

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF NEIGHBOURHOODS SELECT COMMITTEE
HELD ON TUESDAY, 28 JUNE 2016
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.20 PM**

Members Present: N Bedford (Chairman), H Brady (Vice-Chairman), R Baldwin, L Hughes, R Morgan, S Neville, A Patel, C P Pond, B Rolfe, M Sartin, G Shiell, E Webster and J H Whitehouse

Other members present: W Breare-Hall and J Philip

Apologies for Absence: N Avey and J Jennings

Officers Present D Macnab (Deputy Chief Executive and Director of Neighbourhoods), K Durrani (Assistant Director (Technical Services)), L Swan (Assistant Director (Private Sector Housing & Communities Support)), E A Ainslie (Environmental Co-Ordinator) and A Hendry (Senior Democratic Services Officer)

1. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

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

2. NOTES OF THE LAST MEETING

The notes of the last meeting held on 15 March 2016 were agreed.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Members Code of Conduct.

4. DRAFT TERMS OF REFERENCE AND WORK PROGRAMME

Terms of Reference

The Committee considered their newly amended Terms of Reference which omitted reference from the newly established Communities Select Committee. They noted that each Select Committee was now aligned to their corresponding directorates and agreed their proposed Terms of Reference.

Work Programme

The Committee next considered their work programme and noted the cyclical items that were that were populating the current programme. The Committee agreed the programme noting that they could ask for items to be added during the course of the year as long as it was within their Terms of Reference.

5. LOCAL PLAN UPDATE

The Director of Neighbourhoods introduced the Local Plan Update report. The Committee noted that an updated Local Plan Development Scheme was due to go to Cabinet on 21 July 2016 which reflected the new timescales for the development of the Local Plan. They noted that the key milestones prior to the consultation on the Draft Plan were:

- 08 October 2016 – report to Cabinet to consider draft plan for consultation;
- 18 October 2016 – report to Full Council; and
- 31 October 2016 – start of 6 week formal consultation.

This would tie in with the publications of draft plans by East Herts, Uttlesford and Harlow Districts seeking representations on soundness under Regulation 19 of the Local Plan regulations.

The Committee noted that the government had made it clear that they expected that all local planning authorities should have a post National Planning Policy Framework (NPPF) local plan in place and had set out their commitments to take action to get plans in place and ensure there were up to date policies. One of the penalties proposed for not having produced a plan was the loss of new homes bonus. Epping Forest was one of the 21 authorities at risk of intervention.

Under the duty to cooperate, the Sustainable Development Board was provided with an update on progress with the evaluation of the 5 spatial options previously agreed for testing and work was underway to evaluate the options through transport modelling, sustainability appraisal, deliverability appraisal and the habitat regulations assessment. The Board also received three draft memoranda of understanding, one with Highways England to cover strategic transport matters (including junction 7a), one with Natural England to cover air quality and a third to set out the vision for the SHMA area and agree the distribution of growth.

Various Member workshops have been held recently, one on climate change and one on transport accessibility and parking standards. Further workshops were planned for 16 July and 28 July 2016.

It was noted that the green belt review had largely been concluded and that the examiner's report for the Moreton, Bobbingworth and the Lavers Neighbourhood Plan had been received. The examiner found that it did not meet the basic conditions and as required it was proposed to report this to the Cabinet on 21 July with a recommendation that the plan does not go to referendum.

Councillor Bedford noted that by September last year Highways England had not signed up to anything; had there been any movement since? The Planning Policy Portfolio Holder, Councillor Philip said that officers and members from this and other authorities had met with the under secretary for Transport recently where they asked for more cooperation and expressed their disappointment with them. A sensible strategy on transport was needed to enable us to progress our plan. Highways England should now be more helpful and cooperative.

Councillor Janet Whitehouse asked what the consultation would be on. Councillor Philip replied that it would be on our preferred option and everything to do with the local plan. Councillor Whitehouse commented that this would be a wide ranging consultation, were there any plans for exhibitions to go around the district? She was

told that they were planning it now with an outside PR company; to have a roving exhibition, a permanent exhibition and also something on line. There will also be a half day workshop on this.

