

Select Committee Agenda



Stronger Place Select Committee Tuesday, 5th July, 2022

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

on **Tuesday, 5th July, 2022**
at **7.00 pm** .

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

Laura Kirman
Tel: 01992 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors R Balcombe (Chairman), R Pugsley (Vice-Chairman), R Bassett, S Heather, S Heap, J Jennings, C McCredie, I Allgood, P Bolton, R Morgan and H Brady

SUBSTITUTE NOMINATION DEADLINE: 6.00PM

WEBCASTING NOTICE

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You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

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 - 6)

To agree the notes of the meeting of the Select Committee held on 15 March 2022.

6. TERMS OF REFERENCE & WORK PROGRAMME (Pages 7 - 10)

(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. LITTER STRATEGY (Pages 11 - 42)

(James Warwick - Acting Service Director (Contracts)) To consider and comment on the Litter Strategy.

8. DATES OF FUTURE MEETINGS

To note that next meetings of the Stronger Place Select Committee will be held at 7.00pm on 13 September 2022.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Stronger Place Select Committee	Date:	Tuesday, 15 March 2022
Place:	Council Chamber - Civic Offices	Time:	7.00 - 8.25 pm
Members Present:	Councillors R Morgan (Vice-Chairman), I Hadley, J Jennings, C McCredie, R Balcombe and M Owen		
Members Present (Virtually):	Councillors A Lion (Chairman), S Heather, S Heap, and J Share-Bernia		
Other Councillors (Virtual):	Councillors N Avey, N Bedford, L Burrows, J Philip, D Sunger and J H Whitehouse		
Apologies:	Councillor R Bassett		
Officers Present:	L Kirman (Democratic Services Officer), N Dawe (Chief Operating Officer) and R Moreton (Corporate Communications Officer)		
Officers Present (Virtually):	S Lloyd-Jones (Sustainable Transport Officer) and J Leither (Democratic Services Officer)		

36. WEBCASTING INTRODUCTION

The Vice 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.

37. SUBSTITUTE MEMBERS

There were no substitute Members at the meeting.

38. DECLARATIONS OF INTEREST

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

39. NOTES OF PREVIOUS MEETING

That the minutes of the meeting held on 13 January 2022 were agreed as a correct record.

40. TERMS OF REFERENCE & WORK PROGRAMME

Clarity was provided that the term spatial did include farmland and covered all areas and activities under landscape and place. The Select Committee noted their terms of reference and work programme.

41. TRANSPORT STRATEGY AND SUSTAINABLE TRANSPORT

The Select Committee were advised on the Strategic Overview and Status of the Transport Strategy and Sustainability by Stephen Lloyd Jones (Sustainable Transport Officer). This included: off-street electric vehicle (EV) charging; on-street EV charging, licensed minicab engagement and DaRT87 Demand Responsive Transport.

Details of the approach and proposals for off and on street EV charging schemes were highlighted. Alternative models for the delivery of EV charging points were being considered in areas where the Council or Parish Councils had some control. The Committee were advised that an integrated approach to EV charging was required, ECC had a critical role and there were opportunities for a combined approach with the private sector.

The Sustainable Transport Officer informed the Select Committee that the licensed mini cab base was a high local mileage user group in the district, whose vehicles were kept at home, and over 50% had no viable means to charge an EV. This group were aware of the business advantage of EV, acquisition costs and viable means to charge a vehicle were the key barriers to the adoption of EV and work would continue with this group. A paper would be presented to the Licensing Committee on 21 March 2022.

The Committee were informed that an additional years funding had been approved by Cabinet for DART 87 'hybrid' Demand Responsive Transport (DRT), this was a bookable service operated by Epping Forest Community Transport. ECC were developing a bus service improvement plan and the Council was working with ECC on the cycling legacy from Ride London.

The Committee considered the report and suggested that: the location, numbers and priority areas for on-street charging point requirements should be developed to allow effective liaison with Essex County Council, they were advised that there was an array of information available but this needed to be collated. The Committee also suggested that car clubs could be of value to the district, the officer detailed that the population density was not high enough to attract car club providers at this stage, although there was scope in the future developments near stations.

