

Supplementary Council Agenda



Epping Forest District Council

Council Tuesday, 30th September, 2014

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 7.30 pm

Committee Secretary: Council Secretary: Simon Hill
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

7. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 3 - 12)

To receive reports from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Assets and Economic Portfolio Holder;
- (c) Report of the Environment Portfolio Holder (attached);
- (d) Report of the Finance Portfolio Holder;
- (e) Report of the Governance and Development Management;
- (f) Report of the Housing Portfolio Holder;
- (g) Report of the Leisure and Community Services Portfolio Holder;
- (h) Report of the Planning Policy Portfolio Holder (attached);
- (i) Report of the Safer, Greener and Transport Portfolio Holder (attached); and
- (j) Report of the Technology and Support Services Portfolio Holder.

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Report to the Council

Committee: Cabinet

Date: 30 September 2014

Subject: Environment

Portfolio Holder: Cllr W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

Handover arrangements from our current contractor Sita to Biffa are being finalised to ensure the smooth commencement of the new contract on 3 November this year. I held the last formal Partnership Board meeting with Sita on 15 August. I would like to thank Sita for their good work over the life of their seven year contract with us and wish them well for the future.

As part of the transition from Sita to Biffa, a range of mobilisation activities are taking place, namely: arrangements to relocate from Langston Road Depot to Biffa depots in Waltham Cross and Edmonton; the purchase of a new vehicle fleet, and preparation for a four day waste and recycling collection service next year. An information campaign will run over the coming months to ensure residents are aware of the changes and improvements to their service.

Flooding and Drainage

Localised heavy rainfall in late July and early August, particularly in the Waltham Abbey area, gave rise to some surface water flooding incidents with a number of properties flooded internally. Officers have been liaising with residents and other external organisations to investigate the causes of flooding. Steady progress is being made in identifying responsibilities for taking action despite the varied urban drainage infrastructure and diverse ownership of assets. I am aware that some residents have been frustrated with the response of the relevant utility companies but officers are, unfortunately, restricted in the help and assistance they can provide in such instances.

Environmental Health and Neighbourhoods

Fly-tipping/Duty of care

Over recent months the Environment and Neighbourhoods officers have dealt with a number of instances of illegal dumping of rubbish. These fall under two general headings: fly-tipping, and a failure in the duty of care which is placed on every householder to ensure that people removing waste from their premises are authorised to do so.

In a recent case in Chelmsford Magistrates Court, Mr. Lexi Mukoyi, of Copperfield, Chigwell, pleaded guilty to an offence in relation to some fly-tipped waste found in Copperfield. He had dumped furniture and other items in a known fly-tipping hotspot around 6th March 2014. Mr Mukoyi was fined £200 and ordered to pay the Council's prosecution costs of £529.43, together with a Victim Surcharge of £20. Similarly, Mr Anthony Baptiste, of Harries Court, Waltham Abbey, was fined £167 and ordered to pay a contribution towards the Council's prosecution costs of £150 after he pleaded guilty to fly-tipping two doors in a known fly-

tipping hotspot in Caneland Court, Waltham Abbey. He attended Colchester Magistrates Court on 24th June 2014.

A long running investigation which involved observations by officers and the use of CCTV resulted in the prosecution of Mr D Reynolds, of Newmans Lane, London. He had regularly fly-tipped in a garage area in Pyrles Lane, Loughton. At Court Mr Reynolds was fined £500 and ordered to pay the prosecution costs of £916.96, which included £160 towards the clear up costs of the fly-tipped waste. He attended Colchester Magistrates Court on 23rd May 2014 and pleaded guilty to failing in his duty of care, with respect to disposal of waste from his building jobs.

Essex Litter campaign

The Environment and Neighbourhoods team participated in an Essex-wide litter campaign in June. Officers visited Epping, Loughton and Ongar, together with Cllr Mary Sartin and Cllr Tony Boyce and life-size versions of the campaign material designed to educate people and deter littering. Initial findings suggest the campaign had a positive impact and that littering did decrease.

Officers also spoke to over 1700 children across the whole of Essex as part of the Crucial Crew week, challenging them to “make the right choice” regarding litter and other issues.