Councillor Patel asked if we could comment on the draft plans of our neighbouring authorities. Councillor Philip said that we would comment on their draft plans and would be looking at their soundness. Details would be published in the Bulletin. Mr Macnab added that we would make formal responses to these consultations and put links to them on our website.

Councillor Caroline Pond asked if there would be an all resident consultation. Mr Macnab said that it would go out to all residents for a formal period of six weeks before it went to Council. Councillor Philip added that they would not be sending the full thing to residents but a summary; it would also be available on line and would be published in the Cabinet agenda.

Councillor Neville commented that if the meeting dates of this Select Committee did not fall in line with the consultation dates, could it be taken to the main Overview and Scrutiny Committee. He was told that they were happy to bring the consultation to all members.

Councillor Sartin noted that we were doing a Regulation 18 consultation while others were doing a Regulation 19, have they missed out this stage. Councillor Philip said that regulations allowed them to go to Regulation 19, but if they get too many questions on this they may have to go back. We will get on to Regulation 19 later on.

Councillor Patel asked about the examiners report on the Moreton, Bobbingworth and Lavers Neighbourhood Plan and if we could put together a summary of lessons learnt about this. Councillor Philip said that they could, but they did not know as yet what would happen. When we do, we would write a report to the Cabinet and they could decide if we had a good case to go to referendum. Mr Macnab noted that we could look at the draft Neighbourhood plans and offer advice.

RESOLVED:

That the progress on the Local Plan was noted.

6. KEY PERFORMANCE INDICATORS 2015/16 - Q4 (OUTTURN) PERFORMANCE

The Director of Neighbourhoods introduced the quarter 4 outturn report for the Key Performance Indicators for 2015/16. The Committee noted that 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 was monitored on a quarterly basis by Management Board and Overview and Scrutiny to drive improvement in performance and ensure corrective action was taken where necessary.

In this case the quarterly measurements would start from the start of the financial, 1st April.

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 were important to the improvement of the Council's services, and comprise

a combination of some former statutory indicators and locally determined performance measures. The overall position for all 36 KPIs at the end of the year was as follows:

- (a) 27 (75%) indicators achieved target;
- (b) 9 (25%) indicators did not achieve target; although
- (c) 1 (3 %) of these KPIs performed within its tolerated amber margin.

Twelve of the Key Performance Indicators fell within the Neighbourhoods Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at the end of the year for these indicators was as follows:

- (a) 7 (58%) indicators achieved target;
- (b) 5 (42%) indicators did not achieve target; although
- (c) 1 (8%) indicator performed within its tolerated amber margin.

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

NEI001 – *how much non-recycled waste was collected for every household in the district* – Councillor Sartin asked what new ideas were coming forward to remedy this. She was told that officers had considered this that afternoon at the Waste Management Partnership Board, debating what was residual waste and what was fly-tipping. It may be that in the future fly-tipping may be stripped out. The Assistant Director, Technical, Mr Durrani said that we had adopted this as part of best practice, one lesson was to strip back the measurement and only measure what residents put in their non-recycling bin.

Councillor Bedford asked if there could be a centrally located collecting area for large items to help stop fly-tipping. Mr Durrani said that they could look at this. One problem was that once publicised it would become a de facto dumping ground and a fly-tipping point.

Councillor Bedford asked if there was a central map of where these tips occur and where we could set up covert cameras. Mr Durrani said that they were working with Biffa on this.

Councillor Bedford suggested that this Committee have a meeting on fly-tipping and have relevant officers come and talk to this problem. This was agreed by the committee.

AGREED: that a presentation be arranged on the problems and possible solutions of fly-tipping in the EFD area.

Councillor Whitehouse noted that she had seen bins with open lids with black bags sticking out. Mr Durrani said it was usually batteries or textiles that were placed on top. Officers were encouraging residents to recycle more and were also dissuading them on the misuse of the bins. They were focusing on this now that they had extra resources and Biffa were being helpful by taking away the extra bags for us. Councillor Whitehouse asked if they knew which residents were doing this. Mr Durrani said that they left stickers on the offending bins and got their names.

