variety of sports and leisure pursuits, all designed for children and young people with additional needs, for example, trampolining, yoga, horse riding, family theatre shows, family forest days at Suntrap Centre and multi sports days. Although parents and carers frequently elect to attend sessions with their children, a special fully supervised camping break was organised this year to give parents a break and enable the children to stay without their families if they wanted to. This proved to be hugely successful and received excellent feedback. The programme of activities provided through the Essex County Council funding also operates during term-time and is seen as an invaluable resource to local families. An example of the feedback received from this summer’s programme is included below;

“The Inclusion Project has been invaluable to us as a family. It has meant Abigail has been able to attend really enjoyable sessions and take part in activities that regular kids get to do. She has been able to go trampolining, to the theatre, have access to the forest and go horse riding. These sessions have meant her siblings can often join in too or if Abigail attends on her own it has enabled me to do something with my other children which are never normally possible due to the fact we have two non-mobile children. This summer this project provided the only opportunities for Abigail to attend fun activities in the whole of West Essex - Accuro did not have any spaces and there is no other charity. It has truly been a lifeline for us as a family since we first heard about this project and every holiday have booked sessions. So great is the need in West Essex we found some sessions were fully booked proving how valuable this project is to families like ourselves. As a parent it has been great meeting other parents of children with special needs and you feel less alone and learn so much from each other.

As a working mother, the Suntrap Days in the school holidays are literally a God send – they are the only childcare that I can get for my daughter with Autism and her sister that does not involve close family coming to stay with us and looking after them”

4. Art and Craft Activities

Community Services continue to run an ever popular programme of drop-in family art and craft activities on Tuesday afternoons during the summer holidays. These took place in Waltham Abbey Library while the Epping Forest District Museum is undergoing refurbishment. These sessions attracted an average of 30 young people plus their families at every session. They were a great opportunity to maintain contacts with the Museum’s regular family audience and update people on the progress of the project.

The Museum Family Fun Day took place at Lowewood Museum this year and attracted over 200 people to enjoy puppet shows and willow weaving. One visitor remarked after the day;

“A real hidden treasure, lots for children and families to do and explore,” “We all had a fun time making masks and playing with the animals.”

Lowewood also ran family drop in art and craft activities on Thursday afternoons – these were also very popular attracting an average of 48 young people along with their families each afternoon.

This year’s summer family arts programme successfully reached 650 people attending events ranging from theatre and puppet shows to dance and painting workshops. This year’s highlights were; “How to Paint”, a series of artist led sessions in using oils, inks, watercolours and acrylic paints for children aged 7 plus, teaching colour theory and medium techniques, “My Pet Monster and Me” was performed by the Blunderbuss Theatre Company and provided a delightful interpretation of a popular children’s book. Another extremely successful activity was “Hip Hop Groves”, a street dance workshop for children aged 4-9 years old led by a professional dancer from the popular Hip Hop Pop dance company.

Audience comments:

How to Paint:

'I *triple* enjoyed it'
'Best week ever!'

My Pet Monster and Me:

"Brilliant performance! Kids really enjoyed it and it was fun to get the adults involved too! WE LOVED IT!"

"Monstertastic!"

"A great show! My daughter was very shy to begin with but joining in with all the fun by the end! Looking forward to the next production!"

5. Museum Passport Project

With external funding, staff have led on a Museum Passport Project for museums across Beds, Herts and Essex. This helped attract new families to our museums, and was very well received by people. Families were very enthusiastic about the passport project, one family said:

"We found out about Lowewood Museum via the passport project and came from Bedfordshire to join in your summer activities and get our passport stamped."

The pilot will be repeated next year with more museums involved.

6. Arts Award

This year we also offered Arts Council England's Arts Award programme as an add-on to its summer programme. Young people who signed up to this scheme received a log book to record their arts activities over the summer, and 5 young people successfully achieved Discover Level.

Reason for decision:

This report serves as an information item for the Neighbourhoods and Community Services Select Committee.

Options considered and rejected:

N/A

Consultation undertaken:

Consultation is undertaken with participants, parents and staff delivering the activities as to their views on what was provided, what they would like to see provided in the future and on what can be improved. This consultation is done through informal feedback at the activities, as well as formal evaluation from the activities. Overall feedback on the Summer Activities Brochure was very positive and that it was easy to read and book activities. There was positive feedback and evaluation on what was the actual activities on offer, how well organised the activities were and complimentary comments about the staff delivering the activities.

Resource implications:

Personnel:

Staff from the Council's Community Services organise, manage and deliver the Summer Activities Programme.

Land:N/A
Community Plan/BVPP reference:
Corporate Plan Medium Term Aim 3 and 5

Relevant statutory powers:N/A
Background papers: Summer Activities Brochure 2015



Summer Activities
brochure 26-5.pdf

Environmental/Human Rights Act/Crime and Disorder Act Implications:N/A

Key Decision reference: (if required)
N/A

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Report to Neighbourhoods and Community Services Select Committee

Date of meeting: 17 November 2015

Subject: Local Plan Update

Officer contact for further information: Ken Bean

Committee Secretary: A Hendry

Recommendations/Decisions Required:

To note the progress on the Local Plan

Reasons for Report:

Under the terms of reference, the Neighbourhoods & Communities Select Committee has requested a regular review and update on the Local Plan.