The Committee commented on the environmental pressures created by paving over front gardens and that greater consideration needed to be given to the balance between the restrictions on driveways, street parking pressure and charging points without trailing leads across the pavements. They also raised concerns on how communal charging points, especially in housing estates, could be controlled so that these spaces were not just used for parking.

The Committee noted that Essex County Council was responsible for highways including street furniture and lampposts and that concrete lampposts or lamp columns set away from the edge of the road were not suitable as electric charging points.

The Portfolio Holder, N Bedford, suggested that the uptake of home electric charging points at the point of EV purchase by private residents and Motability users should be encouraged. He confirmed that this work was being considered by the Portfolio Advisory Group on Air Quality and encouraged any member to come forward with ideas that could be given to the group for consideration.

The Committee noted that Cllr L Scott, Highways Portfolio Holder for ECC had offered to attend a future meeting and suggested that he could update the Select Committee on EV charging points and the bus improvement plan.

Resolved

The contents of the report were noted, and comments provided.

42. DATES OF FUTURE MEETINGS

It was noted that this was the last meeting of the municipal year.

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STRONGER PLACE SELECT COMMITTEE TERMS OF REFERENCE 2022/23

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 2022/23**

Chairman:

No.	Item	Deadline	Progress and Comments	Lead Officer	Programme of Meetings
1.	Litter Strategy	5 July 2022	To be considered by Cabinet 18 July 2022	J Warwick	5 July 2022 13 Sept 2022 8 Nov 2022 16 Jan 2023 7 Mar 2023
2.	Local Plan	tbc	Update	N Richardson	
3.	Leisure Services Contract Update	13 Sept 2022	To be considered by Cabinet 17 Oct 2022.	J Warwick	
4.	Waste Management Update	8 Nov 2022		J Warwick	
5.	Parking Update	16 Jan 2023	Update on impact of tariff change and attendance by NEPP	J Warwick	
6.	Sustainable Transport	tbc			
7.	Essex Highways	tbc	External update from ECC Portfolio Holder		
8.	Air Quality Action Plan	16 Jan 2023	To be considered by Cabinet 13 March 2023	M Thompson	
9.	Climate Change Action Plan	7 March 2023	Update	N Richardson	

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Report to Stronger Place Select Committee

Date of meeting: 5 July 2022



Portfolio: Contracts and Commissioning Portfolio (Councillor Nigel Avey (Portfolio Holder))

Subject: EFDC Litter Strategy

Officer contact for further information: James Warwick

Democratic Services Officer: Laura Kirman

Recommendations/Decisions Required:

To provide feedback on the Epping Forest District Council Litter Strategy before the strategy goes to Cabinet.

Report:

1. The Litter Strategy (Appendix A) will help to deliver the commitment to the Government's Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019). The strategy for a Cleaner Epping Forest District lays out EFDC's plans to continue its work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government's expectations but also reflect resident's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.

2. This strategy explains how Epping Forest District Council (EFDC) and other relevant partners can meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter. Residents, visitors, and businesses expect to see clean streets and open areas free of litter, weeds and dog fouling. One of the most important measures in improving the appearance of a street or area is street sweeping, it is one of the most important services any council operates. The most obvious benefits of street sweeping are overall appearance, perceived safety and pride in your local area which all help to create a positive and welcoming environment. Whereas the opposite can feel threatening and can give the impression of a run down and value-less area.

3. Officers will work with Keep Britain Tidy to ensure this strategy and associated actions are in keeping with the aspirations of the Governments Litter Strategy.

4. The Delivery of the Litter Strategy will contribute positively towards the Council's environmental polices including its intention to reduce carbon in response to the climate emergency. In addition to statutory performance indicators, success will be measured in the Council's reduced carbon footprint i.e., less waste to landfill. Additionally, the Strategy will provide a platform to engage with partners to enhance the local environment, by securing behaviour change which will positively contribute towards the continuing aspirations of the Council as an area to visit, work and play.