Noise

At a sentence hearing on 14 July 2014, Ms Chrissie Holyoak, of 36 Boxted Close, Buckhurst Hill, was sentenced to 10 weeks imprisonment, suspended for one year, after being found guilty of antisocial behaviour due to music noise from her property. Ms Holyoak was ordered to pay a proportion of the Council’s prosecution costs at the rate of £10 per month for a period of 18 months. She was also ordered (with her consent) to take part in the Bridge Project for a period of 23 days (an intensive community programme designed and developed in Essex).

Four Environment and Neighbourhoods officers gave evidence as to what they had heard on six occasions and the effect they had witnessed on the neighbour who experienced the noise nuisance. The neighbour also gave evidence regarding the impact the noise had had on her and her family. Ms Holyoak has subsequently lost possession of her property and is due to be evicted.

Report to the Council

Committee: Cabinet

Date: 30 September 2014

Subject: Planning Policy

Portfolio Holder: Cllr R Bassett

Recommending:

That the report of the planning Policy Portfolio Holder be noted.

Local Plan

Strategic Housing Market Assessment

One of the key pieces of work that is underway is an update of our Strategic Housing Market Assessment (SHMA) in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford. This work has been commissioned and we have appointed Opinion Research Services to undertake the update without further delay. We are anticipating a draft report will be available at the end of October. This will help to identify the Districts' Objectively Assessed Housing Need and what would constitute a sensible range for future housing provision. Further workshops are proposed with members to advise them of the outcomes of the work and the implications prior to a report which is scheduled to go to Cabinet in December 2014.

Duty to Cooperate

We have been meeting regularly with the appropriate authorities to consider cross boundary issues including the update to the Strategic Housing Market Assessment and identifying the objectively assessed housing need, the approach to Green Belt reviews being carried out by several authorities, and identifying the functional economic area.

We had a member and officer meeting on 15 September in Harlow facilitated by the Planning Advisory Service to take forward work on DtC and discuss governance arrangements for members to mirror the current officer group. Members and officers were present from Epping, East Herts, Harlow, Uttlesford, Broxbourne and Brentwood. A provisional way forward was agreed and a member group structure proposed. A follow up meeting is being arranged where we agree a memorandum of Understanding and terms of reference.

The next six authorities meeting has been set for 2nd October at Epping where we get an update on what is happening with our neighbouring authorities and the City of London.

Local Development Scheme

A revised Local Development Scheme was agreed by the Cabinet at its July meeting. The timetable is on the Council's website and proposes the next stage of consultation on the draft plan/preferred option to run between May and July 2015. This would be followed by analysis of the responses and the preparation of a pre-submission plan for publication in early 2016.

Options for Growth Workshops

In accordance with the guidance and advice in the National Planning Policy Framework and Planning Practice Guidance officers have been using sustainability appraisal to support the development of reasonable alternative options to progress the development of options so

that initial transport testing can be progressed. We have had some initial results back but further work is required. The Council will use this evidence, together with other evidence already available or in hand, to consider what other options should be tested.

In line with the approach requested by Cabinet members, a series of three workshops, organised on an Area Planning Committee basis, are being held in September/early October to engage members in the process of identifying options to be tested.

Local Plan Viability

A contract for the work on plan viability being undertaken by Dixon Searle Partnership, which will also inform policy choices on CIL/S106, is well underway. The timetable has been revised to enable the general direction from the Members' workshops on options to inform the consideration of viability. However, this should not hold up other work. The initial and informal view of the consultants is that it should be possible to charge Community Infrastructure Levy if the Council wishes to pursue this option.

Economic and Employment Evidence

We have engaged consultants Hardisty Jones to undertake further work on economic and employment evidence to support both the Local Plan and Council's overall Economic Development Strategy. This is due to report later this year.

Strategic Flood Risk Assessment Stage 2

A report on the findings was prepared for the Cabinet on 8 September 2014 for noting as part of the evidence base but was deferred to enable some questions to be discussed with the consultants. This will be resubmitted shortly

Green Belt Review

A methodology for a comprehensive Green Belt Review in the District was reported to and approved by the June Cabinet, outlining the further work which is now being undertaken in the light of experience in recent examinations and in particular the Dacorum Core Strategy examination. It has also been shared with neighbouring DtC councils, and with Mark Beard of counsel, resulting in helpful comments which have been taken on board.

