

Select Committee Agenda



Stronger Place Select Committee Thursday, 13th January, 2022

You are invited to attend the next meeting of **Stronger Place Select Committee**, which will be held at:

Council Chamber - Civic Offices
on **Thursday, 13th January, 2022**
at **7.00 pm**

G Blakemore
Chief Executive

**Democratic Services
Officer**

Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors R Bassett, S Heather, I Hadley, S Heap, J Jennings, C McCredie, R Morgan (Vice-Chairman), R Balcombe, A Lion (Chairman), M Owen and J Share-Bernia

SUBSTITUTE NOMINATION DEADLINE:

6:00 pm

1. WEBCASTING INTRODUCTION

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Chairman will read the following announcement:

“The Chairman would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. APOLOGIES FOR ABSENCE

3. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

4. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

5. NOTES OF PREVIOUS MEETING (Pages 3 - 8)

To agree the notes of the meeting of the Select Committee held on 4 November 2021.

6. TERMS OF REFERENCE & WORK PROGRAMME (Pages 9 - 12)

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference and work programme for this select committee. Members are invited at each meeting to review both documents.

7. TOWN CENTRE REPORT (Pages 13 - 30)

(J Houston/P Messenger) To consider the attached Town Centre report.

8. ENFORCEMENT REVIEW (Pages 31 - 38)

(Cllr L Burrows) To consider and comment on the Enforcement Review (attached).

9. ADDITIONAL WASTE CONTAINER COSTS (Pages 39 - 54)

(J Warwick) To consider and provide comment on the attached additional waste container costs report (attached).

10. DATES OF FUTURE MEETINGS

To note that future meetings of the Select Committee will be held at 7.00pm on 15 March 2022.

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Stronger Place Select Committee	Date:	Thursday, 4 November 2021
Place:	Council Chamber - Civic Offices	Time:	7.00 - 9.05 pm
Members Present:	Councillors R Bassett, S Heather, I Hadley, J Jennings, R Morgan (Vice-Chairman), R Balcombe, A Lion (Chairman), J H Whitehouse and M Owen		
Other Councillors:	Councillors P Bolton and R Brookes		
Apologies:	C McCredie		
Officers Present:	L Kirman (Democratic Services Officer), N Dawe (Chief Operating Officer), A Buckley (Higher Level Apprentice (Internal Communications)), D Fenton (Service Director (Housing Revenue Account)), A. Hoke (Team Manager-Leisure and Parking) and J Warwick (Acting Service Director (Contracts))		

16. Webcasting Introduction

The Chairman made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

17. Substitute Members

The following substitution was reported:
Cllr Janet Whitehouse for Cllr McCredie.

18. Declarations of Interest

There were no declarations of interest pursuant to the Council's Members' Code of Conduct.

19. Notes of Previous Meeting

That the minutes of the meeting held on 23 September 2021 be taken as read and signed by the Chairman as a correct record.

20. Terms of Reference & Work Programme

The Select Committee noted their terms of reference and work programme.

21. Essex Highways Update

Cllr Lee Scott, Portfolio Holder for Highways and Transport at Essex County Council attended the meeting and gave a brief overview of his remit which covered potholes, buses, transport, coastal erosion, cycling, walking and footpaths. He outlined his desire to meet with District and Parish Councils to gain an understanding of the issues across the County, suggested that the key issue for the County was flooding and advised the Committee that he could be emailed directly, or through the Chairman, to address any issues. He reminded Members that there was a limited

budget, if something was dangerous it would be fixed, but this could not be guaranteed for other issues. He offered to answer questions from the Committee.

The Committee sought further information on:

- The delay on road repairs - Cllr Scott Advised that there was a dependency upon budget, there had been an impact from covid affecting work, but roadworks would be completed until up to date.
- The state that utility companies leave the roads/pathways - Cllr Scott advised that meetings would take place to ensure contractors and utility companies ensured the state of the highways would be properly reinstated.
- If inspections of pavements would recommence, as these were dangerous and discouraged walking- Cllr Scott asked that details of the specific areas be sent to him.
- Road work signs being left at the side of the road after works completed- Cllr Scott advised that he recognised this scenario and would take this back to the relevant officers.
- What was being done to encourage Public Transport - Cllr Scott advised that there was a new scheme 'bus back better', usage needed to be at pre pandemic levels, but through liaison with the bus companies there would be more environmentally friendly buses and services that go where and when people want them, with an aspiration to be able to track the service through an app.
- Charging points for electric vehicles – Cllr Scott acknowledged these were essential and suggested there could be potential for funding for points from companies that sell electric vehicles, it was important to have the correct charging points for the vehicle.
- The potential to include sustainability as part of the tender process – Cllr Scott advised that there would be economic, efficiency and environmental factors in all new contracts, this would not happen overnight but would include home to school transport.
- If planned works could be diverted to dangerous works -Cllr Scott advised that budgets could be vired, and there was an expectation that teams were flexible,
- If it possible to introduce regulations to prevent pavement parking - Cllr Scott suggested that there were some roads where this would not be viable but he was lobbying government for the introduction of legislation.
- If there was an intention for Safer Streets for Schools - Cllr Scott confirmed that this was the intention and suggested it was important to have lower speed limits and ensure that people felt it was safe for children to walk to school.
- Cllr Scott confirmed that rural areas still had road inspections carried out, that incenses were required for road closures and there would be more enforcement for parking, speeding and for wider issues.
- Cllr Scott offered to return to the Select Committee to provide updates and answer further questions.