1) Local Plan Timetable and Member Engagement

The next key stage identified in the Local Development Scheme (LDS) is Council approval of the Draft Plan Preferred Approach next May ahead of full public consultation which is anticipated between July and September 2016.

Member Briefings and Workshops

Dates during November have now been set and advertised for holding a further series of all Member, (including Town and Parish Council representation), evening briefing and workshop sessions. The purpose of these workshops are to inform members of emerging key issues that the draft Local Plan will need to cover and to ensure that Member views and concerns are aired at this formative stage so that they might be taken account of in the policy drafting.

The first of these on 2nd November considered the Historic Environment, the Natural Environment and Green Networks. The next workshops arranged for 19th and 24th November will focus on the economic strategy (including food production, glasshouse industry, tourism and live/work) and affordable housing / housing for an ageing population respectively.

2) Key Local Plan Evidence

Before a draft plan can be produced it is necessary to finalise the raft of evidence base reports that, once completed, will be used to inform the policies included in the Draft Plan Preferred Approach that we consult on. Work has recently been completed on key pieces of technical evidence relating to housing and jobs numbers as explained below. These housing and economic evidence reports can be viewed via the Local Plan pages

of the Council's website.

Strategic Housing Market Assessment (SHMA)

1. In relation to housing, an updated Strategic Housing Market Assessment (SHMA) has been produced in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford. The final SHMA was formally considered by the SHMA partners at the Cooperation for Sustainable Development Board meeting on 22nd September and was then subsequently added as part of the Local Plan evidence base, together with the related economic and employment evidence, following consideration at the 8th October Cabinet meeting.

2. What the SHMA provides us with is figures for Objectively Assessed Housing Need (OAHN) for Epping Forest District and the other three Districts named above. The OAHN figure in Epping Forest District is 11,300 dwellings up to 2033 but it is important to understand that this is not the housing target for the District. Although the Council has yet to determine its housing target the production of the SHMA represents an important milestone towards doing so. Deductions can be made from the OAHN figure to take account of completions since April 2011, permissions already granted and also a windfalls allowance. Since completion of the SHMA in October, the Government has published the Housing and Planning Bill; this has necessitated that consideration be given to potential impacts for the SHMA, particularly in relation to starter homes and gypsy traveller accommodation. Officers are currently considering whether additional work in relation to the SHMA is likely to be needed, and if so, the likely extent of this.

3. Having established the housing need, the next steps that need to be taken in order to arrive at a housing target include determining affordable housing need, considering constraints, policy aims and other evidence. It is therefore necessary to take account of constraints such as areas of green belt, Epping Forest and flood plains which indicate that development should be restricted. If, having completed the other pieces of evidence, it is demonstrated that our identified housing need cannot be fully met within Epping Forest District, it will then be necessary to discuss with our SHMA partners whether some of our objectively assessed need might be accommodated within the wider SHMA area.

Economic and Employment evidence

4. An Economic Evidence report for West Essex and East Herts commissioned jointly by EFDC and East Herts, Harlow and Uttlesford Councils has recently been finalised. Local Plan Inspectors pay particular attention to the need for jobs and housing requirements to be aligned. Therefore, this study was commissioned on the same basis as the Strategic Housing Market Assessment, to cover the four authorities and to inform all four Local Plans across the 'Functional Economic Market Area'.

5. A second more detailed report covering 'Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy' has also been completed for EFDC alone. It identifies jobs growth in the range of 400-455 additional jobs per year from 2011-2033 and provides a detailed analysis of the assessed economic need, in terms of employment floorspace and type to be provided though the EFDC Local Plan. In addition this document provides the floorspace breakdown of what this need might be in order to inform the new Local Plan.

Green Belt Review

6. Government guidance and emerging Inspectors' reports make clear the need to undertake a comprehensive Green Belt Review of the entire District before the release of any Green Belt land is considered. It is important to remember that the outcome of the Green Belt Review is only one, albeit an extremely important, piece of the evidence base that will inform the Council's future plan-making decisions.

7. Following completion of stage 1 of the Green Belt Review for the District, external consultants have been appointed and are currently undertaking a more detailed assessment of the broad locations identified in stage 1. The consultants' brief includes provision for workshops with officers, District Council members and Parish/Town Council representatives to feed into the work.

8. This stage 2 work will confirm at a more detailed level:

- i) The areas where the Green Belt policy designation should remain;
- ii) Any historic anomalies in the existing boundaries or locations where development has taken place, which may therefore suggest minor amendments to the Green Belt boundaries are required; and
- iii) Areas that may be least harmful in Green Belt terms for potential development purposes.

9. It therefore follows that, simply because a parcel, or part of the parcel, is being appraised as part of the more detailed work, this does not necessarily mean that it should / will be allocated for development in the emerging Local Plan, or that the Council would look favourably on a planning application.

Settlement Capacity Work

10. The Council is also undertaking a settlement capacity analysis of the 10 largest settlements in the District, namely Epping, Theydon Bois, Buckhurst Hill, Chigwell, Loughton/Debden, Waltham Abbey, North Weald Bassett, Chipping Ongar, Lower Nazeing and Roydon. The purpose of the work is to ensure that the District can address as much of its housing requirement as possible within our existing settlements, and so minimise the potential need to utilise Green Belt land for development. Like stage 2 of the Green Belt Review, the results of this work will be used to inform, and published alongside, the consultation Draft Plan Preferred Approach.

