

# EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

**Date:** Monday, 7 September 2020 **Time:** 7.00 - 9.00 pm

**Place:** Virtual Meeting on Zoom

**Members Present:**

**Representing Epping Forest District Council:**

Councillors H Kane (Chairman), R Bassett, R Morgan, B Rolfe, M Sartin and J H Whitehouse

**Other Councillors:**

Councillors

**Representing Essex County Council:**

County Councillors V Metcalfe and C Whitbread

**Representing Local Councils:**

C C Pond (Vice-Chairman) (Loughton Town Council), S Patel (Buckhurst Hill Parish Council), A Lion (Chigwell Parish Council), A Belgrave (Chigwell Parish Council), N Avey (Epping Town Council), B Scruton (Epping Town Council), B Rumsey (Epping Town Council), S Duffy (Epping Upland Parish Council), D Wixley (Loughton Town Council), M Squire (Loughton Town Council), S Jackman (North Weald Bassett Parish Council), M Dadd (Ongar Town Council), C Feetham (Ongar Town Council), E Burn (Theydon Bois Parish Council), A Purkiss (Theydon Bois Parish Council), D Stokes (Willingale Parish Council) and J Kirkaldy (Willingale Parish Council)

**Apologies:**

**Epping Forest District Council:**

Councillor J Lea

**Essex County Council:**

Councillors A Jackson and G Mohindra

**Parish/Town Councils:**

L Petyt (Buckhurst Hill Parish Council), T Carter (Lambourne Parish Council), E Fenwick (Matching Parish Council & Abbess Beauchamp and Berners Roding), S De Luca (North Weald Bassett Parish Council), N Wilkinson (Roydon Parish Council), A Jones (Stanford Rivers Parish Council) and J Law (Waltham Abbey Town Council)

**Officers Present:** N Richardson (Service Director (Planning Services)), P Arnold (Senior Community Engagement Officer), Q Durrani (Service Director (Contracts & Technical Services / Commercial & Regulatory)), V Gayton (Culture & Community Team Manager), A Hendry (Democratic Services Officer), S Kits (Social Media and Customer Services Officer), A Marx (Development Manager Service Manager (Planning)), V Messenger (Democratic Services Officer), M Richardson (Environment and Neighbourhood Officer) and M Thompson (Service Manager (Technical))

**By Invitation:** S Sowerby (Community Champion)

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## 1. APPOINTMENT OF CHAIRMAN & VICE-CHAIRMAN

- (1) It was confirmed that District Councillor H Kane was the Chairman of the Committee for this municipal year; and
- (2) Councillor C C Pond was appointed the Vice-Chairman of the Committee for this municipal year.

## 2. WEBCASTING INTRODUCTION

The Chairman reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

## 3. MINUTES OF PREVIOUS MEETING

### RESOLVED:

That the minutes of the meeting of the Committee held on 16 September 2019 be taken as read and signed by the Chairman as a correct record, subject to the following amendment to Members Present (Representing Epping Forest) that Councillor C C Pond had attended this meeting as a local council representative.

Regarding a further query from Councillor C C Pond, the Democratic Services Officer confirmed after the meeting that the apologies for Councillor B Scrutton (Chigwell PC) and attendance of Councillor B Scrutton (Epping Town Council) had been correctly recorded in these minutes.

## 4. ISSUES RAISED BY LOCAL COUNCILS

### (a) Unauthorised traveller encampments (Min no 23(d) – 16.09.19)

Senior Environmental Enforcement Officer, M Richardson reported that Epping Forest District Council had looked at membership of the Essex Countrywide Traveller Unit (ECTU) in 2012 and 2016 but there had been a concern about cost. Although a number of parish council incursions had occurred in 2016 and 2017, there had been none this year and a membership fee of c£8,500 was not seen as value for money. The Essex Police Gypsy and Traveller Rural Engagement Team (GTRET) was more proactive and could use s61 Powers to remove trespassers on land. It was acknowledged that local councils would incur costs if travellers stayed on their land as it was their responsibility to deal with this. Local councils could look at joining the ECTU as a body but independent of the District Council. Councillor H Whitbread was the relevant portfolio

holder but ECTU's membership was quite an expensive package. Council officers had the knowledge and skills to deal with trespassers on EFDC land.