Councillor Shiell asked what would happen if we refused to collect and there was a build up of bags. Mr Durrani replied that at first a sticker was put on the bins but

they emptied it. This was a marker for the future. It may be that that a particular household needed a larger bin for a few years and this would be kept under review.

Councillor Brady asked if the Council was thinking of giving smaller black bins in the future if more recycling was done. She was told that if a smaller bin was wanted they would be given one. However, if they wanted a bigger one we would have to assess their needs. If given we would then reassess them after a few years to see if they can revert back to a smaller one.

Councillor Bedford asked if we actively target residents who may want smaller bins and could Biffa sticker people who they know could have smaller bins. Mr Durrani said this was possible but they needed to find a smarter way to do this.

NEI002 – *what % of all household waste was sent to be recycled, reused or composted* - Councillor Neville asked about the collection to schools and were we contacting parish councils about educating them on recycling. Mr Durrani did not know about the school dates but noted that we had problems with recycling in flat blocks as the larger bins used tended to get contamination. They could provide the Town and Parish Councils information for their newsletters. Councillor Sartin noted that Officers did go out and about and give talks.

NEI003 – *what % of our district had unacceptable levels of litter* – It was noted that our contractors were looking at this and noting how we could update our records more quickly to help us improve these figures.

NEI004 – *what % of our district had unacceptable level of detritus* – this was similar to NEI003 due to our rural roads network. Biffa now have new equipment and were tackling this. Officers also carried out random surveys.

NEI008 – *what % of the recorded incidences of fly-tipping...are removed within 10 working days of being recorded* – asked when and in what circumstances fly-tipping was removed Mr Durrani said that if it was on the public highway we would clear it. If on the road it was for the County Highways department to clear it. If on the public highway it should be removed as soon as possible. Complications arise if it is on private or unowned land. Officers would also have to find funding especially if it needed specialist clearing.

Councillor Rolfe commented that it seemed that it was left to Councillors to complain about fly-tipping. They were the ones that had to explain to residents it was County Highways or EFDC that needed to be told. The Council needs to sort out who was responsible and get things cleared up as soon as possible. Mr Durrani replied that they logged all reports for fly-tipping and prosecuted where they could. If it was within our remit we would pick it up. Officers would tell Biffa who would collect it within hours or a day. Again, problems would arise if it was hazardous waste. Another problem was if it was on private land, as we could not enter their land so would have to negotiate with the land owner. Something was always done when officers were informed, even if that's just reporting it to county.

RESOLVED:

- (1) That the committee reviewed and noted the Key performance Indicators within its areas of responsibility for 2015/16; and
- (2) That a presentation be arranged on the problems and possible solutions of fly-tipping in the EFD area.

7. CORPORATE PLAN KEY ACTION PLAN 2015-16 - Q4 (OUTTURN) POSITION

The Director of Neighbourhoods introduced the report on the quarter 4 outturn position of the Corporate Plan Key Action Plan (2015/16). The Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

The Corporate Plan Key Action Plan for 2015/16 was agreed by the Cabinet in March 2015. Progress in relation to individual actions and deliverables are reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and outturn basis.

The Corporate Plan 2015-2020 was the Council's highest level strategic document. It set the strategic direction for the authority for the five year lifetime of the Plan. It focused on a number of key areas that the Council needed to focus on during that time and helped to prioritise resources to provide quality services and value for money. These key areas are known as the Corporate Aims and are supported by a set of Key Objectives which represent the Council's high-level initiatives and overarching goals to achieve the Corporate Aims. The Key Objectives are in turn, delivered via an annual Key Action Plan.

There are 55 actions in the Key Action Plan 2015/16. At the end of the year:

- 36 (65%) of these actions had been achieved by year end; and
- 19 (35%) of these actions had not been achieved by year end.