Reason for decision:

The Litter Strategy sets out three principal reasons why the Council needs a litter strategy, namely:

- Publication by the UK Government of the National Litter Strategy for England and the Code of Practice on Litter and Refuse 2019 (COPLAR);
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834331/pb11577b-cop-litter1.pdf
- The importance of maintaining a clean environment and the need for a clear statement of how we intend to achieve this aim.
- The continuing pressure on Council budgets.

Options considered and rejected:

Epping Forest District Council have never had a Litter Strategy, we can continue to operate without a litter strategy, but this strategy explains how Epping Forest District Council and other relevant partners can meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter.

Resource implications:

Epping Forest District Council commits around £1.7m annually on its services relating to litter, fly tipping and street cleansing and the strategy will be used to improve the targeting of these resources. Some of the money spent on street cleansing/litter removal is avoidable – if there was no dropped litter, fly-tipping, or dog fouling then the Council would not need to spend money collecting and disposing of it.

Legal and Governance Implications:

Epping Forest District Council has duties under the Environmental Protection Act 1990 (EPA 1990). There are two duties within section 89 of the Environmental Protection Act 1990 that mean certain organisations (mostly public bodies) are to, as far as is practicable:

1. Keep land clear of litter and refuse
2. Keep roads clean

Duty 1 Section 89(1) of the Environmental Protection Act 1990 places a duty on certain bodies to ensure that their land (or land for which they are responsible) is, so far as is practicable, kept clear of litter and refuse.

Duty 2 Section 89(2) places a further duty on the Secretary of State in respect of motorways (National Highways) and a few other similar public highways, and on local authorities in respect of all other publicly maintainable highways in their area, to ensure that the highway or road is, so far as is practicable, kept clean

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 Change Action Plan and Safer,

Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

Consultation with Environmental Services

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: Litter Strategy
Officer completing the EqIA: James Warwick Tel: 01992 564350 Email: jwarwick@eppingforestdc.gov.uk
Date of completing the assessment: 21/03/22

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 strategy</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>The Litter Strategy will help to deliver the commitment to the Government's Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019). The strategy for a Cleaner Epping Forest District lays out EFDC's plans to continue it's work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government's expectations but also reflect resident's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.</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.</p> <p>Will the policy or decision influence how organisations operate? Yes, an improvement in services.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</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: 23/03/22

Signature of person completing the EqIA:



Date: 23/03/22

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.

Epping Forest District Council Litter Strategy

Working towards a litter free district – turning passive support into positive action.



Epping Forest District Council Litter Strategy

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1. Introduction

Epping Forest District in Essex takes its name from the forest which runs from its southern boundary's northwards and is one of 12 Districts with 2 unitary authorities (Southend on Sea and Thurrock) that form the County of Essex. The district shares boundaries with Greater London and Hertfordshire.

The four main settlements of Buckhurst Hill, Chigwell, Loughton and Waltham Abbey contain more than half the district's population of approximately of 131,100 people. However, this southern area amounts to only five percent of the district. The remaining 95 percent is made up largely of separate market towns, villages and hamlets in attractive countryside. Most of the district is designated within the protective status of the Metropolitan Green Belt and includes Epping Forest.

Local Government Services are provided at three levels by Essex County Council, Epping Forest District Council (EFDC) and local Town and Parish Councils.

Forecasts suggest that the population of the district could rise significantly from the current 131,100 over the next twenty years.

This strategy will help to deliver the commitment to the Governments Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019).

Our strategy for a Cleaner Epping Forest District lays out our plans to continue our work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government's expectations we also reflect our community's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.

This document explains how EFDC and other relevant partners can meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter.

Residents, visitors, and businesses expect to see clean streets and open areas free of litter, weeds and dog fouling. One of the most important measures in improving the appearance of a street or area is street sweeping, it is one of the most important services any council operates. The most obvious benefits of street sweeping are overall appearance, perceived safety and pride in your local area which all help to create a positive and welcoming environment. Whereas the opposite can feel threatening and can give the impression of a run down and value-less area.