Councillor C C Pond remarked that c£8,500 a year was a small cost to EFDC in its annual budget. All it meant was that when a local council got an incursion, they would have to fight it themselves. He thought it was incumbent upon the District Council to help out, if it was willing to underwrite this when incursions happened. A small parish council in particular might not be able to carry on independently, but ECTU officers did have the knowledge. Loughton Town Clerk, M Squire, added that District Council officers provided good help. The Town Council was a well-resourced council but had previously had to spend £5,000 in legal fees to clear travellers. When he had been the Clerk at Witham Town Council, there had been three or four incursions over a two-year period but being able to use the services of ECTU had been a great advantage as their officers were very experienced. The Committee agreed that a way forward would be to formally ask the Housing and Community Services Portfolio Holder if membership of ECTU could be reconsidered and reviewed.

Sergeant P Brady was in attendance at the meeting as an officer of the Essex Police GTRET.

Councillor C C Pond asked if the Police Officer had any contacts with ECTU in other parts of the County or was he the representative for Epping Forest District? Sgt Brady replied that the Rural Engagement Team covered the whole County and worked closely with ECTU in many districts. The Police had a good working relationship with ECTU officers to liaise and work around any issues that arose. Councillor C C Pond added that travellers did travel and so were unlikely to be confined to one district. He did not see why EFDC could not have joined ECTU in the past. About ten years ago the then head of Legal, Ms C O'Boyle, spoke at a Local Councils' Liaison Committee and thought that the EFDC Legal Team had sufficient resources not to have to subscribe to ECTU, but of course the Legal Team had now changed out of all recognition.

Councillor C C Pond asked if the Police Officer had the same contact with Epping Forest that he had in other parts of Essex with ECTU? Sgt Brady replied that Epping Forest did not have the amount of unauthorised encampments that other parts of the County had experienced. Essex Police's GTRET did work more closely with districts in other parts of the County that were not signed up to ECTU, but he had not had much contact with EFDC.

#### **(b) Street cleaning services**

The Service Director (Contracts and Technical Services / Commercial and Regulatory), Q Durrani, informed members that he was the Service Director responsible for the Biffa waste contract and street cleaning services. The contract was regularly monitored and quarterly performance reports were received. The contract was getting the same level of scrutiny and there had not been any resources taken away.

Ongar Town Councillor M Dadd said the Town Council was concerned about the general scruffiness of the town but had not compiled a list of the problem areas yet. The Service Director asked the Councillor to let him know when this was completed by using the usual contact form to EFDC. If an officer was needed when an inspection was done, this could be arranged.

Councillor C C Pond remarked that the street cleaning in the District was very good especially during the Covid-19 lockdown when Biffa had continued with the waste collection service and had been exemplary. There might be some problem areas though.

Councillor D Wixley said that clarification was needed as the contract for street cleaning did not cover all areas. The Loughton Town Clerk, M Squire, had a 'wombles' group of volunteers to litter pick in the town but Covid-19 had prevented this from taking place. However, the untidy areas in the town that were not covered by the Biffa contract needed to be identified. The Service Director replied that the Biffa contract covered litter on the public highway - roads, verges and kerbs. Also, Council land and Housing stock land, the cost of which Housing refunded to the Council. There were areas of land where the ownership of the land might be unclear. He wasn't suggesting to let volunteers clear litter instead of the Council, as it was the waste collection authority, but there were areas outside the waste contract where the community was taking action on litter, for example on private estates. The Council could provide help with equipment and health and safety training to facilitate any community litter picks so these could be undertaken when they wanted.

Councillor A Lion agreed that Biffa provided a very good service and believed that there was a two-weekly street cleaning cycle in operation. However, a more recent problem had been from weeds growing around drain covers, rather than litter, and recent heavy rain had caused problems.

Councillor C C Pond remarked that he had reported litter problems to the Environmental and Technical Services Portfolio Holder, Councillor N Avey, on ways that were frequented by the community, e.g. the entrance to Morrisons in Loughton High Road, where there was some detritus and broken bottles. It was not the Council's responsibility as it was not on public highway land. The Service Director replied that he would follow this up with the Service Manager (Technical), M Thompson, and the Senior Environmental Enforcement Officer after the meeting.