3. Neighbourhood Planning

11. Moreton, Bobbingworth and the Lavers have finalised their draft Plan which, following publication for a six week period for representations, goes forward to independent examination. There are seven other Parish and Town Councils that have applied to designate neighbourhood planning areas for their areas which have been approved (Chigwell, Epping, Buckhurst Hill, Theydon Bois, Loughton, North Weald Bassett and Epping Upland). With the exception of North Weald Bassett and Epping Upland Parishes, the areas approved cover the entire parish. Given the location of North Weald Bassett and Epping Upland Parishes immediately adjacent to Harlow's administrative boundary, a number of important strategic cross boundary matters were

identified that are not within the remit of a Neighbourhood Plan to address. The Council therefore decided that the northern edges of these parishes bordering Harlow should be excluded from the Neighbourhood Area designation.

4. *Duty to Cooperate*

12. Officers and Members continue to meet regularly with appropriate authorities, principally through the Cooperation for Sustainable Development officer group and Member Board, to consider a wide range of cross boundary issues. In addition to the SHMA, Employment and Green Belt Review work reported above, the Lea Valley Food taskforce continues to develop a programme for growth around one of the District's historic and still important sectors. The Lea Valley glass house industry was one of the matters considered at the Enfield, Essex and Hertfordshire Border Liaison Group Member meeting held on 29th October. This meeting also received presentations on Crossrail 2 and the Hertfordshire Transport Vision, both of which are currently the subject of public consultation.

13. Officers have also been involved in transport work being undertaken by the London Borough of Enfield, opposing reference to construction of a new access road in the North East Enfield Area Action Plan and are keeping a watching brief on wider transport work being undertaken as part of Enfield's Northern Gateway Access Package (NGAP). An update of the NGAP transport work was also provided at the recent Border Liaison Group Meeting.



SCRUTINY



Report to Neighbourhoods Select Committee

Date of meeting: 17 November 2015

Subject: Fly-tipping clearance & enforcement

Officer contact for further information: Jim Nolan

Committee Secretary: Adrian Hendry

Recommendations/Decisions Required:

- (1) That members consider the current position regarding the clearance of fly-tipped waste and consider if any further action is required in light of continuing large fly-tips on private land, that include ditches at the side of the public highway.**
- (2) Members specifically consider if the Council should provide any financial support for private land owners who are the victims of littering and fly-tipping crime and incur costs of waste clearance.**

Report:

1. The Environment & Neighbourhoods (EN) team are responsible for enforcing waste law across the district. The EN team log all incidents of fly-tipping and then prioritise investigations to try and trace the source of the waste and fly-tipper.
2. Enforcement investigations are not limited to land that the Council is responsible for clearing. Investigation of fly-tipping on private land will often receive a higher priority, because the costs of clearance can have a significant impact on an individual land owner and a successful prosecution of an offender provides an opportunity for the landowner to seek to reclaim clearance costs.
3. The responsibility for clearance of fly-tipped waste falls on the landowner. EFDC incurs considerable costs clearing fly-tipped waste from the public highway as part of the Council's responsibility to keep the highway clear of litter and refuse. The Council also has to clear fly-tipped waste from other land that it owns or manages, with localised fly-tipping in bin stores and green areas of housing land of particular concern.
4. Essex County Council will also clear some fly-tipped waste that causes a full obstruction of the highway, as part of their duty to maintain the free passage of the highway and remove hazards. EFDC clears the vast majority of waste from the public highway and only call on ECC to clear waste when specialist equipment is required and/or the highway completely obstructed. Occasionally the decision on clearance responsibility can cause some disagreement and delay in clearance, with both ECC and EFDC aware of the impact fly-tipping can have on their waste clearance budgets, albeit both from taxpayers money.
5. The Council does not provide any financial assistance to private land owners to clear fly-tipped waste from their land. The possibility of doing so has been considered in the past, but in general it is been accepted that the financial burden on the taxpayer of doing so makes this prohibitive, even if one decided that the principle of spending taxpayers money to clear privately owned land should be adopted. Concerns have also been raised that if the Council started to pay for clearance of waste from private land that this may encourage an unscrupulous land owner to dispose of their own waste by this means, or even encourage fly-tipping at the Council's expense.

6. The cost of removal and legal disposal of fly-tipped waste can be substantial especially if the waste is dumped in ditches where it cannot sometimes be easily removed or if the waste contains asbestos or other unknown hazardous material. Some landowners are placed under considerable financial burden if they have to clear waste from their land, especially if they have no means to deal with the waste clearance themselves as part of their management of a larger piece of land in their ownership.

7. The issue of waste clearance from private land has recently been highlighted with large scale fly-tipping in the vicinity of Laundry Lane, Nazeing. Considerable amounts of waste have been tipped in the ditches to the side of the public highway. The ditches form part of the adjacent private landowner's responsibility to maintain. In general that is always the case unless the ditch has specifically been installed by the highway authority and maintenance adopted. The private land owner in Laundry Lane has in the recent past cleared waste from the ditches under pressure from Essex County Council, who were concerned about flooding of the highway. The private landowner is now faced with the prospect of further clearance costs, although at this time it appears that ECC are not seeking to require the waste to be removed.

