

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF STRONGER PLACE SELECT COMMITTEE
HELD ON TUESDAY, 12 JANUARY 2021
IN VIRTUAL MEETING ON ZOOM
AT 7.00 - 7.55 PM**

Members Present: S Heather (Chairman), R Morgan (Vice-Chairman), R Bassett (Member), L Burrows, I Hadley, S Heap, J Jennings, S Jones, J H Whitehouse and J McIvor

Other members present: J Philip, N Bedford, H Whitbread, S Rackham, A Patel and R Brookes

Apologies for Absence: C McCredie

Officers Present N Dawe (Chief Operating Officer), A Blom-Cooper (Interim Assistant Director (Planning Policy)), N Richardson (Service Director (Planning Services)), Q Durrani (Service Director (Contracts & Technical Services / Commercial & Regulatory)), L Kirman (Democratic Services Officer), R Perrin (Democratic and Electoral Services Officer) and A Buckley (Communications Officer)

27. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the virtual meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

28. SUBSTITUTE MEMBERS

The following substitution was reported:

That Councillor Janet Whitehouse was substituting for Councillor C McCredie.

29. DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Members' Code of Conduct, Councillor R Basset declared a non-pecuniary interest in agenda item 10, Demand Responsive Transport, by virtue of being the Chairman of Trustees for Epping Community Transport.

30. NOTES OF PREVIOUS MEETING

Resolved:

- (1) That the minutes of the last meeting held on 29 September 2020 be taken as read and signed by the Chairman as a correct record.

31. TERMS OF REFERENCE & WORK PROGRAMME

Cllr Janet Whitehouse suggested that the large number of items on the work programme was unmanageable and that there was an imbalance in the works

streams between the select committees. The Chairman advised that the Agenda Planning Group would address any disparity in the work programmes.

The Select Committee noted its Terms of Reference and work programme.

32. LOCAL PLAN UPDATE

Cllr Bedford provide an update on the Local Plan and the Interim Air Quality Mitigation Strategy (AQMS), which had been reviewed by the Overview and Scrutiny Committee on 7 January 2021. He clarified that several mitigation measures including the potential for a Clean Air Zone (CAZ) from 2025 had been included as part of the AQMS. No charges or decisions on the form of Clean Air Zone had been agreed. He outlined that the adoption of the AQMS was a way to enable the Council to determine planning applications that had been held in abeyance since June 2018.

The Interim Assistant Director, Planning Policy and Implementation, A Blom-Cooper advised members of the MCHLG consultation on further permitted development rights was open for comment until 28 January 2021. These proposals would give a new national permitted development right for a change of use from commercial, business and service use class to residential use. It would go significantly beyond existing rights, allowing for restaurants, indoor sports, and creches to benefit from the change use to residential under permitted development rights for the first time and would have implications for High Streets including those in conservation areas. Other proposals include; a streamlined planning application process for public service infrastructure projects; and a simplification and consolidation of existing permitted development rights.

Cllr Rackham asked if there would be some communication on the CAZ as she had received a range of queries from residents. Cllr Bedford advised that there would be a press release to set out the facts and address the misinformation that had been circulated. The proposed mitigation measures were similar to those developed by LB Redbridge with Natural England and a recent High Court judgement had shown these to be, wholly appropriate for the protection of the Forest. He suggested that the Green Party wanted the additional mitigation measures in the Interim AQMS.

Cllr Heap agreed that there was no mention of any sums of money in relation to the CAZ. He advised the Green Party approved of anything that helped the Forest, but that scientific aspects did not cover all the chemicals that could cause harm. He submitted that the CAZ would split the district and acknowledged that whilst the tube was an option for some residents, there were limited transport links especially in Waltham Abbey. He suggested the CAZ could not be delivered and should not be compared to LB Redbridge as a unitary authority. He stated that some residents felt this was a tick box exercise to give planning permission and referenced Dowding Way and requested greater transparency in relation to Trinity Hall. He summarised that the Green Party would support anything that protected the Forest and people, but not in this way, and advocated that more buses were required.