The main purpose of the work is to undertake a comprehensive high-level review of all Green Belt land across the District to identify its contribution to the Green Belt, as stipulated in the NPPF. It will identify both the primary functions of the Green Belt, which deliver the national purposes, and identify whether there are areas of the Green Belt land which no longer contribute towards the national purposes or contribute the least to these. The site survey work for the high level review of the land parcels is currently underway and is due to be completed by early October. It is proposed to share the findings of this with members as well as the Town and Parish Councils in accordance with the Cabinet's decision, before undertaking more detailed work, and the Planning Advisory Service have offered to assist by providing a "critical friend" to support discussion with the Town and Parish Councils.

North Weald Bassett Airfield and Village Master Planning

Progress has been made on the master planning work commissioned from AMUP for North Weald Bassett to consider the way the Airfield relates to the wider village and ensure that the implications of the Airfield 'mixed use' option for North Weald Bassett settlement as a whole are considered. The final report has been received following the exhibition in June 2014 and will go to Cabinet in October for acceptance into the evidence base.

Gipsy and Traveller Accommodation Assessment

The Assessment was entered into evidence at the Cabinet meeting on the 8th September. The GTAA suggests that there is a need to make provision for an additional 112 Gypsy and Traveller permanent pitches in the period 2013 to 2033 – this is in the context that the district currently (May 2014) has 117 permanent pitches. Of these 112 pitches 74 are from new household creations from existing families. The GTAA also suggests a need for an additional 2 yards for Travelling Show people has also been identified.

The study provides information on an aspect of future accommodation provision with its own specific national planning guidance (Planning policy for traveller sites) and which the National Planning Policy Framework recognises as an important issue for Local Plans. Its inclusion in the evidence base and its use to identify suitable policy approaches in the Local Plan will help develop a Local Plan which is more likely to be found “sound”.

The assessment concludes that the net overall requirements for additional Gypsy and Traveller pitches in Essex in the period 2013 to 2033 is 786, and for this district is 112. These numbers result from total current need comprising unauthorised developments seeking to stay in the area, concealed households and net movements from bricks and mortar; and total future needs which consist of pitches with temporary permission, net migration and net new household formation

Options for phasing provision over the next 20 years, and for identifying suitable sites for the next 5 years, will need to be considered as the Preferred Option Plan is developed ready for public consultation in spring 2015. It will be necessary to satisfy an Inspector at the Examination in Public that all reasonable options for making additional provision have been considered. The Council will be expected to make every effort to make adequate provision before exercising the option of requesting its neighbours, under the Duty to Co-operate, to take any unmet need.

Consultation on Planning and Travellers

The Department for Communities and Local Government has also just published a consultation on planning and travellers between 14th September and 23rd November. It seeks views on proposed changes to planning policy and guidance ensuring fairness in the planning system and strengthening protection of sensitive area and Green Belt. Further information and our response will be sent to the Planning Scrutiny committee.

Developments around Harlow

Following on from developer briefings for the strategic sites around Harlow officers have been identifying the strategic sites outside the Harlow and North Weald areas where a similar approach might be appropriate. Harlow and Epping Forest District have made a formal approach to ATLAS (Advisory Team for Large Applications which is part of the HCA) requesting their support in considering the delivery of major sites. ATLAS has suggested that they develop a template to allow the consistent assessment of site information, for use by both Harlow and EFDC, and at the time of writing this is awaited.

Other Councils' Plans

The Council is a signatory to a letter sent from local authorities in the South East to the Greater London Authority in response to the consultation on the draft Further Alterations to the London Plan, expressing concern that it potentially undershoots the provision of future homes that London needs by a considerable margin and fails to adequately plan for the interim level of need identified in the FALP of 49,000 dwellings per annum because only

42,000 are specifically allocated to London boroughs. A key issue for these councils is that any expansion into the Metropolitan Green Belt which may prove necessary in the longer term is undertaken in a strategic way. These matters will be considered at the Examination currently in progress, which commenced in early September 2014.