The Select Committee thanked Cllr Scott for his attendance at the meeting.

Resolved:

Cllr Scott would be invited to attend a future meeting of this Select Committee.

22. Review of off street parking tariffs

J Warwick (Acting Service Director) introduced the off-street car parks tariffs report and advised the Select Committee that tariffs had not increased since 2015. The

review aimed to ensure tariffs were set at a sustainable level to support the operation of car parks and to assist with budget pressures. Cost benefit analysis and consultation with officers and members had been carried out to inform the proposed changes to off street parking charges, permits and seasons tickets. These were detailed as:

Parking Charges;

- The existing tariffs of £0.20 for 30 minutes, £0.80/£0.90 for up to 1 hour and £1.60/£1.80 for up to 2 hours to be increased by £0.20 across the District. The principle of differential tariff between car parks to be retained.
- To retain the tariffs for stays above 2 hours.
- To extend full tariff on Saturday to apply to all car parks across the District.
- To extend 1 hour free parking on Sunday to 2 hours across the District and increase all day £1.00 charge to £2.00.
- To remove daily 1 hour free charging in Civic Offices Car Park (Sunday free allowance will remain) in consistency with other District car parks.
- To agree full tariffs to be introduced in Beaumont Park Drive Car Park, with a view to exploring satisfactory resolutions for demand.
- To retain free weekend and Bank Holiday parking during the month of December.
- To continue free parking for Blue Badge holders and motorbikes.

Permits & Season Tickets;

- To increase first residents permit charge from £50.00 to £55.00 per annum, in line with on-street charges.
- Introduction of business and residents permits in Cornmill Car Park (Waltham Abbey) and business permits in Oakwood Hill East Car Park (Loughton).
- Season Tickets 5% discount to be retained and prices to be adjusted in line with proposed parking charges.

Operational hours of 08:00-18:00 in all car parks, and

Implementation of changes in tariff would commence in Q1 2022

The review of the off-street car park tariffs also took into consideration the climate change action plan and the need to reduce our carbon footprint and improve air quality in Epping Forest. Car parks were operating at 80% of pre-pandemic income.

The Committee considered and discussed the proposed changes tariffs and raised queries in relation to:

- Electric Vehicle charging points in car parks. J Warwick advised that that a detailed assessment of all car parks had been carried out to assess power supply and infrastructure costs with an external provider and at this stage EV charging was only viable in four car parks. He advised that Langston Road was not an EFDC car park. but that issues with the EV points would be taken up with asset management.
- Concerns were raised in relation to the increased fee for up thirty minutes parking and the impact on businesses and revitalising the high streets. J Warwick advised that there had been liaison with the economic development team, and that research from the British Parking Association and the Government suggested there was no clear relationship between parking charges and footfall. This review suggested a sustainable charge to cover the operational costs. The Select Committee felt this increase would drive members of the community to use areas outside the District that offered free

parking. The Committee requested that an option to keep the first 30 minutes free, with additional increases to fees for longer stays to offset any financial impact should be presented to Cabinet for consideration.

- Members discussed the potential to have an annual payment for occasional use of the car parks and felt this would be advantageous to residents especially where there was restricted hours parking. The Select Committee were advised that this could present operational difficulties but different options would be investigated.
- The Committee were advised that car park payment machines would continue to accept cash and cards. That there were no business or resident parking permits, only season tickets, in the Epping and Loughton Sainsbury car parks.
- Members requested that the service gave consideration to Member parking, with the reduction in parking allocation at the Civic Offices and suggested that parking permits could be issued. Cllr Kane advised he would take this back to Cabinet and J Warwick informed the Select Committee that a variety of options would be developed.
- Members welcomed the two hours free parking on Sundays

Resolved:

To recommend the review of off-street car parking tariff for consideration and approval by Cabinet with the inclusion of the additional options:

- (a) the first 30 mins parking be free of charge, or remain as is, and the financial impact be offset with further increased tariffs for longer stay periods of parking, and
- (b) the feasibility of the introduction of an annual payment system to allow the occasional use of all EFDC car parks for up to 2 hours,

23. Improving Payment Options for Leaseholders

D Fenton, The Housing and Property Director presented a report on improving the payment options for Leaseholders. She advised the Select Committee that properties have a finite life cycle and the Council's residential assets were nearing the point where major investment was required. This could cause a financial strain for leaseholders who have to contribute to the cost of the works. The proposals would assist leaseholders with options for payment and had been benchmarked with similar organisations, these were detailed as:

The Council should review the current Corporate Debt Policy to allow increased payment terms for leaseholders, and

- (a) offer a menu of payment options for resident leaseholders and for non-residential leaseholders who do not sublet more than one EFDC leasehold property where the property is owned by individuals.
- (b) approve that any repayment plan for a sum of £12,500 or above to be secured as a voluntary charge on the property. The administration cost associated with this should be borne by the applicant and would be in the region of £150.
- (c) agree to an interest rate for leasehold payment options based on 0.25% above the average Council lending rate for the previous year for the above.

(d) delegate authority to Director for Housing & Property to consider any applications from leaseholders on the grounds of extreme hardship to vary the length of repayment periods.