Cllr Bedford advised that this had been debated at Overview and Scrutiny on 7 January 2021 and reiterated that a series of mitigation measures, agreed by Natural England, had been put forward similar to those approved by Judicial review in Redbridge. The scientific experts had provided a full and robust explanation of the impact of the relevant chemicals. He suggested that over the next few years, with a change in attitude to public transport and a shift from fossil fuel vehicles, air quality targets could be met without the need for a CAZ. He advised that Air Quality

measures needed to be in place to progress developments in the district and to build homes that people wanted and could afford. The Local Plan needed to be approved, to avoid potential Government intervention and the imposition of higher housing targets. He agreed that more buses were required, and that pressure would be put on Essex County Council to meet stringent air quality standards. Cllr Bedford stated that the Chairman of Quails, retired as the Bursar of Trinity Hall a year ago.

Cllr Philip reminded the Committee that the Interim AQMS was to address the air quality impact on Epping Forest Special Area of Conservation (SAC) and not just linked to the new Local Plan. Natural England, the Government's appointed body for conservation matters, had advised the Council in June 2018 that all planning applications for residential or employment purposes need to have a project level Habitats Regulations Assessment to assess whether the proposal would result in an increase in traffic on roads in close proximity to the Epping Forest SAC. Without appropriate mitigation measures to address the impact on air quality the Council had been unable to grant planning permission for any increase in the number of residencies and it was imperative to work with them. The Interim AQMS would allow the Council to grant planning permissions for those applications, granted approval at Committee. The Interim AQMS would form part of the package of information to support the main modifications (MMs) consultation which would be undertaken shortly to complete the examination of the Local Plan.

Cllr Philip advised that the AQMS was not an overarching strategy and agreed that emissions were important and would be considered in the forthcoming sustainable transport and climate strategies.

Cllr Basset requested an outline of the timetable in relation to the main modifications (MMs) consultation of the Local Plan and details of the scrutiny process for the final Green Infrastructure Strategy.

The Interim Assistant Director advised the Council was still waiting for the Inspector's response on the proposed MMs which had been submitted to her in September and reminded the Committee that the consultation would be the Inspector's consultation. The process would be supported by Council officers and provide an opportunity for comments on the MMs. The key elements for the Local Plan timetable were the agreement of MMs; followed by consultation for a six-week period. The Inspector would prepare her final report after consideration of representations and any additional information or hearings if required. If her report concludes that the plan was sound the Local Plan would then come back to the Council for adoption. The timescales were dependent on the outcomes of the different stages and Members would be advised when this was available.

Scrutiny of the Draft Green Infrastructure Strategy had occurred in 2020 and there had been full public consultation for six weeks when 175 responses and 900 comments were received. The analysis and how the comments had been addressed would form an appendix to the Cabinet report in March. Details of the Suitable Alternative Natural Greenspace (SANG) approach would be discussed and finalised with Natural England and the Conservators of Epping Forest before inclusion in the final report. This this would feed into the MMs the Inspector had requested in relation to the provision of SANG across the District in the first 5 years of the Local Plan.

Resolved:

- (1) That the Committee noted the progress report on the emerging Local Plan.

33. LEISURE MANAGEMENT CONTRACT

The Service Director, Contracts and Technical Services. Q Durrani, updated the members on the challenges associated with the Leisure Contract through the COVID restrictions and leisure centre closures. He advised on the revenue pressure associated with the loss of income and payments to the contractor to ensure the viability of the leisure centres and support the Council's commitment to health and well-being.

Cllr Brookes asked about financial support and grants to alleviate the cost burden of leisure facilities through the lockdown. Q. Durrani advised that there were a variety of options and that all avenues of support were being explored, and a new submission would be made to Sport England. Cllr Philip confirmed that the assumptions on the grants received from the Government in relation to leisure had been included in the figures reported to Cabinet on 22 December 2020.

RESOLVED:

- (1) That the operational update on the Leisure Management Contract be noted.