8. On most occasions EFDC will not seek to require fly-tipped waste to be removed from private land, but we will encourage private landowners to remove waste that is unsightly, may lead to nuisance or vermin problems or may lead to significant flooding. ECC adopts a similar approach. They will ask landowners to maintain drainage ditches, but if there is a significant risk to flooding on the highway and a potential hazard to users, ECC may require clearance. There are occasions where EFDC or ECC will have to consider using powers to require the victims of fly-tipping to remove waste from their land, at the expense of the private landowner.

9. Officers occasionally receive requests from private landowners asking the Council to clear waste from their land. This can especially be the case when the fly-tip is on the boundary between the public highway and the private land, which may have resulted from a vehicle standing on the highway but tipping directly onto the neighbouring land.

10. Although officers clearly sympathise with the victims of fly-tipping crime and will endeavour to trace the perpetrator and seek to reclaim any costs incurred, we do not have any budget or approval to assist private landowners financially with clearance costs. Some landowners believe that the Council should assist with clearance and it is the Council's responsibility to take the financial burden of the crime.

11. We have also had occasions where private landowners have cleared their private ditches of fly-tipping and/or windblown litter, deposited this on the public highway or highway verge and expect the Council to accept the financial burden of clearing the waste. This has caused some conflict with private landowners, but to date landowners have been persuaded that they must return and clear the waste or potentially face prosecution proceedings for depositing waste illegally on somebody else's land (i.e. fly-tipping). EFDC and ECC will tolerate the deposit of manageable amounts of mud and silt waste onto a highway verge, that will quickly be overgrown (and do not require clearance), but not significant amounts of litter and other waste that looks unsightly and is possibly hazardous. Deposits on the carriageway will not be tolerated.

12. Without significant additional budget provision allocated for clearance of private land, there is no scope for officers to provide any assistance to private landowners. If budget was provided, officers would have to be approved to provide financial assistance to private landowners. Steps would have to be taken to severely restrict any financial assistance EFDC may be willing to provide to avoid encouraging or opening the "floodgate" for future claims.

13. Officers recognise the financial limitations the Council operates under and are not recommending any change in the current procedure. However, we seek member's views and instructions on the matter, in light of recent incidents in Laundry Lane and challenges to this approach.

Reason for decision:

The Council does not clear waste from private land at the expense of the Council. This means that private land owners, who are the victims of fly-tipping or wind blown litter, carry the full financial burden for clearance. Some private landowners have challenged the validity of this position.

Options considered and rejected:

Seek additional budget to provide a free or subsidised waste clearance service from private land.

Consultation undertaken:

This report has been developed after discussions with private landowners who have been victims of fly-tipping/litter and discussions with EFDC officers involved in the investigation and removal of waste.

Resource implications:

Budget provision: Any decision to provide a free or subsidised waste clearance service for private land has the potential for significant budget implications, even if one designed a service with tight restrictions to access the service. It is hard to predict the potential financial burden as it appears that fly-tips on private land are under-reported and clearance costs can vary substantially. The district has many privately owned rural sites with the potential for fly-tipping and miles of privately owned land drainage ditches running alongside the public highway.

Personnel: Any decision to provide a free or subsidised waste clearance service for private land would result in additional work to administer requests, obtain quotes for clearance, deal with contract issues, etc.

Land: The provision of a Council clearance service for private land would undoubtedly speed up the clearance of some incidents of fly-tipped waste, improve land drainage and reduce the impact of fly-tipping crime on private landowners.

Community Plan/BVPP reference: N/a

Relevant statutory powers: None

Background papers: None

Environmental/Human Rights Act/Crime and Disorder Act Implications: None

Key Decision reference: (if required): N/a

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SCRUTINY



Report to Neighbourhoods Select Committee

Date of meeting: 17 November 2015

Subject: Enforcement of waste containers stored on public highway

Officer contact for further information: Jim Nolan

Committee Secretary: Adrian Hendry

Recommendations/Decisions Required:

(1) That member's support proposed formal action against commercial premises that store waste on the public highway without consent from the highway authority, subject to an assessment of the impact of non-compliance..

(2) Members consider the wider implications of setting a precedent for enforcement of storing household waste/wheelie bins on the public highway, based on the same assessment principles as adopted for pursuing enforcement action against commercial bins.

Report:

1. The Environment & Neighbourhoods (EN) team are responsible for enforcing waste law across the district. The EN team receive complaints about commercial premises storing waste on the public highway and also find examples of poor commercial waste management whilst out in the district.

2. Waste stored on the highway can cause similar issues as fly-tipping. It can look unsightly, pose a hazard to users and encourage others to dump waste in the area and by the bins. Any spillages of waste can easily escape onto the highway causing litter and marking of the surface. Grease deposits from waste spillages can build over time if the same location on the highway is used.

3. It is illegal to store waste in a container or directly on the surface of the public highway without the consent of Essex County Council (ECC) as the highway authority for the district. In theory commercial premises can apply to ECC for consent to store a waste container on the highway with the necessary damage liability cover in place; however ECC currently have no formal process to accept or consider the suitability of such a proposal. We can safely assume that all bins stored on the public highway within the district have no consent and are therefore illegal, akin to fly-tipping waste on the.