(e) delegate authority to the Director for Housing & Property in consultation with the Cabinet Member for Housing and Community the ability to agree payment plans on a project by project basis where leaseholders estimated bills are likely to be in excess of £12,500

The Select Committee:

- Welcomed the approach presented and received confirmation that works were required because of a natural cycle
- Queried if there was a transfer of credit risk and the suggested the rate at 0.25% above lending rate was too low. The Select Committee were advised that the corporate debt policy would mitigate risk to the Council and that additional options would be developed to be presented to Cabinet.

Resolved:

The Select Committee recommended the improved payment options for Leaseholders, with the inclusion of additional options for increased interest rates as part of the major works proposed repayment plan, for the consideration and approval by Cabinet.

24. Dates of Future Meetings

The date of the next meeting was noted as 13 January 2022 at 7:00pm.

25. Exclusion of Public and Press

RESOLVED:

That the public and press should be excluded from the meeting for the items of business set out below on grounds that they would involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2) of the Local Government Act 1972,

Agenda Item No	Subject	Exempt Paragraph Number	Information
9	Waste and Recycling Collection / Street Cleansing Contract	3	

26. Waste Management Contract/Service Options

J Warwick (Acting Service Director) presented a paper on waste and cleansing contract. The Select Committee considered the report.

Resolved:

To recommend to Cabinet an in-principle extension, of up to ten years from November 2021, on the current Waste/Cleansing Contract for approval by Cabinet

CHAIRMAN

STRONGER PLACE SELECT COMMITTEE TERMS OF REFERENCE 2021/22

Definition of Stronger “Place” Select (Scrutiny) Committee

To consider Epping Forest District as a physical Place and to scrutinise the direction, policies and projects of the executive that affect the spatial and infrastructure requirements of the Epping Forest District.

The Committees Areas of Responsibility (Scope)

To consider the impact on customers, residents, businesses and visitors to our District, and to respond to consultation activities.

Sources of Information

Epping Forest DC Corporate Plan 2018-2023

Local Plan Submission Version, including Main Modifications.

Departmental Business Plans

Cabinet Corporate Aims and Objective 2021/22

Cabinet Work Programme 1 July to 31 October 2021

Key Objectives

1. To develop a work programme each year that effectively scrutinises the areas of responsibility outlined above.
2. To engage in policy review and development, with a focus on improvement and how this can be best achieved.
3. To consider any matter referred by the Overview and Scrutiny Committee, Cabinet or a Portfolio Holder and to make recommendations as appropriate.
4. To establish working groups and task and finish panels to undertake any activity within the terms of reference.
5. To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers to help develop policy.
6. To engage with the community and encourage community engagement.
7. District Wide Management Contracts and provide scrutiny of services that are not performing to standard and develop proposals for their improvement.
8. To monitor and review relevant projects and associated closure and benefits reports.

To provide scrutiny for the following corporate projects:

1. Local Plan Delivery, Infrastructure Delivery Plan, S106 Agreements, associated parking
2. Epping Centre Development - St. Johns Road
3. North Weald airfield development (including master-planning)

4. Council Housebuilding
5. Economic growth, skills and employment
6. District Wide Waste Management Provision

To have overview of the green agenda – helping to inform policy and future proofing the Place.

To maintain an awareness of the impact of relevant external policies and partners.

**Stronger Place Select Committee
Work Programme 2021/22**

Stronger Place Corporate Programme Alignment focuses on corporate objectives and our response to Covid-19 recovery.

No.	Item	Deadline	Progress and Comments	Member /Officer	Programme of Meetings
1	Harlow and Gilston Garden Town (HGGT) – Transport Strategy	tbc	To be considered by O& S 18 Nov 2021		22Jun-2021 23-Sept-2021 4-Nov-2021 13-Jan-2022 15-Mar-2022
2	Local Plan	tbc	Update on Main Modifications		
3	Branding of the Ground Floor of the Civic Offices	23 Sept 2021	COMPLETED		
4	PAH & Whipps Cross	13 Jan 2022	MOVE TO O & S		
5	Waste Management	4 Nov 2021	Contract/service options and retender -COMPLETED	J Warwick	
6	Off-Street Car Park Tariff Review	4 Nov 2021	COMPLETED	J Warwick	
6	Littering	tbc	Consider littering across the District		
7	District Wide Leisure Services Development		Further to discussion at O & S 12 Oct 2021 (minute no 47 and 49) this item will be discussed at the next joint meeting in January 2022.		
8	Town Centre Progress Report	13 Jan 2022		John Huston	
9	Public Transport services including Taxis.	15 Mar 2022			
10	Traffic control, Cycle Lanes, Electric Scooters. Electric charging	15 Mar 2022			
11	Highways.	tbc	Covered by item 18		
12	Country Care	tbc			
13	Land Drainage	tbc			
14	Flooding and SuDS	tbc	Dependency on several agencies: Environment Agency/Highway		
15	Tree Preservation.	tbc			
16	Climate Change		Considered by O & S		

17	Enforcement	13 Jan 2022	Report from Cllr Burrows		
18	Essex Highways	4 Nov 2021	External update form ECC Portfolio Holder _COMPLETED		
19	Waste management	13 January 2022	NEW ITEM Additional waste container costs	James Warwick	



Report to Stronger Place Select Committee

Date of meeting: 13 January 2022

SCRUTINY

Portfolio: Finance, Qualis Client & Economic Development



Subject: Town Centre Programme Review

Officer contact for further information: Paul Messenger, Town Centre Manager

Democratic Services Officer: Laura Kirman (01992 564243)

Recommendations/Decisions Required:

To review and comment on progress on the town centres programme.