20 actions fell within the areas of responsibility of the Neighbourhoods Select Committee. At the end of the year:

- 11 (55%) of these actions had been achieved; and
- 9 (45%) of these actions had not been achieved by year end.

The Committee noted that:

- The St John's Road redevelopment scheme will have a report going to the July Cabinet meeting;
- That a report on a development partner for North Weald Airfield went to the January 2016 cabinet meeting;
- That an updating report on the Epping Forest Shopping Park will be going to the July cabinet meeting;
- Councillor Sartin had received reports that the sales people for the delivery of the Essex Superfast Broadband Project had been using bullying tactics. She was told that there had been issues subsidy in the urban areas where they were getting some competition. This would be investigated;
- Councillor Whitehouse asked when they could see the new Economic Development Plan for the District and was told that there would be a workshop for members in the near future;
- That planning permission had been granted for playing fields for the new secondary school on the Ongar Campus site.

RESOLVED:

That the Committee reviewed the outturn position of the Corporate Plan Key Action Plan for 2015/16 in relation to its area of responsibility.

8. ENVIRONMENTAL CHARTER OBJECTIVES

The report on the Councils Environmental Charter and objectives was introduced by the Environmental Co-ordinator, Liz Ainslie. In November 2015 the neighbourhood and Community services Select Committee had agreed that a draft environmental charter and action plan should be developed to replace the existing Climate Change Policy. It was further agreed that it should be brought back to the Select Committee for comment and agreement.

The outcome of these discussions was considered at the Green Working Party (GWP) on 7 December when it was agreed that the charter and action plan should be modelled on the 'Climate Local' methodology. This looks at various environmental commitments for a local authority and breaks them down into broad areas, such as Finance, Energy, the Natural Environment, etc. Within each area, suggestions are made for environmental commitments and associated actions. These documents now follow the format of Climate Local methodology but have been tailored to EFDC requirements.

The Environmental Charter is an overarching document to explain what we as EFDC (and the GWP) feel are our main commitments to the environment as the area leader.

The 'Commitments and Actions' is a document to demonstrate ways in which we are fulfilling our Charter. It was broken into three main headings with broad actions under each heading. The broad actions will then be supported by specific actions from the GWP work plan. Once actions have been completed they can be added to this document as a record of what has been achieved. In this way the work plan can be the "working document" which changes; supporting the overall commitments and actions document.

Councillor Whitehouse asked about objective S.08, working with the local tourist board on sustainable travel to the local sites, and what we were doing about using buses. Ms Ainslie replied that nothing specific was being done about the buses, but they were asking the companies how they could influence or give feedback on how to make things more robust, such as telling people how to get to the tourist destinations by public transport.

Councillor Neville noted S.01 on sustainability campaigns and training; and asked if members could be invited to the training sessions? He was told that they could.

Councillor Bedford commented that when we were notified that a bus service was withdrawn, we should ask why. Mr Macnab noted that this really came under the County Council's remit; but we could look at bus routes as a committee as part of our sustainability work. Ms Swan noted that the second recommendation of this report was to have an annual updating report on the Environmental Charter objectives and bus routes could be tackled there.

Councillor Neville noted the objective on seeking the view of residents on electric charging points, but wondered where this electricity was coming from. Ms Ainslie

replied that they had investigated charging points because a resident had asked them to. Officers could trial a rapid charge point here, with a one hour charge time, which would have to be paid for. The electricity would be gleaned from solar panels. Officers were still looking at setting up a trial. Mr Durrani added that facilities were involved in looking at this as it involved a council car park. It may need a policy change and we would need to find the money as we would need to provide a dedicated bay. It was in the pipeline and they were looking at this. Councillor Janet Whitehouse asked if the location of any chargers in the district could be put on our website.

RESOLVED:

- 1) That the Committee considered and commented on the Environmental Charter and recommended it to the Cabinet accordingly; and
- 2) That an item be put into the Committee's work programme to receive an annual report on the progress of the Charter against its Action Plan.