Fly-tipping is an issue which effects all areas of the district and can range from the dumping of household waste in black bags to complete trailers left full of commercial waste. The investigation and clearance of these fly tips are time consuming and costly and use resources and money which could be better spent elsewhere.

The Council is committed to a cleaner, greener and safer environment and in providing a clear strategy along with its partners and residents to ensure a cleaner Epping.

2. Background

2.1 Why a Litter Strategy?

This document sets out three principal reasons why the Council needs a litter strategy, namely:

- Publication by the UK Government of the National Litter Strategy for England and the Code of Practice on Litter and Refuse 2019 (COPLAR);
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834331/pb11577b-cop-litter1.pdf
- The importance of maintaining a clean environment and the need for a clear statement of how we intend to achieve this aim;
- The continuing pressure on Council budgets;

2.2 The Council's Message

The Council has ambitions which are detailed in our Corporate Plan 2018-2023 which outlines its priorities

- Stronger communities
- Stronger Place
- Stronger Council

Striving for a cleaner, greener and attractive district in which businesses and communities prosper, where people feel proud to live and work. This strategy is viewed as underpinning and complementary to the overall development strategies of the Council.

Land in scope of litter related duties relates to all relevant land of a duty holder. Several factors determine if land is classed as relevant land; generally, that it is publicly accessible land that is open to the air on at least one side and is under the control of the Council or other responsible landowners. This provides the focus of our efforts to reduce litter.

2.3 The Council's Budget

Epping Forest District Council commits around £1.7m annually on its services relating to litter, fly tipping and street cleansing and the strategy will be used to improve the targeting of these resources. Some of the money spent on street cleansing/litter removal is avoidable – if there was no dropped litter, fly-tipping, or dog fouling then the Council would not need to spend money collecting and disposing of it.

However, much of the spend will always be necessary given the Council's duty to keep roads clean (which in turn is a matter of safety) which means that roads must be cleansed to remove litter and detritus which naturally collects on roads and streets.

Councils, including EFDC, have had over many years to deal with tighter budgets, which has resulted in the constant need to examine new ways of fulfilling its duties with reducing

resource. It is, however, clear that resources are likely to be under continual pressure over the coming years.

Given this continuing pressure together with the Council's legal duty and the undoubted benefits to the wider community of maintaining a clean environment to live and work in means that we look to all the community to help in delivering the strategy and using litter bins and taking our litter home to achieve this. Pride in our area must make littering an anti-social behaviour and organisations including youth and schools must help us in educating the importance of this message by *turning passive support into positive action*.

Importantly the emphasis must change from it's the council's responsibility to clean up the mess to preventing the litter and fly tipping in the first place.

3. Council's Legal Duty – Clearance of Litter and Refuse

3.1 The Council's Legal Duty

Epping Forest District Council has duties under the Environmental Protection Act 1990 (EPA 1990). There are two duties within section 89 of the Environmental Protection Act 1990 that mean certain organisations (mostly public bodies) are to, as far as is practicable:

1. Keep land clear of litter and refuse
2. Keep roads clean

Duty 1 Section 89(1) of the Environmental Protection Act 1990 places a duty on certain bodies to ensure that their land (or land for which they are responsible) is, so far as is practicable, kept clear of litter and refuse

Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations

Refuse should be regarded as having its ordinary meaning of waste or rubbish, including household and commercial waste, and can include fly-tipped waste. Dog faeces are to be treated as if they were refuse, when on certain descriptions of public land (Dog fouling is a separate offence from littering.)

Duty 2 Section 89(2) places a further duty on the Secretary of State in respect of motorways (National Highways) and a few other similar public highways, and on local authorities in respect of all other publicly maintainable highways in their area, to ensure that the highway or road is, so far as is practicable, kept clean

3.2 The Legal Duty and where it applies

The Environmental Protection Act 1990 places a duty on the Council to ensure that streets/roads and open spaces are, **so far as is practicable**, kept clear of litter and refuse.

What this means

The duty means that the Council and responsible landowners must remove litter and/or refuse within certain time limits.

Where it applies

The duty applies to roads/streets and pavements and other open spaces areas accessible by the public.