A response to the Mayor's Infrastructure Delivery Plan to 2050 has been prepared and was considered by the Planning Scrutiny Panel and the O & S Committee on 16th September 2014.

Uttlesford District Council has submitted their Plan for examination and has received a preliminary letter from the Inspector outlining issues for consideration. The examination is scheduled for November 2014.

Neighbourhood plans

Moreton, Bobbingworth and the Lavers have consulted on their draft Neighbourhood Plan, and have used the "critical friend" service provided by the NPIERS panel of neighbourhood plan examiners to review the draft Plan. Comments have been received and consideration is being given to them by the Parish before submitting the Plan for examination.

The Theydon Bois Parish applied to be designated as a Neighbourhood Area in order to progress with a Neighbourhood Plan and following publication of the proposed area this was agreed at the July Cabinet. Epping Town Council has also requested the designation of their parish as a Neighbourhood Area and the Council is currently consulting on this from 11 August 2014 until 19 September 2014. A report on designation will be taken to Cabinet in October 2014. We have also received requests from North Weald and Buckhurst Hill for designation which will be processed.

Lee Valley Food Task Force

As previously stated the task force is progressing rapidly with our focus on five major work streams;

- Planning
- Food Summit
- Employment Work stream
- Skills Work stream
- National Institute for Food Security

Our next meeting will be on the 3rd October where we will be reviewing our progress and approving an interim report which we will publish.

Report to the Council

Committee: Cabinet **Date:** 30 September 2014

Subject: Safer, Greener and Transport

Portfolio Holder: Councillor Waller

Recommending: That the Report of the Safer, Greener & Transport Portfolio Holder be noted.

Community Safety

Community Trigger

As described in my last Report to Council, the Community Trigger provisions in the Anti-social Behaviour, Crime and Policing Act 2014 come into force on 20 October. These provisions, also known as the Anti-social Behaviour Case Review procedures, introduce simpler and more effective powers to tackle anti-social behaviour, providing better protection for victims and communities.

New responsibilities are given to relevant bodies including district councils to review their responses to complaints of anti-social behaviour when victims believe that agencies have not taken appropriate action. There is a duty to undertake a case review following a request and when a case meets a locally defined threshold.

Safer Essex has agreed to develop a consistent County-wide approach across all the agencies involved in the legislation, providing victims with a coherent and effective response. A county-wide threshold of three incidents of ASB within the last six months has been set where the victim considers that inadequate action has been taken, and this threshold can be reduced when the ASB is considered to be motivated by prejudice.

The Council's public relations team are publicising the new laws, with relevant website links, in conjunction with Essex Police, and there will be a public meeting to promote them. EFDC's Community Safety Manager is the single point of contact for the District and can provide further information on request.

Violent crime incidents

Members may be aware that during August and September, three serious crimes took place either within or linked to the District. In two of these incidents our Community Safety team was able to assist the police in identifying alleged perpetrators. In one case we were able to help identify passengers picked up by a taxi in Epping who later allegedly attacked and robbed the driver when they reached their destination. CCTV also proved helpful in the case of a stabbing in the early hours where the victim was found in Epping High Street, causing it to be closed for an extended period for forensic investigation purposes. The third serious incident occurred at Woolston Manor, Chigwell, where a man was shot; neither the victim nor the alleged perpetrator is from the District.

Electric blanket testing

Portable appliance testing including electric blankets, and free home safety fire checks, are currently being offered across the District, with EFDC working in conjunction with Trading Standards and Essex Fire & Rescue. Free checks are available to anyone aged over 65 years or suffering from physical or mental impairment. Bookings should be arranged through Trading Standards on 0845 6037626.

Safeguarding

Essex Safeguarding Children and Adults Boards have reviewed the assessment criteria for the annual safeguarding audits of statutory partners. These will be completed online for the first time, with a return deadline of January 2015. A longer completion timeframe has been introduced this year to give agencies more time to address additional new criteria including a range of policies and strategies, as well as the inclusion of all relevant documentary evidence.