4. There are some examples where a well managed commercial bin stored on a public highway causes no significant issues or complaints and storage on the highway appears to be in keeping with the commercial use of the public highway in that area e.g. a service road. Despite the lack of formal consent, in this scenario, it would appear draconian to require the bin to be removed, if there is no obvious space for the waste to be stored inside the boundary of the commercial property.

5. There are a number of areas in the district where commercial premises store waste on the public highway on a permanent basis, usually contained in a commercial trade bin. As the container is undoubtedly unauthorised, whether or not EFDC should enforce the law and require the bin to be removed is entirely at our discretion.

6. Appendix 1 provides two pictures highlighting the issue. Figures 1 and 2 show commercial trade bins that are permanently stored on the highway, with waste dumped by the side of the bins. The photos also show some staining of the highway. In the background of figure 2 one can also see a household waste wheelie bin positioned on the footpath that forms part of the public highway.

Why do some businesses store waste on the public highway?

7. Some businesses store their waste on the public highway because they have limited or no external space on their property to store a wheelie bin, or because it is too difficult to move the waste from their property to a point on the highway where it can be collected. There are also a number of commercial premises who simply fail to manage their waste storage effectively and fail to use the space they have available to store their waste on their property securely. They may simply fail to bring their bin back onto their property after a collection and continue to use the bin whilst it is on the highway.

8. Most commercial premises will have been developed with adequate space for waste to be stored on site e.g. rear yard/garden or specifically designed waste storage area. Over a number of years some commercial land owners have chosen to develop their land and extend their buildings into these areas or utilise the bins storage area for another use e.g. sitting area for customers. This removes the capability of the commercial use to easily store waste on their property without a significant conflict with the current use.

9. This situation may then be adopted by the next commercial tenant or owner, who has not directly benefited by the development and removal of the external waste storage area, but then, finds they have a commercial property with no external space to store commercial waste between collections. Collections are costly, so these commercial premises then choose to leave a bin on the public highway, where the waste can be collated for a weekly collection.

10. One may wish to criticise the planning process that allows such development and the loss of waste storage areas without particular consideration of the consequences, but irrespective of any criticism and potential improvements in this area, we are left with a number of commercial premises with no areas readily available to store waste.

Enforcement

11. The EN team have little difficulty in pursuing enforcement action against commercial premises that simply fail to manage existing facilities and the space they have available to store their waste securely on their property. In most cases this is simply a matter of failed management which can be resolved informally, with the potential for prosecution or a fixed penalty notice for failure to comply with a notice (s.47 Environmental Protection Act 1990) helping to ensure compliance.

12. However, when the commercial premises has no obvious area to store waste externally, the implications of enforcement are likely to have a greater impact on the commercial use, meet more resistance and ultimately require the commercial property to seek other more costly options to store and dispose of their waste.

13. There is a risk that the costs of waste disposal will cause a small business to fail and certainly that has been an issue that has been raised in the past that has deterred enforcement action to rectify waste stored on the public highway.

14. Officers believe that the issue of commercial waste bins being stored on the highway has been under-enforced in the past because of these fears, but this has resulted in some areas (particularly in Waltham Abbey town centre) with too many commercial premises being "allowed" to store waste on the highway.

15. Officers propose to increase the level of enforcement to remove some commercial

waste stored on the highway, when it is judged that the waste is causing a significant detriment to the area. However before doing so, we would like Members to be aware of the issues related to this enforcement work, so that they can voice any concerns and be prepared to respond to any commercial owners who may contact them in response to any enforcement action and difficulties that they have with compliance.

16. Officers are concerned that we avoid setting a precedent/expectation that formal enforcement action will be taken against all types and occasions when bins are illegally stored on the public highway irrespective of the impact caused, once we start formal proceedings against some commercial premises who fail to comply after a reasonable timescale (and this may up 3 months for commercial premise that have been “allowed” to store waste on the highway and under enforced in the past).

17. In addition, formal action against commercial waste stored on the highway may also lead to more pressure to enforce against household wheelie bins stored on the highway, which can generally be dealt with informally or tolerated due to the minimal impact.

18. For example, in the case highlighted at Appendix 1 figures 1 & 2, if the EN team start formal proceedings to require the commercial bins to be removed from the highway, one can easily imagine that the owner of the commercial property will question whether or not the Council will also be taking action against the resident who appears to be storing a household wheelie bin on the highway and if not, is he being targeted unfairly?

19. The waste law to control this is a simple “yes/no” decision i.e. has the bin/waste got consent or not. But to apply this test over the whole of the district could result in formal action against many commercial properties and residents where waste bins are stored on the highway but cause little impact or complaint. Enforcing the law with no discretion would be draconian and unpopular, with no opportunity at this time for residents or commercial properties to make a reasonable application to ECC for approval.

20. To allow sensible enforcement of this issue, but retain some discretion, we recommend that the council adopts a procedure to assess the impact of the breach of the waste legislation before deciding whether or not EFDC should seek to use waste laws to remove bins containing waste stored on the highway.