3.3 The Legal Duty for Clean Roads

The Environmental Protection Act 1990 requires the Council to keep roads, as far as is practicable, clean.

This duty means that the Council and National Highways should keep litter and refuse by removing it within certain time limits as set out by the Code of Practice 2019.

This duty applies to all roads (the metalled surface which means the tarmac top) under the Council's control (this excludes motorways which are the responsibility of the National Highways).

4. The Code of Practice

4.1 Zoning

The updated Code of Practice on Litter and Refuse 2019 (COPLAR); introduces a new zoning system to help Councils categorise their area which in turn allows it to define how quickly each zone should be returned (when littered) to a litter free standard.

The details of the requirements for Epping Forest District are specified below.

Each zone is examined in terms of its capacity to generate litter by determining:

- The intensity of activity in the area, from people and vehicles
- Health and safety limitations

As such, this revised Code has re-classified the different types of land managed by duty bodies into four main zones, based on these two variables. It is anticipated that this will help to guide duty bodies on the intensity of management required.

The classifications of zones are

- High intensity of use (busy public areas)

- Medium intensity of use ('everyday' areas, including most housing areas occupied by people most of the time)
- Low intensity of use (lightly trafficked areas that do not impact upon most people's lives most of the time)
- Areas with special circumstances (situations where issues of health and safety and reasonableness and practicability are dominant considerations when undertaking environmental maintenance work)

In addition to the classified Zones above Epping Forest District Council in line with their current Waste and Street Cleansing Contract also has a further classification for High Zones, classified as Z. These will be areas within the High intensity classification which are allocated street cleansing on a daily schedule but receive additional street cleansing up to three times a day based on the intensity of use.

The graded standards shown below are as defined in the original Code of Practice on Litter and Refuse issued under section 89(7) of the Environmental Protection Act 1990.

For litter and refuse:

Grade A: No litter or refuse

Grade B: Predominately free of litter and refuse apart from some small items

Grade C: Widespread distribution of litter and/or refuse with minor accumulations

Grade D: Heavily affected by litter and/or refuse with significant accumulations

For detritus (to be removed on metalled highways and recommended to be removed on all hard surfaces):

Grade A: No detritus

Grade B: Predominately free of detritus except for some light scattering

Grade C: Widespread distribution of detritus with minor accumulations

Grade D: Heavily affected by detritus with significant accumulations

4.2 Timings

The Code of practice expects Duty bodies to set their cleansing schedules so that they meet the duty to keep their relevant land clear of litter and refuse, and highways clean.

In some areas, these standards can be effectively maintained during daylight hours. However, in others longer hours of management are required, for example, in town and city centres. If the standard in high intensity areas should fall to an unacceptable level during the evening, it should be restored to grade A by 8am. Good practice would be that grade A is achieved earlier, by the time the area begins to get busy. This applies to weekends and bank holidays as well as weekdays.

Epping Forest District Council operates at two levels with COPLAR 2019 and its own specification of fortnightly street cleansing schedules and Z High Zones.

4.3 The Code of Practice and clean roads

The Code of Practice suggests that:

- A regular sweeping and maintenance schedule should be prepared to allow the duty to be met.
- It would be good practice to cut back vegetation that grows on to the road/pavement surface.
- Weed control is implemented and effective.

4.4 Standards

The Code of Practice defines standards (A-D: A being clean) that the Council must meet. Restoration to a clean condition must take place within a set period of time unless there are difficult circumstances such as snow and ice.

The Council intends to meet its statutory obligations, and the standards detailed above, by implementing, monitoring and reviewing the actions in this strategy.

The Council in turn expects each of its partners (including the wider community) and duty bodies particularly in relation to Roads, Essex Highways and National Highways through its contractor, to do likewise.

4.5 Keeping Motorways Clean

National Highways is responsible for maintaining a litter free and clean motorway network.

Both the M11 and M25 run through the Epping District with junctions at Waltham Abbey, Loughton and North Weald.

The relevant standards are available as Appendix II to this document.