Epping Town Council Clerk, B Rumsey, acknowledged that Biffa had done an excellent job in Epping during the coronavirus lockdown.

### **(c) Fly-tipping**

The Service Director explained that action against fly-tipping was co-ordinated by the Environmental Enforcement team and there had not been any major issues with Biffa on the clearing of fly-tips. There was legislation around what the Council could collect. Fly-tips could be removed quickly but the Council's Environmental Enforcement officers also wanted to try to enforce and prosecute individuals if this was possible, as this was a deterrent, but waste did originate from London sources.

The Senior Environmental Enforcement Officer explained that when a fly-tipping incident was reported an officer would inspect the site as there was a duty of care, noise and statutory nuisance. It was better to report fly-tipping online on the Council's website so the case could be allocated to the correct officer. Once a fly-tip was reported, an officer would inspect the site within three working days to gather evidence and then inform the Waste Management Team, who alerted Biffa, providing it was on the public highway. If the fly-tip was large or hazardous waste had been dumped, details of this would be sent to Waste Management for a quote to remove, as specialist contractors would be required. Housing officers inspected waste tips on Council owned estates and would inform Waste Management directly; so please let us know.

Councillor H Kane was impressed by the comprehensive work of the Enforcement Team to combat fly-tipping in the District. Councillor R Morgan remarked that Matching and Sheering had reported a fair amount of fly-tipping of industrial builders' waste. The Environmental Enforcement team had been very good coming out quickly to assess these, which had resulted in several prosecutions. Farmers' land could be targeted so landowners should block off fields to try and stop waste being dumped on their private

land, which could be expensive to clear. The Senior Environmental Enforcement Officer replied that there had been a downward trend in fly-tipping but during the lockdown this had certainly increased. Hotspots had been targeted by installing cameras, but with limited results. However, fly-tipping hotspots on Housing land had achieved good results, so please let us know about these hotspots.

Councillor D Wixley thanked the Senior Environmental Enforcement Officer for the action taken in Fairmead ward in Hillyfields Road and a Council garage site. He had been disappointed and let down by the reporting system a few months ago on a fly-tip in a Loughton car park, which was the responsibility of Loughton Town Council. It was reported to EFDC but was eventually inspected by himself and a Town Council officer, but not Environmental Enforcement. They managed to get some addresses and had submitted forms to EFDC, but apparently these had been lost so the opportunity for EFDC to investigate further had probably passed. Also, fly-tipping incidences had occurred at a pub in Fairmead ward that had been closed for a few years but was owned by EFDC. Although it had been leased to a company, EFDC had been unwilling to clear the waste as it seemed to be up to the leaseholder to do, yet this was in a residential area and a nuisance for residents. The Senior Environmental Enforcement Officer replied that a meeting about the car park fly-tipping was held before the lockdown, but he would check with the officer and let the Councillor know. Regarding the pub, EFDC was the landowner, it was the leaseholder's responsibility to remove fly-tips, but he would ask the relevant officer to contact Councillor Wixley with an update.

#### **(d) Planning enforcement**

A Marx, Planning Development Service Manager, had joined EFDC a year ago having previously worked in planning enforcement for a London borough council. There were around 500 to 600 alleged breaches a year and 400 had been reported so far this year. There was a policy on enforcement and procedures in place for when officers did site visits. When a complaint was received by officers, its priority was assessed. For instance, unauthorised works to trees with tree protection orders (TPOs) were a high priority. The local and national planning policy guidance would be used in this assessment as it might not always be expedient to take enforcement action. Officers would try and regularise retrospective applications, but if there was a harm or breach then appropriate action would be taken. A breach of condition notice or change of use allowed the Council up to ten years to take action. Whereas the Council only had four years to take action against an individual on an unauthorised house conversion to flats. The Council did monitor the planning enforcement notices issued. There was an online reporting facility on the Council's website to report planning breaches. The Council would take enforcement action and some of the cases were long running.

Willingale Parish Councillor D Stokes asked if EFDC should be publishing turnaround times on planning and planning enforcement issues on how the Council was performing in the interests of transparency on the Council's website. The Service Manager replied that he had no issue with publishing a table of annual statistics, as these were collated so this would not be a problem, but not for specific cases.