9. CONSULTATION REPORT M11 JUNCTION 7A AND WIDENING OF GILDEN WAY

The Committee received a late report on the ECC consultation on the M11 junction 7A (and widening of Gilden Way). They noted that Essex County Council was currently consulting on the provision and design of a new junction 7A on the M11, and the related widening of Gilden Way. The consultation was open until 6th July 2016. This consultation followed several years of work by the County Council in assessing various options to improve congestion, and also in assessing possibilities for junction 7A design and location. A number of exhibitions would be going around the district.

The County Council's own strategic options appraisal had shown that a new junction 7A was the best solution to overcome problems on the transport network in the area, particularly in and around Harlow. It was felt that this would not only benefit the residents, workers and visitors of Harlow, but also those of neighbouring areas such as Epping Forest District, as traffic congestion relating to accessing and exiting the M11, had long been a problem in the local area.

The proposal was for the new junction 7A to sit between junctions 7 (Harlow) and 8 (Bishop's Stortford), to the north east of Harlow town, on land within Epping Forest District. Specifically, the western half of the junction and the access roads into Harlow would sit within Lower Sheering ward, and the eastern half of the junction would sit just within Hastingwood, Matching and Sheering Village ward.

It was noted that this was being promoted by local authorities as it was not yet in the Highways England budget. The project also creates a spur going nowhere, this was to future proof the scheme but officers were unconvinced about this spur on the consultation. EFDC Members have previously raised concerns over the timing of the 'future-proofing' spur and roundabout which form part of Essex County Council's proposals. It was suggested that the Council included these concerns in its response, suggesting to Essex County Council that the phasing of delivery for these elements would need to be determined by the individual Districts' Local Plans, which were not yet available.

Councillor Waller, EFDC's Safer Greener and Transport Portfolio Holder, being unable to attend the meeting, sent in the following comments:

“The so-called ‘future-proofing’ roundabout, which is a prominent feature on the plan, has been added at a late stage to reassure residents of Old Harlow who have been pressing for a northern by-pass of Harlow to relieve traffic on Gilden Way, that one day that by-pass may be built. Councillor Rodney Bass, the ECC Portfolio Holder, has come under pressure from those residents, but in reality ECC’s consultation document admits that such a by-pass may only be built in 20 years time or more, and currently the economic case for it is untenable. Because such a by-pass would have to be constructed on stilts crossing the Stort valley, it would be a very prominent feature in the landscape, quite close to Lower Sheering, and will be seen as a threat if the roundabout is included. The report coming before the Select Committee refers to the ‘future-proofing’ roundabout and suggests that this part of the scheme should be phased, which is a good thing, but it would be even better if the case against the roundabout (which would require traffic to brake and change gear, causing noise and pollution) could be strengthened.

Although the ECC consultation document incorporates traffic projections for various locations affected by the J7a link, it is notable that they are not included for The Street, Sheering Village and Sheering Lower Road. When challenged about this, ECC officers have given no good reason for the omissions, bringing about suspicions on the part of the Parish Council and individuals that they have been omitted because traffic is likely to increase. It would be good to challenge the County Council on this point.”

Essex County Council had set out the following broad timetable in relation to their proposals:

- Summer 2016 - Analysis of consultation responses, and scheme refinements;
- Autumn 2016 - Preferred route announcement;
- Winter 2016 – Planning application to be submitted;
- Early 2019 – Start of construction, lasting about 2 years.

Officers and Members would continue to engage with Essex County Council (and Highways England) on junction 7A through formal consultations such as this one, and also, more regularly, through the Co-operation for Sustainable Development Member Board and the Co-operation for Sustainable Development Officer Group.

RESOLVED:

- (1) That this Council strongly supported the provision of a new junction 7A on the M11, as it would greatly improve the transport network and traffic management for the area, and it was necessary to support the growth of homes and jobs in the forthcoming Local Plans of EFDC and the other three West Essex/East Herts authorities; and
- (2) That Essex County Council should consider the phasing for delivery of the ‘future-proofing’ spur and roundabout as the need for this would be determined by the District Councils’ Local Plans which were not yet available.

10. FUTURE MEETINGS

The Committee noted the dates for their future meetings.