34. WASTE MANAGEMENT CONTRACT

The Service Director, Contracts and Technical Services. Q Durrani, informed the Committee that Biffa, the waste contractor, had managed the operations effectively through the COVID pandemic and had addressed operational issues, maintained safe working practices for their staff and used their commercial wing to support the waste collection service. Waste and recycling had increased, and the increased volumes of cardboard had increased the number of trips. Mr Durrani advised that additional costs linked to the pandemic had been claimed. He also reminded the Committee that the contract was a 10 year contract with the potential to extend for a further 10 years and there would be changes to the contract in due course.

The Committee congratulated Biffa on delivering an effective waste and recycling collection service through the pandemic and acknowledged issues relating to increased cardboard and packaging.

Cllr Brooks asked if the contractor had requested additional funding. Mr Durrani explained that through effective client, contractor relationship had ensured that additional costs had been contained to those that could be reclaimed by the Council and Cllr McIvor asked how the additional costs of Biffa were calculated. Mr Durrani advised the Committee that the current contract had a mechanism to ensure any additional income from recycling materials was shared between the Contractor and the Council, any increased waste was included in the contract. Biffa had justified all additional costs this included additional mileage, fuel and disinfection costs .

Cllr Philip commented that the Waste Management Partnership Board received details of the operational challenges, mitigation and costs pressures from the contractor.

Cllr Patel asked if the committee could be advised on the Council's performance in relation to recycling, the potential for glass and new material recycling and if waste collection vehicles and staff could be used for road condition surveys and to support Council initiatives. Mr Durrani advised that glass was collected and that new

materials for recycling were included in communications. He highlighted that due to increased awareness associated with climate change the waste hierarchy was focused on reducing waste. Mr Durrani acknowledged that other authorities did use vehicles and staff for wider purposes and suggested that these and other social value elements would be considered when the contract was reviewed

Cllr Heap suggested a way forward was to reduce use packaging in the first instance.

RESOLVED:

- (1) That the operational update on the Waste Management be noted;
- (2) To commend Biffa for their commitment and performance through COVID pandemic; and
- (3) To note that the Waste Management Partnership Board review the performance of the waste and recycling contract

35. DEMAND RESPONSIVE TRANSPORT (DRT)

The Service Director, Contracts and Technical Services, Q. Durrani advised the Committee that Cabinet had approved funding for a three month trial for Demand Responsive Transport (DRT) in December 2020. The DRT was launched on 2 January 2021 in partnership with Epping Forest Community Transport and ran along the old Bus route 87. This service had passengers, primarily from the NHS on every journey. People were able to register an expression of interest in the service through an on-line form and there had been interest from residents in the rural areas along the route. COVID restrictions had limited the number of passengers on the vehicle and this could present a viability challenge for the service. Usage data would be collected and a report on the outcome of the trial would be reported to Cabinet.

Cllr Bassett advised that DRT was the way forward and when people were familiar with the booking system the service would be provided to match demand.

Cllr Jennings, welcomed the DRT service and commented that the three months would not be typical, due to lockdown travel restrictions. She questioned if the off-peak service was responsive and why customers needed to complete such a complex and lengthy form to register. Mr Durrani advised the peak service was bookable and responsive and the off-peak service was scheduled on 1 hour timetable, like the previous number 87 bus as Cabinet had felt it was important to maintain this service. Mr Durrani stated that he would review the form and explore options for non-digital completion and explained that the membership form was a requirement of the way the service was operated.

Cllr Basset advised that community transport could be contact directly by phone and would address any issues.

Cllr Heap suggested this model could be presented to Essex County Council. Cllr Philip detailed that this was a trial and DRT could be a future option for transport. He acknowledged that the lockdown could impact on the DRT trial but suggested it was better to run the service through the pandemic rather than delay the start.

RESOLVED:

- (1) To note the commencement of the trial of Demand Responsive Transport (DRT).

36. DATES OF FUTURE MEETINGS

It was noted that the next meeting of the Select Committee would be held on 29 March 2021 at 7.00pm.