The Planning Services Director, N Richardson, advised that on planning the Council did have to provide national statistics on a quarterly basis on the number of enforcement notices actually served. This was around 25 a year, which was higher than most other local authorities (LAs) in Essex. EFDC was relatively well-resourced in planning enforcement in contrast to some of the other Essex LAs that either expected planning officers to also cover enforcement duties or had just one dedicated enforcement officer.

**(e) Highway Rangers**

The Service Manager (Contracts and Technical Services / Commercial and Regulatory) reported that this service had moved from ECC under the ECC Highways contractor Ringway Jacobs to EFDC on 1 April 2020. As the Ringway staff did not want to transfer over, EFDC had appointed two officers to be highway rangers. This service continued to receive requests for work through the Local Highways Panel. ECC had scoped the work of what the highway rangers could achieve. This was essentially two officers doing light work, not heavy duty work like pothole repairs. They could work on public highways with a speed limit of up to 30 miles an hour doing cleaning, minor repairs, e.g. to bollards and street furniture, hedge trimming, ad hoc grass strimming, clearing weeds from pavements and block paving repairs. EFDC hoped to be able to try and improve the service with quicker response times, as the two rangers were based in the District. Cabinet had set aside additional funding. The Service Manager (Technical), M Thompson, added that there would be no changes to the reporting of work requests and that the two officers would have the same contact as before with local councils. The service would be kept under review to see if any improvements could be made.

Epping Town Clerk, B Rumsey, said that from past experience it was a longwinded process to have to access the services of the rangers through the Local Highways Panel. It was a very good service but could an email channel of communications be instigated. The Service Manager (Technical) replied that the reporting process would be looked at, to try and speed this up.

Councillor D Wixley wanted to clarify that the highway rangers had been employed and were being paid by the District Council. He asked if in addition to the minor repairs they were allowed to do, if they could proactively report things they couldn't do, e.g. blocked gully drains, and what links they would have to the County Council in that respect. Also, how would the service function be allocated in that would they work in one area of the district and then move to another, and how would they respond to local councils' requests? ECC had allocated funds and outsourced the highway rangers service to EFDC. The District Council had added to this budget, and was keen to see if more work could be done. Initially this would be within the established system and would then look to improve the service. The rangers were part of Technical Services as were land drainage officers, so there was a good reason for the rangers to report back on these types of issues. He asked if the members of this Committee would like to receive updates on the rangers service because it would be useful to feedback information to the local councils in this way, which was agreed.

Essex County Councillor V Metcalfe said that getting the highway rangers service back locally within the District Council was excellent, it would be more acceptable to local councils, and was a positive new story.

North Weald Parish Councillor S Jackman thought that the six-monthly gap between meetings of the Local Councils' Liaison Committee was too long and that an additional meeting should be able to be scheduled if there was business to be discussed.

Councillor N Avey added that if anyone had any particular concerns then to contact him as he was the Environmental and Technical Services Portfolio Holder, and it would help him to work with the team to make it more efficient.

**(f) Finger posts (Min no 2018/2019 16(e) – 11.03.19)**

Councillor H Kane advised that a report on the highway rangers service had been published in the agenda for the Cabinet meeting on 14 September 2020 with a proposal to allocate £1,000 for the repair and maintenance of heritage finger posts, subject to

matched funding from the town and parish councils. The Chairman advised members to wait for the outcome on this, which was noted.

**(g) Code of Conduct investigations**

The Planning Services Director clarified that the Monitoring Officer (N Boateng) had submitted a report to the last Standards Committee on 2 March 2020 on the 'Imposition of charges for dealing with parish council complaints of a breach of the Councillor Code of Conduct'. The Standards Committee had resolved that the Monitoring Officer was to submit a more detailed report with a set of proposals for a charging regime to a future meeting of the Standards Committee to consider, and that consultation be undertaken with all local councils prior to the imposition of any charging regime.