Since May, when appointments were made to the Council's new Safeguarding Officer and Administrative Assistant posts, a huge amount of work has been undertaken to identify gaps in current practice and procedures, to develop new policies and strategies and to assess the training and developmental needs of staff across the Council. Some of the gaps have been addressed through the staging of more full day Safeguarding training sessions for staff and by the development of mini training/awareness raising sessions for contractor staff, including 'toolbox talks' for housing repairs teams.

Twenty five elected members have undertaken the in-house training provided but unfortunately, due to a lack of participants, the training arranged for August had to be cancelled. Further member training sessions will be arranged for November to enable those who have not yet participated to do so.

I must remind all members that we have a duty as a Council to be fully conversant with the various safeguarding issues which may arise from contacts with local residents. Unless members have undergone training, we shall not meet the requirements set within the 'governance' section of the forthcoming audit. Safeguarding is also included on the Council's risk register, and training inadequacies will drive up the threat level confronting this authority, so the matter must be taken seriously.

I shall report back on the findings of the safeguarding audit in the New Year.

Countrycare

Countrycare has hosted several events since my last Report.

For children, Countrycare has attended two more 'Play in the Forest' days hosted by Community Development, organised an animal 'Tracks and Signs' morning at Bobbingworth Nature Reserve and held a very well attended 'Teddy Bears Picnic' on Linders Field in Buckhurst Hill.

For adults, Countrycare organised its annual moth and bat night, held this year at Bobbingworth Nature Reserve. Twenty seven people attended, plus three experts and staff. The event was a valuable exercise, as a night time survey of the Reserve has not previously taken place.

All members of staff attended a flood safety awareness course run by the Royal Life Saving Association for the Council and are now fully trained in understanding open water hazards when they work on ponds and streams in the District on the weekly volunteer tasks and any other events hosted by Countrycare.

A Countrycare staff member represented the Council at the Tree Council seminar on the effects of Ash Tree Dieback in non-woodland settings. A presentation of how the landscape will be affected was given to the Epping Forest Tree Wardens at their autumn meeting. Seven of the Tree Wardens will be attending the East Anglian Tree Warden forum to be held in Braintree in early October.

Two work experience students spent time with Countrycare prior to going on to Writtle College, Chelmsford to study aspects of countryside management.

Countrycare has been working with Sheering Parish Council to manage a small area of woodland adjacent to Sheering Recreation Ground for the enjoyment of local residents. A management plan was agreed and work has started to make footpaths through the wood safe and accessible and to remove several dangerous trees. Countrycare will lead a guided walk around Sheering on 28 September to show the work and look at veteran trees in the parish.

A fence at one end of Roughtalleys Wood in North Weald which had been badly damaged by vandalism was replaced with a new one by Countrycare volunteers.

Additionally, volunteer days in August saw work carried out at Foster Street Burial Ground; All Saints Church, Epping Upland; Epping Green Millennium Garden; and Old Shire Lane, Waltham Abbey. In September, volunteers have also been active at Home Mead Local Nature Reserve; Roding Valley Meadows Local Nature Reserve; and Willingale Road Allotments, Debden.

Car Parking

Council Car Parks Survey

Ahead of the car parks strategy and tariffs review, a survey was carried out between 28 May and 31 July. The survey questionnaire could be accessed via the Council website and was circulated to all town and parish councils, Town Centre Partnerships and One Epping Forest partners. Information was also included in an edition of the *Forester*, and Alpha Parking Limited carried out a face to face survey in the car parks from 24 June to 4 July.

I intend to bring a Report to Cabinet in November, with a view to seeking approval of a revised car parks strategy.

New pay and display machines

An invitation to tender process has taken place to renew the pay and display machines in the Council owned car parks as some of them are 25 years old and replacement parts are becoming more difficult to obtain. Modern machines are also capable of providing a great deal more usage data to operators than their predecessors.

Five companies were invited to tender, but only three did so. The tenders are currently being considered, and an update for members will be available in due course.

Buckhurst Hill Parking Review

The formal public consultation on the proposed changes took place in June and was conducted by Essex Highways. Once all the responses had been reviewed, a meeting took place in July between Essex Highways, EFDC officers and Buckhurst Hill ward members, resulting in final decisions on new parking restrictions. The necessary traffic orders are at present being made prior to implementation.