21. The EN officers are experienced in assessing enforcement issues and weighing up a variety of factors before deciding if formal action should be taken on balance, so it would be entirely in keeping with a typical enforcement approach to assess the impact before officers consider using the blunt instrument of “do you have consent or not?” and enforcing accordingly.

22. EN officers are authorised to issue Community Protection Notices (CPN). A CPN may be issued by an authorised person if satisfied that, on reasonable grounds, that;

i. the conduct of the individual or body is having a detrimental effect, of a persistent or continuing nature of the quality of life of those in the locality: and

ii. the conduct is unreasonable

23. Using the same principle, officers can assess “does the location of the bin on the highway cause significant detriment to the locality of the area?” This type of assessment would take into account factors such as:

- the locality,
- unsightliness,
- degree of obstruction of the highway,
- maintenance and cleanliness of the bin,
- any dumping around the bin,
- presence of odours, flies, rats, etc

- staining on the highway
- level of complaints.

24. This approach would lead to under-enforcement in some cases, but it would not constitute consent that can only be provided by ECC subject to adequate liability cover (and any other checks they may wish to impose). There is a risk of an implied consent if we choose to under-enforce and therefore potentially a claim against the Council if a bin on the highway we have chosen to under-enforce became involved in an accident. We would endeavour to mitigate this risk by ensuring that the owners of any bins that we investigate and decide to under-enforce would be written to confirming that although we have chosen not to enforce waste law, this does not provide them with consent and they should seek approval from ECC, with suitable damage liability cover.

25. The general principle that waste should not be stored on the public highway without consent would still be maintained. Therefore, commercial or household owners who are simply failing to manage their bin and space available to store their waste on their own property correctly, should still expect formal action to be taken if the matter cannot be resolved informally. However, where there is no obvious resolution (i.e. no space to store waste without substantial changes), the impact of the storing waste on the highway without consent would be assessed on a case by case basis before deciding if formal action should be taken at that time. This decision could be kept under review as the impact may vary over time.

26. In the example shown in appendix 1 figures 1 & 2, it is clear that the commercial bins would be judged to be detrimental to the quality of life of those in the locality and after a reasonable time period (3 months in this case), formal action would be taken by the Council if they are not removed. Conversely the one household bin that can be seen in the background of Appendix 1 figure 2 may well be tolerated if there is no better solution readily available.

27. A further example, of a live case is shown at appendix 1 figure 3. Despite a number of attempts to persuade the occupier of the property adjacent to the wheelie bin to return their wheelie bin onto their property (they appear to have adequate space, albeit access to the bin storage area can be tricky) the occupier continues to store their waste on the public highway. The impact of doing so in this case is limited to the unsightliness of the bin permanently being stored on the footpath. In this photo the lid of the bin is open, potentially overflowing, adding to the unsightliness but this is often not the case. A local resident regularly complains about the bin being left in this area due to the unsightliness.

28. If one sticks to the general principle that waste should not be stored on the public highway without consent, **and** commercial or household owners who are simply failing to manage their bin and space available to store their waste on their own property correctly should expect formal action to be taken, then formal action should now be taken in this case. The householder appears to have adequate space and they have provided no evidence to the contrary to suggest they cannot comply. In fact the resident has failed to respond to all communications.

Would zero tolerance be a better long term solution?

29. There is a risk that adopting a procedure that effectively allows some bins to be stored on the highway depending on the impact, might actually encourage some commercial and residential properties to attempt to do the same.

30. Indeed a freeholder of a number of properties in Waltham Abbey has questioned the logic of allowing some and not others to leave waste on the highway and made it quite clear that he takes his responsibilities as a landlord very seriously, taking great care in ensuring his tenants recycle and manage their waste correctly, to the point where one of his employees makes sure bins are pulled out for collection and then returned to the properties. He is steadfast in his view that freeholders and managing agents should take a much greater share of responsibility in these issues as they are profiting from the tenants who live within.

31. Zero tolerance for enforcement issues often appears attractive due to the clarity it provides, by removal of the need for constant detailed assessment and review on a case by case basis, but zero tolerance can rarely be upheld when one is faced with a breach of the law that has little impact but a substantial affect on the person who is not comping with the law if they are forced to comply.

32. Officers accept that adopting a procedure that allows reasonable discretion does provide an opportunity for the boundaries of that discretion to be tested. However, we would reiterate that the general principle that waste should not be stored on the public highway without consent would still be maintained, so we believe that this risk can be managed sufficiently.

Should the decision to pursue formal action be influenced by the financial impact on the commercial premises?

33. If an officer has assessed that the location of a bin on the highway is causing a detrimental effect on the quality of life of those in the locality, then it follows that formal action should be taken if the bins are not removed after a reasonable time period/warning. For some commercial premises that have insufficient external storage areas, finding an alternative solution may not be an easy option and undoubtedly will incur additional cost.

Options available include:

- Renting available land in the near vicinity to store suitable bins
- Store the waste inside their building (potential conflict with health and safety especially for food businesses).
- Daily timed waste collections (expensive and providers may not be available, although the Council would be required if requested to collect their waste at cost. The Council does not currently provide any commercial waste collection services).
- Reopen/redevelop their existing site to provide adequate waste storage facilities (this may not be practical, likely to be expensive and may require planning approval).