5 Accountability

5.1 What this means

Accountability means that we can be judged on how well we are performing against both the actions and aspirations contained in this strategy.

To be accountable we must make our performance and other information easily accessible. We already do this through publicly available committee reports which we will continue to do so

5.2 Monitoring our Work

Monitoring of work and standards will be undertaken by the contractor's operational staff who carry out the cleansing work on the day. EFDC Waste Management Officers will also inspect streets that are on the schedule and due to be cleansed either on the day or the day after through random inspections. Random inspections should cover a total of 25% of the scheduled work due to be done in an officer's area in any one day

Alongside the random inspections of scheduled work EFDC also conducts its own key Performance Indicator (KPI) for Litter and Detritus. Whilst based on NI195, inspections are conducted quarterly with 320 inspections with a total of 1280 inspections annually and the targets for each are as follows

- Litter 5%
- Detritus 7%

We will undertake the training necessary to make this "self-assessment" process robust and auditable.

We will also use the following devices to monitor our work:

- Customer surveys
- Complaints
- Independent Quality Inspections (Ricardo Energy & Environment) APPENDIX III

5.3 Reporting Progress

The key indicators which are reported annually are:

- The Cost (£) of Street Cleansing per household;

Currently in the financial year of 21/22 the costs are

Cleansing core	£1,568,972.47
Other costs	£162,926.32 (estimated)
Total	£1,731,898.79
Total estimated house holds	56949 (1.11.21)
Cost per household	£30.41

Performance of the service is monitored by the Council through reports to the Waste Partnership Board. This board is normally held every quarter in January, April, July and October of each year.

Information on aspects of the strategy will be placed on the Council website.

We will work with our neighbouring Councils to identify where efficiencies can be created in cross-working and to review any policy changes that may affect each other i.e. may lead to an increase in fly-tipping at Council boundary.

We will work with Keep Britain Tidy to ensure this strategy and associated actions are in keeping with the aspirations of the Governments Litter Strategy.

The Delivery of the Litter Strategy will contribute positively towards the Council's environmental polices including its intention to reduce carbon in response to the climate emergency. In addition to statutory performance indicators, success will be measured in the Council's reduced carbon footprint i.e., less waste to landfill. Additionally, the Strategy will provide a platform to engage with partners to enhance the local environment, by securing behaviour change which will positively contribute towards the continuing aspirations of the Council as an area to visit, work and play.

6. Enforcement

6.1 Enforcement Strategy

Enforcement whilst important it is only one tool which can help keep Epping Forest District clean. It must be recognised that it is a measure of the failure of a programme to successfully change behaviour. However, equally it must be recognised that it can help in changing behaviour.

The single most significant limit on enforcement is its sheer cost both in monetary terms and in the time demands made of officers.

To maximise efficiency the overall focus of enforcement is to compliment the other actions specified in this document, to illustrate the Council's commitment to maintaining a clean Epping Forest District and importantly to be primarily preventative.

6.2 Prevention

Our enforcement focus is to reduce the need for the Council to spend time and money removing materials which needn't arise on the street in the first place or which can and should be removed by others who benefit from either the sale of "littering materials" or from a clean environment.

This is the only way of reducing costs and at the same time maintaining/ improving standards.

6.3 Actions

The overall aim of the Council's enforcement policy is first and foremost prevention.

The Council will, with its partners (use all its enforcement powers (as detailed in Appendix V) to achieve this aim.

7. Actions

7.1 Partnerships

To ensure the Councils commitment to a cleaner, greener and safer environment and in providing a clear strategy along with its partners and residents to ensure a cleaner Epping we are committed to the following actions

7.2 Working with internal partners

- Essex County Council
- Housing Management and Home Ownership
- Housing Options and Older Persons Services
- Planning Policy and Implementation
- Development Management
- Technical services
- Community, Culture and Well Being
- Community Resilience

7.3 External Partners

- Town and Parish Councils
- Schools
- Local Businesses
- Volunteer Groups and Individuals
- Housing Associations
- City of London (Epping Forest)
- Rail Companies
- The Environment Agency (Rivers)
- Keep Britain Tidy
- Individual landowners
- Lee Valley Parks