**Agreed:**

- (1) That the Housing and Community Services Portfolio Holder be formally asked if membership of ECTU could be reviewed;
- (2) That the Senior Environmental Enforcement Officer ask the relevant officers to provide Councillor D Wixley with an update on the two fly-tipping incidences he had reported at the meeting;
- (3) That regular feedback on the highway rangers service be provided to keep local councils informed of any service improvements; and
- (4) That the six-monthly gap between meetings of the Local Councils' Liaison Committee was too long and that an additional meeting should be able to be scheduled if there was business to be discussed.

**5. TERMS OF REFERENCE**

The draft Terms of Reference in the agenda had been considered at the last meeting in September 2019 and circulated to all local councils for consultation on 11 October 2019 and 6 January 2020. As all the local councils that had responded were satisfied with this draft, members agreed the Terms of Reference.

**RESOLVED:**

That the Terms of Reference were agreed.

**6. EPPING FOREST COMMUNITY CHAMPIONS PROJECT**

A presentation by Patrick Arnold, Senior Community Engagement Officer, on the Epping Forest Community Champions Project was received from the Community, Culture and Wellbeing Team. This provided an update on the previous presentation to members some 18 months ago. Community Champions were helping to create happy, friendly and healthy communities. It was part of the Council's Corporate Plan to enhance partnership working with the voluntary sector. The Council was seeking people's support to build on their knowledge and skills, and to recruit community champions across the District. So far 18 community champions had been recruited and attended training sessions and workshops. They had supported over 1,000 people in the community, including during the Covid-19 lockdown. An ongoing campaign to recruit champions from all the District's areas was especially targeting areas without any community champion.

The Theydon Bois community champion, Ms S Sowerby, addressed the meeting and gave an outline of her background both professional and personal. She had attended

training sessions at EFDC including J9 training through the Safer Places programme. Amongst the various community support initiatives, she had set-up a St Clare Hospice bereavement café and helped deliver the District's 'Stay Well This Winter' campaign reaching out to older people. During the lockdown she had actively helped by co-ordinating with NHS volunteers and supplied local donations of hospital provisions, e.g. anti-bacterial gels, scrub hats and laundry bags etc.

Vanessa Gayton, Team Manager Culture and Community (Community, Culture and Wellbeing) read a statement from a community champion in Nazeing, L Page, who had been unable to attend the meeting. L Page had been a community champion for over two years and made lots of friends. She had likewise attended various training sessions including the J9 domestic abuse awareness training and a digital inclusion workshop. She was keen to reduce loneliness and had a great success with the residents of Hyde Mead House in Nazeing where she was a volunteer and organised monthly meetings. She had two helpers but needed other willing and able people to help out. A Facebook page was set up in March 2020 to reach people during the lockdown. She had also co-ordinated a defibrillator project to install one in a retired BT phone box.

The Senior Community Engagement Officer outlined the future development of the community champions project by applying for funding to initiate and develop community-led projects. The Community Engagement officers were there to promote, help and train community champions for the benefit of their communities in the District and would seek the support of EFDC councillors and local council clerks on this.

The Chairman thanked the community champion and Community Engagement officers for their presentations and congratulated them on the work that they were doing along with their volunteers.

## **7. DIGITAL BUDDIES**

The Chairman reported that the new Member Contact and Digital Inclusion Team Manager would not be starting until later in September 2020. Therefore, this item was deferred until the next meeting in March 2021 when an update on the Digital Buddies' role in the community would be provided.

## **8. EPPING FOREST DISTRICT LOCAL PLAN - PROGRESS**

The Planning Services Director said that the District Council did not have an Adopted Local Plan yet but progress had been made. Following the public hearing sessions for the independent examination of the LP, which had ended in June 2019, the Council had received the Inspector's advice in August 2019 on alterations required on the soundness of the LP known as major modifications (MMs). The Interim Assistant Director (Planning Policy and Implementation), A Blom-Cooper, was in charge of progressing the Local Plan and the work on the MMs that had been required by the Inspector. The final tranche of the MMs would be submitted next week and consultations on the MMs would be held in October 2020. The Inspector had removed the Jessel Green (Loughton) and Limes Farm (Chigwell) sites from the LP, but no further sites had been added. It was hoped that the LP would be adopted in the early part of next year. A report had been submitted to Cabinet on the draft green infrastructure strategy that supported the policies in the emerging LP. This had been consulted on and was due to be considered by Cabinet with the updates for that final strategy in December 2020. The Council had been required to draft and revise a new Habitats Regulations Assessment as part of the LP. The Council had not been able to issue planning consent for the last two years for applications that involved additional housing. The District Council had reviewed this and was waiting for Natural England and the Conservators of Epping Forest to comment on that draft HRA, which was due to go out to consultation in October 2020.