34. In our view, once it has been determined that the location of the bin on the highway is detrimental to the locality, the financial impact and difficulties that this may pose the commercial property should not deter action. It may appropriate to provide a longer timescale for compliance but action should not be prohibited due to the financial impact. The cost of waste disposal is a burden on all commercial operators and incurring costs to do this adequately is a part of that business. We accept that this may cause short term issues, but in the long run, correct waste storage and problem bins removed from the public highway outweigh this.

35. In the example give at appendix 1 the commercial property appears to have no external areas available to store waste and will have to seek an alternative option if we enforce removal of their bins from the highway.

36. In various parts of the district, parking in local streets is a problem, exacerbated by commuter parking. Some residents choose to reserve a parking space by leaving their bin on the highway. If the bin contains waste, which is likely to be the case other than a brief period after collection, the owner of the bin is unintentionally committing a waste offence because they do not have consent to store their waste on the highway. An example of this is shown in Appendix 1 figure 4.

37. We propose to apply the same “detriment to the amenity test” to determine whether or not the Council should seek to control this activity using waste law.

Reason for decision:

Officers believe that the issue of commercial waste bins being stored on the highway has

been under-enforced in the past. This has resulted in some areas (particularly in Waltham Abbey town centre) with too many commercial premises being “allowed” to store waste on the highway.

A decision is requested to support reasonable enforcement action without setting a precedent for draconian action district wide.

The principles applied to this decision also affect how officers will respond to complaints about household wheelie bins stored on the highway. It appears sensible to consider the approach to these issues at the same time.

Options considered and rejected:

Continue to under-enforce and allow bins that are causing significant issues to remain on the highway, with an inconsistent, undefined approach to enforcement.

Seek to impose draconian control across the district i.e. no consent means no bin will be allowed to remain on the highway.

Consultation undertaken:

Issue has been discussed at length with Environment & Neighbourhood officers who are seeking clarity on the enforcement approach they should adopt. There has been no wider consultation at this stage.

Resource implications:

Budget provision: Existing

Personnel: Existing Environment & Neighbourhood Officers

Land: N/a

Community Plan/BVPP reference: N/a

Relevant statutory powers:

The Environmental Permitting (England and Wales) Regulations 2010 – s.12
Environmental Protection Act 1990 - s.46 and s.47 EPA

Background papers: None

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Consistent enforcement applying the same enforcement principles to all is in keeping with principles underlying Human Rights and equal opportunities. If we intending to effectively choose when to enforce the law, that requires consent to place a bin on the highway, we need to ensure that all are treated fairly applying the same test.

Key Decision reference: (if required): N/a

Appendix 1 - Commercial bins stored on the highway.



Fig. 1



Fig. 2

Appendix 1 – Household wheelie bin issues



Fig. 3 Household wheelie bin on pavement



Fig. 4 Household wheelie bins being used to reserve parking



Report to Neighbourhoods & Communities Select Committee

Date of meeting: 17th November 2015

SCRUTINY

Portfolio: Safer, Greener and Transport – Cllr Gary Waller



Subject: The development of a corporate energy strategy/ environmental policy

Officer contact for further information: Sarah Martin (01992 564357)

Committee Secretary: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

That the Select Committee notes the outcome of the presentation to the Leadership Team on 11 November (given as a verbal report) and advises on the approach the Council should take in relation to 'green issues'.

Report:

1. The Green Corporate Working Party was originally set up in 2012 with a focus on 'the Council's internal functions'.
2. The Neighbourhood and Community Services Select Committee Work Programme includes an item, 'To receive updates from the GCWP' and specifically 'To monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy/environmental policy'.
3. On 11 November 2015 the GCWP asked the Council's Leadership Team to consider the options for the development of a corporate energy strategy/environmental policy' and will provide the Select Committee with a verbal report on the outcome of those discussions.
4. The Select Committee is asked to consider the information provided and advise officers accordingly.

Reason for decision:

The Select Committee's Work Programme includes an item 'to monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy/environmental policy'.

Options considered and rejected:

Since the Select Committee's Work Programme includes an item 'to monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy/environmental policy', the option of not producing such a policy has been discounted.

Consultation undertaken:

The Council's Leadership Team was consulted at its meeting on 11 November 2015.

Resource implications:

Budget provision: Dependent on Members' decision on the strategic direction of the Council on energy/environmental matters

Personnel: Within existing officer time

Land: N/A

Community Plan/BVPP reference: N/A

Relevant statutory powers: N/A

Background papers: N/A

Environmental/Human Rights Act/Crime and Disorder Act Implications: N/A

Key Decision reference (if required): N/A

**Minutes of Waste Management Partnership Board held on 17th June 2015,
commenced at 15.15 p.m. concluded 16.30**

Present: EFDC

Councillor W Breare-Hall - Environment Portfolio Holder,
Chairman of the Partnership Board
D Macnab – Director of Neighbourhoods
Q Durrani – Assistant Director (Technical)
D Marsh – Waste and Recycling Manager
S Stavrou – Deputy Leader
G Chipp – Chief Executive (Guest)
M Syme – Executive Assistant to Chief Executive (Minutes)

Biffa

P Dickson – Director
S Crook

**Apologies: B Tombs
C Halfpenny**

W Breare-Hall opened the meeting and thanked those present for attending following a very difficult few weeks. He appreciates that everyone has been working very hard to put things right. He confirmed his belief in the partnership and emphasised that we need good and open communication. He asked that the discussion is frank and honest as everyone needs to know of any problems and at this time we do not need a blame culture.