Report:

1. High streets have been under significant pressure nationally with the impact of changing retail patterns and in particular the ongoing challenge of retail spent shift online. These structural challenges have been significantly exacerbated by the impact of the pandemic nationally and locally. In response the council commissioned reviews into each town centre focusing on key challenges and opportunities. These reports were endorsed by Cabinet in 2021 and a new town centre project manager post created to lead this work. A central theme of these reports is to build strong collaborative partnership working with key stakeholder on the high street, public and private and develop a clear common approach to investment and management. The Council have also re-established the High Street Task and Finish panel which met in December 2021 and also reviewed progress on the town centre programme.
2. Significant work has been undertaken in delivering the plans agreed by cabinet and in supporting high street businesses throughout the pandemic.
3. The presentation attached at appendix 1 gives an overview of the work that has been undertaken, highlights recent advice and guidance from national bodies on high street regeneration, and provides an update from the latest high street vacancy survey carried out within the district in the Autumn.
4. Currently high streets in the district, despite major challenges from the pandemic and structural changes in spending patterns, remain in a significantly stronger position than many similar areas in the country. However, the trend identified around the impact of online retailing and on national policy papers indicate that there is no room for complacency.

Reason for decision:

To consult in a timely fashion with elected members and provide guidance for future work.

Options considered and rejected:

To not develop a co-ordinated approach to supporting our high streets in partnership with other stakeholders.

Consultation undertaken:

In developing the town centre reports significant time was spent in consultation with key stakeholders on each high street, pandemic allowing. The TCPM remains in constant contact with Town Centre Partnerships, Town Councils and other stakeholders and this has been used to shape the councils approach to this work. The High Street Task and Finish Panel meeting in December 2021 was also consulted in reviewing the work.

Resource implications:

There are no resource implications arising directly from this report.

Legal and Governance Implications:

None arising directly from this report.

Safer, Cleaner, Greener Implications:

Essential theme from the town centre reports have been of the need to put in place programmes that make our high streets safe, attractive, accessible places for our residents and visitors to enjoy and use.

Background Papers:

Six town centre reports on each of the districts main high streets – available at:

<https://www.eppingforestdc.gov.uk/business/town-centre-regeneration-studies/>

Impact Assessments:

The work of the team is constantly assessed for impact.

Risk Management

The town centre work is included in the council risk management programme.

Equality:

The program is based on ensuring all stakeholders have input and the opportunity to play a role in shaping the project.



Stronger Place Select Committee

Town Centre Regeneration – An Update.

Paul Messenger *FIPM*, Town Centres Project Manager

Agenda

- Our changing High Streets
- Epping Forest
- The benefits of a buoyant Town Centre
- The Covid effect
- EFDC Town Centre Action Plan
- The future
- Conclusion
- We need you!
- Questions

Our changing High Streets

- Generally in decline
- Increased competition from supermarkets & online retailers
- Mass exodus of brands/national chains
- Banks and Post Offices closing
- Continued attractiveness of retail parks and some shopping centres
- Reduced footfall – for various reasons
- High rent, rates and overheads
- Loss of planning regulation on High Streets
- National (High Street) vacancy rates – 14.5%

Epping Forest

- High streets appear to be fairly resilient
- Vacancy rates less than 9% (Nationally 14.5%)
- Mainly independent retailers
- Not many national chains/brands
- Work from home - helping to keep people local
- Buoyant and fairly loyal communities
- Each town is different / has different USP

The benefits of a buoyant Town Centre

- Increases social value of a town
- Provides benefits to economic and environmental wellbeing
- Increase social wellbeing and community value
- Can give people pride in their place – which can help reduce crime and vandalism
- Supports local businesses
- Encourages new businesses and nurtures retail innovation
- Brings people together

The Covid effect

- Devastating
- Massive loss of footfall and trade
- Mental stress
- Spiralling debt & financial pressure
- Uneven playing field - supermarkets able to sell “non-essential” goods

- More people working from home and using local shops
- Great community spirit and support

EFDC Town Centre Action Plan

- Commissioned independent Town Centre reports on Waltham Abbey, Ongar, The Broadway Loughton, High Road Loughton, Buckhurst Hill and Epping
- Analysis of each town centre and of its strengths and weaknesses
- Provided a range of short term “quick wins” and indication of longer term plan
- Community centre was seen as important
- Consideration of development of areas into 15 minute neighbourhoods
- Importance of all stakeholders working together

EFDC Town Centre Action Plan

- Appointment of:
 - Town Centre Project Manager (12 month contract)
 - Deputy Town Centre Project Manager (6 month contract)
- Supported by the Councils Economic Development Department and with assistance of all relevant Council departments

Completed Works

- Works carried out by Highway Rangers to Waltham Abbey, Ongar, Debden and Buckhurst Hill – refurbishment/repainting of lamp posts, bollards, benches and bins. Levelling of uneven paving, replacement of trees and general beautification of areas to improve the public realm for residents and visitors alike.
- Improved pedestrian areas within Epping to provide for a Covid safe environment and generally improved public realm.

Initiatives underway

Christmas Radio Campaign to promote local high streets

Footfall data capture toolkit

Click It Local- E-commerce solution to support local independent traders.

Loyal Free- Free app for businesses to promote loyalty offers and local events.