Referring to the sufficient headroom in the required number of housing units and that some had been taken out in the MMs, Councillor D Wixley asked if this was due to increasing the number of houses on the sites, or had there been other sites in the background that hadn't been put forward in the first place? The Planning Services Director replied the Council had always ensured that it had produced enough housing. When the Inspector had removed sites, if the Council had found out it was under its allocation and hadn't had the extra sites this could have caused longer delays and possibly more consultations. Therefore, the Council had safeguarded against having to do all that extra work. There were no new sites, these had all been submitted as part of the Local Plan and was not a case of intensifying housing on the LP sites.

Ongar Parish Councillor M Dadd referred to the Inspector's letter that had informed EFDC of the projected growth on the ONS (Office of National Statistics) figures for 2018, which was reducing the figures from c11,500 to c6,500, and asked for more information on this. The Planning Services Director replied that EFDC was not looking to reduce the figures but he thought this was to do with the green belt and would have to come back to the Parish Councillor on this, as A Blom-Cooper was the lead officer. This was a letter that had been sent to all green belt authorities and a large number of the EFDC sites were on green belt land because it did not have the space to squeeze even more housing into the existing towns and villages in the District. Councillor Dadd asked if the Inspector had been asking if EFDC needed to have all the green belt sites allocated for housing, now that the projected figure for household growth was 60 per cent of what it had been when EFDC had first done its allocations? The Planning Services Director reiterated that he would have to come back to the Parish Councillor after the meeting as the housing allocation had not changed from 11,400, but rather, why it had not changed. The MMs were still going forward with this figure.

**Agreed:**

- (5) That the Planning Services Director would advise members after the meeting, why EFDC's housing allocation remained at 11,400 and this had not changed.

**9. ANY OTHER BUSINESS**

**(a) Qualis**

Loughton Town Council Clerk, M Squire, asked if Qualis could make a presentation at the next meeting to inform members of its set-up, its governance, who the non-Executive directors were, its work and plans for the future etc. This had been raised at a recent Epping Forest Branch Association of Local Councils meeting. Councillor R Bassett said that Cabinet would be considering two Qualis reports on 14 September 2020, which gave more information about its governance, and the meeting would be webcast. North Weald Parish Councillor S Jackman continued that there was a lot of doubt about Qualis as there had been little transparency and that a detailed presentation was needed. Also, the Housing Repairs Team was moving to Qualis with the expense of revamping vans and equipment etc, so the sooner a presentation was organised the better. The Planning Services Director added that there was a Qualis corporate intranet site, which would provide more information and was another point of reference.

Councillor H Kane was also supportive of Qualis being invited to make a presentation to local councils. If members and local councils wanted an extra meeting before the next scheduled meeting in March 2021, the Chairman asked that they contact her.

**(b) Local Government reorganisation**

Loughton Town Council Clerk, M Squire, asked about the reorganisation of local government in respect of the Government's plans on devolution. In six months' time, more information should be known on this, which EFDC could share with local councils at the next scheduled meeting in March 2021. Councillor H Kane agreed that by next spring, the Government should have published its 'white paper' and that more information would be available.

**Agreed:**

- (6) That Qualis be invited to make a presentation to the next Local Councils' Liaison Committee in March 2021, unless an extra meeting was requested; and
- (7) That an item on local government reorganisation be included in the agenda for the March 2021 meeting.

**10. DATES OF FUTURE MEETINGS**

It was noted that the next meeting of the Committee would be held on 15 March 2021. If this was to be virtually, the meeting would start at 19.00, but would otherwise start at 19.30.

Councillor S Jackman commented that in view of the two items brought up under Any other business, six months was a long gap and asked if an earlier meeting could be convened. The Chairman asked local councils to contact her with their feedback on an earlier, extra meeting.

**CHAIRMAN**