We will continue to provide an effective service and help support other partners and the public to ensure that we try to continue to reduce the amount of litter and debris in the district

- Optimise the use of recycling on the go (RotG) using WRAP guidelines and EFDC policy for the placement of litter bins along with the Litter Bin Installation Strategy
- Continue to support and encourage litter pick schemes with the public and internal and external partners
- Ensure free flowing channels to maximise the capture capacity of our road gully's;
- Regularly review our weed removal programme with Essex County Council
- Ensure our drainage maintenance is optimised to ensure that detritus is not carried on to carriageways and pavements; in contract spec

- Ensure that Waste Management carries out at least 25% of street cleansing inspections on the day of the scheduled cleanse or after.
- Continue the trial of recycling wheeled bins for residents in Rural areas to replace recycling sacks and reduce litter from bags split by vermin.
- Optimise the use of the EFDC Community Champions programme who are local community volunteers that support and spread our EFDC wellbeing messages and initiatives along with organising community litter picks.

8 Council Priorities

8.1 Prevention

The overall aim of this strategy is the prevention of litter, fly tipping and dog fouling along with a reduction of detritus.

By creating a strategy and working with our Duty Body partners, internal and external partners the Council aims to reduce litter and debris placing an emphasis on COPLAR 2019 and its requirements.

The Council will also provide leadership, support and educational advice to those partners and the public to better enable them to understand and achieve the goals of the litter strategy which is to prevent litter and debris.

The aim will be to concentrate our services where they are needed most, whilst maximising the resources that are available and keeping ours costs down. This can be achieved by monitoring outcomes, partnership working and delivering the message of litter prevention and reduction to create a cost effective and efficient strategy

8.2 Service Optimisation

COPLAR 2019 enables the Council to review its priorities which, in turn means that we will also have to review how we adapt and align our services and resources to meet our duties.

All Council services will be made aware of the importance of litter prevention in managing costs and this message will also be conveyed to our school children and young persons via our educational Institutions.

Love Essex is an umbrella brand that acts on behalf of the Essex Waste Partnership and the Cleaner Essex group. Through the Love Essex brand, we aim to inspire Essex residents to reduce the amount of waste they throw away, recycle more and reduce environmental crimes such as littering and fly-tipping.

In addition to the actions contained in this strategy we also expect that each of our Duty Body partners take full responsibility for their spaces; and our other partners including the City of London for Epping Forest along with Town and Parish Councils will make the necessary arrangements in their areas to prevent littering, fly-tipping and dog fouling.

8.3 Monitoring

We will continue to monitor the performance of 'street cleanliness' through contract and random inspections.

We will also identify where efficiencies can be found in the reporting and investigation of litter, fly-tipping and dog fouling incidents across Council services, incorporating the latest technology and prevention approaches to ensure quick resolution.

8.4 Assets & Infrastructure

Whilst the Councils Waste and Street Cleansing Services and its contractor will work together and have a programme of review within the terms of its contract.

To ensure that the Councils requirements are met by the Contractor there are regular performance reviews along with the contractor's assets and systems.

Prioritising the service needs against the Contract Specification and COPLAR 2019 ensures that the Council is ready to adapt its services and ensure that systems are in place to ensure that it is receiving the best value for money.

8.5 Enforcement

Enforcement from an operational standpoint can be uneconomical as it does not directly or immediately cleanse a litter strewn area, and it can also be expensive without any guarantee of success. Using a variety of tools in this strategy should help and with targeted enforcement days will help to achieve our aims.

8.6 Demand Management

Many of the services carried out by the Councils Waste Services are also available to other partners both internal and external along with other Duty bodies.

Some of the demands made on the service are for its waste and litter clearance and the servicing of public events.

Additional work can be carried out as requested as there is a robust system in place with the contractor to carry out work on a set cost depending on time and assets required for a particular request. Alternatively works can be carried out on a regular basis with agreed costs and timetable. This all ensures that the work is carried out to the customers' expectations within the agreed budget and at the agreed time.