Ongar Christmas Lights support

North Weald Christmas Light support

Stanford Rivers Parish Council Christmas Light support

Chigwell Christmas Light Support

Invest Epping Forest Website

Hanging Banner Project

22 temporary planters to be distributed across district.

Federation of Small Business (FSB) - Subsidised membership subscription.

Best Growth Hub Business Support

Parklet Programme for Waltham Abbey

Shopper/Residents Survey

Business Survey

Town Centre Entertainment

Business Breakfast/NCC

Extension of High Street Ambassadors Project

Other works and initiatives

- Significant capital investment by Qualis in the Town Centres
- Consultation underway for a new Epping Forest District Market Policy
- Consider new permitted development rights on High Streets and consideration of Article 4 Direction for pre-determined areas and/or sections of our high street to help protect their fabric.
- Continuous work to build relationships with Town/Parish Councils and Town Partnerships with a view to pulling together town teams to plan and execute a future for each of our high streets and town centres.

The Future

- Currently in a Covid “fog” and have been for 2 years – which is distorting planned town centre regeneration
- Current initiatives are short term funded by short term Covid support from central government.
- Plan for the medium to longer term
- Longer term initiatives determining and/or developing each towns USP
- Continued work with Town/Parish Councils, Town Partnerships and other key stakeholders to regenerate and re-invigorate our town centres with the drivers of Localism, Leadership and Sustainability for the benefit of future generations.
- Your attention is drawn to the Grimsey Review Research Paper, Against All Odds (available at: <http://www.vanishinghighstreet.com/wp-content/uploads/2021/07/AgainstAllOdds-REVIEW-16th-July-optimised.pdf>)

Conclusion

- A good start
- Still a massive amount to do
- Need an effective digital element – Digital Innovation Zone (DIZ)
- Make towns destinations in their own right
- Provide services and facilities you can't get online
- Bring people and communities together
- Long term District Council, Town/Parish Council, business & community commitment, support and budget



- To provide clear, stable, and well communicated leadership
- To value the independent retail and service sector
- To accept responsibility for your town centre and high street
- To provide a clear visionary plan (built with stakeholders) for your town centre
- To ensure a true corporate approach is taken throughout the whole local authority toward delivery of the plan
- To structure Council delivery to best support the needs of the town centre, (it is not uncommon for up to five or six different departments to be involved in operating its town centre functions each with separate budgets, responsibilities, etc.)
- To accept that the cost of maintaining and sustaining a vibrant, clean, safe, and environmentally friendly town centre are core functions not underpinned by a commercial model driven by charges and fees
- To provide safe, affordable incubation and start up space with appropriate help and support.
- To support and actively pursue local social value.
- To ensure effective partnerships with police and partners for town centres to be safe
- To value and support the arts and culture contribution to town centres and community
- To ensure the Councils own services and facilities are in and around its town centres (leisure, sport, health etc.)

Any questions?

This page is intentionally left blank



SCRUTINY



Report to Stronger Place Select Committee

Date of meeting: 13 January 2022

Portfolio: Programmes and Projects

Subject: Enforcement Review

Officer contact for further information: Nick Dawe (01992 562541)

Democratic Services Officer: Laura Kirman (01992 564243)

Recommendations/Decisions Required:

To consider and comment on the content of the report and provide recommendation to Cabinet on the enforcement review.

Report:

The details of the enforcement review and suggested actions for consideration by the Stronger Place Select Committee are detailed in Appendix A.

Reason for decision:

To consult with elected members and provide guidance for future work and recommendations to Cabinet.

Options considered and rejected:

Consultation undertaken:

Resource implications:

There are no resource implications arising directly from this report.

Legal and Governance Implications:

None arising directly from this report.

Safer, Cleaner, Greener Implications:

Background Papers:

n/a

Impact Assessments:

Enforcement work is constantly assessed for impact.

Risk Management

Enforcement work is constantly assessed for impact.

Equality

This page is intentionally left blank

Enforcement Review

1. Introduction

Members have raised concerns around the process of enforcement, the time it takes to carry out enforcement activities, the lack (of local councillor) knowledge of the progress and outcomes investigations and enforcement activity itself, both local and that governed by the legal system.

In addition, there were concerns around the “vigour” exercised by officers in exercising enforcement activities, noting that the standard approach to enforcement requires investigation, discussion and encouragement before legal action is considered.

It is also worth noting that if legal action is carried, the timetable for that action is often determined by the judicial system, and involves the incurrence of additional costs, not all of which can be subsequently recovered.

A review of enforcement activity by Cllr L Burrows was as a result commissioned by the Leader, with the results of that review being reported in summary to Cabinet and to the Place Select Committee.

2. Data Gathering

The review was carried out in stages over the months of August and September.

The review covered the bulk of the enforcement activities operated by the authority, e.g., planning, environmental health, building regulation, noise etc.

The review was carried out with the input of the following named officers, Nick Dawe, Andrew Marx, Sally Devine, Mandy Thompson, James Warwick and Darren Goody.

Stage 1 : Each Department was asked to complete a proforma. A copy of the completed proformas is shown at Appendix A.

APPENDIX A

Stage 2 : A follow up discussion was held with officers to explain the operation of their service in respect of enforcement.

Stage 3 : Involved the identification of improvements and the action of those that can be implemented immediately. (This is the position reached now).