Terms of Reference of the Partnership Board

No change required at this time.

Update on 4 day Collection

P Dickson acknowledged that Biffa have experienced more problems than anticipated and have allocated extra resource to manage missed collections. Things are improving following this and Biffa reported 100% of rounds were completed yesterday.

W Breare-Hall believes there is a mismatch of information. P Dickson clarified that they have completed their scheduled routes 100% but that's not saying there were no missed bins. D Macnab clarified the 100% = 80% of cut down rounds plus 20% allocated to new collection streams were completed. Biffa confirmed that there are still missed bins but streets in the rounds have largely been completed.

Q Durrani believes that there are 29 missed bins as at 12 noon today but it was agreed that this will be clarified at the end of this meeting. G Chipp added that he knows of 44 missed bins and these need to be in the equation. Q Durrani will try to validate and qualify the data which he hopes will help Biffa to eliminate multiple missed collections going forward.

P Dickson stated that the new revised schedules are not yet on the system. He added that yesterday Biffa completed their rounds noting that they have deliberately over resourced at the moment to stabilise the rounds. At the moment they are

working from a paper system to ensure the round information is correct before they load the information onto Whitespace. Collections will hopefully be fully electronic tomorrow. The system will be run in parallel tomorrow (paper and electronic).

D Macnab asked if the operatives are confident with using the IT. P Dickson responded stating that further training has been given and he believes that most operatives do understand it, especially the younger ones.

G Chipp asked – overall is this 4 day service going to work? P Dickson responded, yes, at the moment they are over resourced in iron out any problems. Today is the most difficult day today but is a good test. In the medium term they will take on the rural areas which may involve some street changing days but this will be further down the line once things have settled down.

Drivers working longer hours do not have leeway to work overtime. S Stavrou added that there does not appear to be any contingency for flexibility within the day. Biffa agreed that this was the case at the moment but there will be flexibility once the operatives are familiar with the new vehicles and rounds.

W Breare-Hall asked why some new routes are being put in now and not 5 weeks ago. Biffa responded that they had experienced some technical issues outside their control and new regulations introducing new safety features on the hoists had impacted efficiency whilst the crews got used to the new vehicles.

G Chipp raised the matter of the new schedules being reviewed by EFDC before implementation. Biffa responded that they would welcome the new schedules being looked at by EFDC.

Q Durrani asked how different are the challenges with this contract to other contracts managed by Biffa? Biffa responded that on other contracts they had often had longer to familiarise themselves with the rounds. On this contract they had only had 6 months before the 4 day collections were introduced. Some crews are now finishing rounds early which prove that the 4 day week can work.

W Breare-Hall asked how much larger are the new vehicles. Biffa responded that they are not much larger; they are still 8 wheelers so access shouldn't be more of a problem. Some are rear axle steering which helps.

D Macnab stated that collection includes small electrical item etc. and it has been reported that these items are not being collected but dropped back into the gardens / onto the bins etc. Biffa agreed that these should be collected.

It was asked when the missed bins backlog will be cleared. This should be completed by Friday if the current rate of improvement continues. A hot property list is being produced. It was stressed that missed bins need to be dealt with promptly.

Are assisted collections constantly reminded to the crews? Yes, assisted collections are flagged within Whitespace.

Have Julie / Laura visited each others teams yet? It was agreed that they should meet soon.

It is important that Biffa and EFDC work together to reduce missed collections. A daily check is a high priority.

An FOI request has been received. However, specific timed rounds information is commercially sensitive and will not be distributed. However, an A – Z list of roads collected by day can be released.

Depot Relocation

There is still some of Biffa's property at Langston Road, this needs to be removed. Additionally removal of wheeled bins from North Weald Airfield as planning permission ends on 23rd June 2015. EFDC need to know what is happening regarding this and when the bins are to be removed. Biffa were asked to give a realistic estimate as a planning extension may be required. David Marsh was asked to forward all emails regarding this to P Dixon.

Desks need to be relocated from Loughton to the office at Waltham Cross. Once communications are in place this can be done. Apparently there is a problem getting WiFi into Waltham Cross. Biffa will investigate this.

Any Other Business

It was asked if street cleansing is suffering. D Marsh reported that there have been some problems but now key officers have returned from leave this should be addressed. However, we would like to keep in touch with the Supervisors concerned. We do communicate with Jemma and Mick Mahoney but there are other Supervisors that we struggle to contact.

EFDC also reported that we have missed two of our KPIs (key performance indicators) as the Street Cleansing Team has fallen behind with some work.

Biffa was asked about the freighter that crashed on the M25, the latest update is that the driver has a broken arm with whiplash and abrasions and is still in hospital. The vehicle was a hire vehicle and is with the Police. Contact details for the family were requested as EFDC's Chairman would like to send best wishes to them.

Date of Next Meeting

Next meeting scheduled for Friday 19th June at 9.00 a.m. although it was agreed that a final decision on whether this meeting will be required will be made on Thursday afternoon (18th June).

Future meetings to be held monthly, dates TBA

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