Stage 4 : Produce full business cases for more significant projects as part of the 2022/23 Budget Setting Exercise.

Stage 5 : Implement strategic improvements during 2022/23.

Stage 6 : Review August/September 2023/2024.

3. Priority Actions

The conversations with lead officers took place during the months of August and September based upon the analyses provided.

The conversations led to discussion as to how areas of enforcement could further improve, noting that the enforcement rates are already comparatively high.

The following suggested actions resulted from the session with managers:

Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Implement same system for environmental health and technical (enforcement services) as is currently being implemented for Planning and HRA.	<ul style="list-style-type: none"> • Would enable more self-service and self-checking of status by customer. • Would allow members real time access to ward-based information. • Would allow routine flagging of issues between teams. • Would reduce burdens on call centra that currently only give generic answers 	<ul style="list-style-type: none"> • In line with current IT strategy but would need prioritisation of expanded use of “sales force” system (HRA and Planning systems currently being implemented. • Need to confirm approach to DDA relating to ward-based information to councillors. • The extended system will require investment, though savings should exceed costs over time. This need to be quantified. 	12-18 months	<p>Recurrent costs of new system will be covered by reducing running costs of current systems.</p> <p>Project and implementation costs need to be identified via a business plan (work on this ready to commence).</p> <p>Initial estimate of project costs, £250,000</p>
Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Provide member training and familiarisation for enforcement (currently only planning enforcement covered)	<ul style="list-style-type: none"> • Would ensure all members understood the various enforcement activities carried out, how officers operate between teams, the approach to enforcement and the correlation with outside agencies 	<ul style="list-style-type: none"> • Increase understanding of processes, approaches and limitations as well as joint work within the Authority and with other partners. 	1-3 months plus annual refresher briefings	Minimal cost of delivered in-house. Cost of approximately £5,000 if externally facilitated

Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Improve liaison between services (before benefits derived from shared system)	<ul style="list-style-type: none"> Major issues already have a joint team approaches, but this will now include lesser issues of broad concern. 	<ul style="list-style-type: none"> Increases the benefits that arise from concerted action where there are multiple issues of enforcement in play. 	0-6 months	None
Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Provide weekly/monthly ward-based update summary of enforcement activities (noting that this will need to be NDA, non-disclosure agreement, compliant document).	<ul style="list-style-type: none"> Would allow members to understand the issues currently being investigated and enforced updated either weekly or monthly, Specific questions posed by Councillors would still be answered). 	<ul style="list-style-type: none"> An interim solution that would operate until same facilities would be available to members using a full IT solution. 	0-3 Months	<p>Until improved systems are implemented will require additional clerical/support staff.</p> <p>An initial estimate of costs is between 1 and 2 members of staff at £25,000 - £50,000.</p>
Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Allow specified managers to seek specialist legal advice directly (saving time which is critical in terms of serving injunctions).	Speedier access to specialist advice and legal action with control of access exercised by specialist officers (currently only the monitoring officer).	Need to ensure access directly only occurs when it is time critical.	Immediate	Nil, the majority of any additional legal costs can be recovered by award of costs.

Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Ensure costs of all enforcement activities where practical are charged back to those at fault, e.g., signage removal.	Ensure EFDC is protected from costs and that these are recovered. This is essential particularly if enforcement activity will increase.	Each team to review implications and adjust procedure notes accordingly.	0-6 months	Neutral to small financial gain
Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Review default actions regarding certain planning and other enforcement issues.	To enable more rapid enforcement action where timing is critical, e.g. incursions onto land.	Need to ensure approach is reasonable and proportionate if legally challenged	3-9 months	Nil, the majority of any additional legal costs can be recovered by award of costs.
Suggested Actions	Outcomes	Observations	Timeframe	Cost and Savings
Identify an enforce (with NEPP and ECC) key junctions, footpaths, and areas outside schools.	Improve access to footpaths for disable and those with prams in particular, improve air quality and general amenity values.	Need to confirm a priority list that also takes account of air quality, SAC and other issues and that enforcement does not displace the problem or creates clearer “rat-runs” in residential streets.	6 months for first priority projects then a rolling programme agreed with NEPP	Aim would be that fines would pay for enforcement activities however it will be critical to ensure any capital works are moderate and or multi-purpose, i.e. provide electric vehicle charging ports.

4. Next Steps

The next steps will be after consideration by Place Select Committee in January. The paper with alterations as needed will pass to Cabinet for decision making in February or March.

With any alterations as necessary the report will formally be taken to February 2022 Cabinet.

Actions requiring a formal business case will have such a case formalised as part of the 2022/23 Budget Setting Exercise, which will be subject to Cabinet consideration and Council approval in February 2022 and will commence from April 2022.

5. Appendices

Detailed returns available upon request.

Report to Stronger Place Select Committee

Date of meeting: 13 January 2022



Portfolio: Environmental and Technical Portfolio (Councillor Nigel Avey (Portfolio Holder))

Subject: Introduction of Charging for Additional/Replacement Waste Containers.

Officer contact for further information: James Warwick

Democratic Services Officer: Laura Kirman 1992 564342

Recommendations/Decisions Required:

To agree to submit a recommendation to Cabinet to introduce charging residents and developers for waste containers. This report makes the following recommendations:

- 1) This report recommends that the additional food and garden bins (AF&GB) are renamed 'garden waste bin'.
- 2) That residents are charged for the assessment, issuing and delivery of the garden waste bins.
- 3) That residents that request a larger refuse bin above the standard service offered to residents of a 180-litre bin to be charged for the assessment, issuing and delivery of the larger waste bin.
- 4) That if a bin is completely lost or a resident cannot produce their bin, the replacement cost should be down to the resident. However, where a bin can be repaired the repair will continue to be free of charge to residents.
- 5) That when residents reports that a bin is broken, the resident must state what is broken, e.g., wheels, lids etc so that an effective repair can be carried out instead of replacing the bin.
- 6) That developers cover all the costs of providing all (Waste & Recycling) new bins and containers required by a new residential development.

Report:

1. Under the Environment Protection Act 1990 we can require residents to present their waste in a proscribed way and in containers that we specify. Under this legislation we may charge for the issue of containers. This authority has never charged for replacement containers and only on certain occasions for new developments. Since the introduction of wheeled bins, the costs have increased in line with manufacturing increases and the free availability of replacement wheeled bins and other waste containers have resulted in a high demand and costs to Epping Forest District Council. The numbers of replacement/new waste containers and the costs for the last three calendar years are shown in Appendix A.

2. The current open-ended policy concerning waste containers has always created a constant demand for additional waste containers especially when there is no cost that affects the resident. The waste management team have had to spend time and money removing additional unauthorised waste containers where residents have ordered replacements because they are lost but then the waste management team find that residents still have their original bins and present them for collection with the new replacement container.

3. There are four main categorises of requests that require Epping Forest District Council to pay for additional or replacement waste containers and the options below relate to one off charges.

- **Additional food & garden bins (AF&GB)**

4. These are issued to residents who report that they cannot cope with their garden waste and that they comply with policy criteria. A number of other Local Authorities charge for the collection and the containers of garden as allowed under legislation.

5. This report recommends that the additional food and garden bins (AF&GB) are renamed 'garden waste bin'. Waste Management have not had an instance of one property out of the 1,679 assessments carried out (and out of those 610 authorised) AF&GB ever producing more than 180 litres of food waste per week. The additional waste generate is purely garden waste.

6. As the garden waste bin is above the standard service offered to residents of a 180-litre bin the costs of providing this is recharged to the resident. The report does not propose to charge for the collection of garden waste but does recommend that residents are charged for the assessment, issuing and delivery of the garden waste bins.

- **Larger refuse bins**

7. It is recommended that residents that request a larger refuse bin above the standard service offered to residents of a 180-litre bin to be charged for the assessment, issuing and delivery of the larger waste bin.

- **Replacement bins**

8. It is recommended that if a bin is completely lost or a resident cannot produce their bin, the replacement costs should be down to the resident. However, where a bin can be repaired the repair will continue to be free of charge to residents.

9. If a resident report that a bin is broken, waste management will require for the residents to state what is broken e.g. wheels, lids etc so that they can book an effective repair. This will replace the current situation, where waste management do not know what the issue is that they are dealing with until they carry out a site visit. This will enable the waste management team to make an assessment as to whether the bin can be repaired or needs to be replaced.

10. Appendix B supports this recommendation as the figures show the savings that have been made where waste management have managed to carry out a repair to a bin compared to the cost of replacing the wheeled bin.

11. This new repair system will apply to individual properties where bins and containers are issued to a single property including houses in multiple occupation (HMO's) but not properties served by communal bins of 660 litre and larger. The existing policy will continue.

- Medical and other containers.

12. These bins and containers should remain free of charge.

13. The final recommendation is that developers cover all the costs of providing all (Waste & Recycling) new bins and containers required by a new residential development.

When a developer looks at building new properties, they have to take into account additional costs in addition to actual building costs such as landscaping and S106. It has become common practise across the country that any new properties incorporate the costs of providing all the waste facilities needed for the new properties.

Currently developers pay for the bin compounds, dropped kerbs and all refuse containers above 660 litres. We are just extending this obligation to cover all recycling containers and smaller wheeled bins. These powers are granted to us under the Environmental Protection Act 1990.

Reason for decision:

Epping Forest District Council is facing financial challenges and is always striving to reduce costs of services and identify efficiencies. The cost of the Waste Management Contract continues to rise and present challenges, therefore a review of the options to reduce existing waste container costs has been undertaken. The review recommends that Epping Forest District Council should introduces charges to residents for additional and replacement waste containers.

We have benchmarked with other Local Authorities and found that in line with the best practice elsewhere, many Local Authorities now charge residents for replacement containers when bins are reported lost or stolen. It is believed that residents look after the containers better and keep them off the streets between collections to avoid the replacement costs. This promotes the tidier streets which are so important to our residents.

Options considered and rejected:

Do nothing and continue to supply additional and replacement waste containers free of charge. The costs of this will increase year and year and put a financial strain on the Contract and EFDC.

Resource implications:

The waste management team believe that current revenue costs can be reduced if the above recommendations are introduced. Further work on the savings to revenue costs needs to be undertaken with finance. The recommendations would also generate further savings if we were to repair the bins instead of replacing with new bins, once again, further work on the savings needs to be undertaken with finance. It is proposed that this work will take place before a report is presented to Cabinet and a further report on the savings is made once a full year has been completed with the new changes.

Legal and Governance Implications:

Under the Environment Protection Act 1990 we can require residents to present their waste in a proscribed way and in containers that we specify. Under this legislation we may charge for the issue of containers.

Safer, Cleaner, Greener Implications:

The proposals listed in the report will have a positive impact on the street scene in the District.

There are no adverse implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

N/A

Background Papers:

None

Impact Assessments: Equality.

Risk Management

N/A

Equality:

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. **All Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA.** An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:

- Factsheet 1: Equality Profile of the Epping Forest District
- Factsheet 2: Sources of information about equality protected characteristics
- Factsheet 3: Glossary of equality related terms
- Factsheet 4: Common misunderstandings about the Equality Duty
- Factsheet 5: Frequently asked questions
- Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details

Your function, service area and team: Contracts (Waste Management)

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A

Title of policy or decision: Charging for additional/replacement waste containers

Officer completing the EqIA: James Warwick Tel: 01992 564350 Email: jwarwick@eppingforestdc.gov.uk

Date of completing the assessment: 04/01/22

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>New policy decision</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>Epping Forest District Council is facing financial challenges and is always striving to reduce costs of services and identify efficiencies. The cost of the Waste Management Contract continues to rise and present challenges, therefore a review of the options to reduce existing waste container costs has been undertaken. The review recommends that Epping Forest District Council should introduces charges to residents for additional and replacement waste containers.</p> <p>We have benchmarked with other Local Authorities and found that in line with the best practice elsewhere, many Local Authorities now charge residents for replacement containers when bins are reported lost or stolen. It is believed that residents look after the containers better and keep them off the streets between collections to avoid the replacement costs. This promotes the tidier streets which are so important to our residents.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>Residents will receive the same level of services as they currently do from the Waste Contract and reduce the cost of the service.</p> <p>Will the policy or decision influence how organisations operate? Yes, implement efficiencies, savings and an improvement in services.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>Savings to EFDC</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>Climate Change Action Plan and Policy</p>

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	What does the information tell you about those groups identified? The current contract serves all residents of the District and all residents can access EFDC's waste collection service
3.2	Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision? N/A
3.3	If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary: N/A

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral This service is for all residents regardless of age.	L
Disability	Neutral The service is for all residents and assisted collections can be arranged	L
Gender	Neutral The service is available to all residents.	L
Gender reassignment	Neutral The service is available to all residents.	L
Marriage/civil partnership	Neutral The service is available to all residents.	L
Pregnancy/maternity	Neutral The service is available to all residents.	L
Race	Neutral The service is available to all residents.	L
Religion/belief	Neutral The service is available to all residents.	L
Sexual orientation	Neutral The service is available to all residents.	L

Section 5: Conclusion



		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No	
		L	If 'YES' , use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: 	Date: 04/01/22
Signature of person completing the EqIA: 	Date: 04/01/22

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

Appendix A

	Nov 18 to Oct 19		Price per item	Nov 19 to Oct 20		Price per item	Nov 20 to Oct 21		Price per item	Price per item	3 year total
Food and Garden 180 Bins	2196	£ 49,497.84	£ 22.54	2724	£ 61,398.96	£ 22.54	1892	£ 42,645.68	£ 22.54	£ 2.54	£ 153,542.48
Refuse 180 Bins	1098	£ 24,748.92	£ 22.54	1536	£ 34,621.44	£ 22.54	969	£ 1,841.26	£ 22.54	£ 22.54	£ 81,211.62
Kitchen Caddies	1257	£ 1,282.14	£ 1.02	1128	£ 1,150.56	£ 1.02	1116	£ 1,138.32	£ 1.02	£ 1.02	£ 3,571.02
Refuse 340 Bins	54	£ 1,854.36	£ 34.34	28	£ 961.52	£ 34.34	39	£ 1,339.26	£ 34.34	£ 34.34	£ 4,155.14
Recycling 340 Bins	13	£ 446.42	£ 34.34	49	£ 1,682.66	£ 34.34	24	£ 824.16	£ 34.34	£ 34.34	£ 2,953.24
Refuse 240	170	£ 4,394.50	£ 25.85	203	£ 5,247.55	£ 25.85	165	£ 4,265.25	£ 25.85	£ 25.85	£ 13,907.30
Glass 340	43	£ 2,460.89	£ 57.23	31	£ 1,774.13	£ 57.23	61	£ 3,491.03	£ 57.23	£ 57.23	£ 7,726.05
FW180/W180	638	£ 4,057.68	£ 6.36	1047	£ 6,658.92	£ 6.36	1041	£ 6,506.25	£ 6.25	£ 6.05	£ 17,222.85
Total for all used		£ 88,742.75			£ 113,495.74			£ 82,051.21			£ 284,289.70

This page is intentionally left blank

APPENDIX B

Bin Comparison Costings

	Nov 17 To Oct 18			Nov 18 To Oct 19			Nov 19 To Oct 20			Nov 20 To Oct 21 (Missing OCT)		
	Bin Quantity	Price	Total	Bin Quantity	Price	Total	Bin Quantity	Price	Total	Bin Quantity	Price	Total
Bin Repair Cost	429	£6.36	£2,728.44	638	£6.36	£4,057.68	1047	£6.25	£6,543.75	1041	£6.05	£6,298.05
Bin Replacement Cost	429	£22.54	£9,669.66	638	£22.54	£14,380.52	1047	£22.54	£23,599.38	1041	£22.54	£23,464.14
Savings			£6,941.22			£10,322.84			£17,055.63			£17,166.09
Total Savings	£51,485.78											

This page is intentionally left blank