We will work with our various contractors to ensure that the environment around facilities, are maintained in a condition which users expect.

8.7 Disposal of Street Cleansing Litter

The costs associated with litter, fly-tipping and dog fouling as stated are avoidable. They not only include the cost of collecting the material but also the cost for its disposal and the loss of material that had it been properly disposed of would have been recycled.

There are also costs associated with the disposal of the mixed waste that is swept and collected from our streets and our street gulley's. The material includes grit and soil and green waste. Disposing of all this material has significant revenue implications.

We will investigate the possibilities of recycling at least some of this material and the associated costs to determine whether there is a cost-effective solution to help reduce the overall revenue burden. We are operating a scheme for reclaiming recycling through our waste management contractor via litter bins and street sweepings/arising.

Below is the total amount of recycling from litter bins and street cleansing sweepings

Jan - Mar 2021 = 555.61 Tonnes

Apr - Jun 2021 = 388.82 Tonnes

Jul - Sept 2021 = 337.29 Tonnes

Oct - Dec 2021 = 487.59 Tonnes

9 Appendices

Appendix I Useful Contacts & Information Sources

ORGANISATION	CONTACT DETAILS
Epping Forest District Council	www.Epping Forest District Council.gov.uk/contact-us/ 01992 564000
Essex County Council Highway Authority	www.essex.gov.uk/ www.essex.gov.uk/roads-streets-and-transport 0345 603 7631
Love Essex Love Essex is an umbrella brand that acts on behalf of the Essex Waste Partnership and the Cleaner Essex group.	www.loveessex.org/
Crime Stoppers (Reporting waste crime)	https://crimestoppers-uk.org/give-information/give-information-online/ 0800 555 111
Environment Agency (responsible for investigating illegal dumping and Environmental Incidents)	enquiries@environment-agency.gov.uk 03708 506 506
Essex Police (powers to fine/prosecute litterers/dog fouling and fly-tippers)	www.essex.police.uk/contact/af/contact-us/ 101
WRAP (Waste & Resources Action Programme) WRAP was established to promote and encourage sustainable resource use through product design, waste minimisation, re-use, recycling and reprocessing of waste materials.	https://wrap.org.uk/
Keep Britain Tidy (information on campaigning)	www.keepbritaintidy.org/home
TFL (Transport for London) Integrated transport authority responsible for meeting strategy	https://tfl.gov.uk/ 0343 222 1234

and commitments on transport in London	
City of London Responsible for the management of Epping Forest.	www.cityoflondon.gov.uk/footer/contact-the-city-corporation epping.forest@cityoflondon.gov.uk 020 8532 1010
National Highways Manage and improve England's motorways and major A roads	www.nationalhighways.co.uk/ Customer Enquiries 0300 123 5000

KEY INFORMATION SOURCES	WEB LINK
The Code of Practice on Litter and Refuse 2019	www.gov.uk/government/publications/code-of-practice-on-litter-and-refuse
The National Litter Strategy	www.gov.uk/government/publications/litter-strategy-for-england
The Environmental Protection Act 1990	www.legislation.gov.uk/ukpga/1990/43/contents
Town and Country planning Act 1990	www.legislation.gov.uk/ukpga/1990/8/contents
Anti-social behaviour Crime & Policing Act 2014	www.legislation.gov.uk/ukpga/2014/12/contents/enacted
Prevention of Damage by Pests Act 1949	www.legislation.gov.uk/ukpga/Geo6/12-13-14/55/content

APPENDIX II

Code of Practice on Litter and Refuse (2019)

Graded Standards

The graded standards shown below are as defined in the original Code of Practice on Litter and Refuse issued under section 89(7) of the Environmental Protection Act 1990. These four grades also correspond to the scales used by local authorities for recording levels of street cleanliness

Cleanliness Litter and Detritus Guidelines	
A	Grade A means that no litter, refuse (or detritus where applicable), is present in the area.
B	The presence of even one small item of litter, refuse (or small scattering of detritus where applicable) downgrades the environment to a B
C	The presence of litter and/or refuse (and/or detritus where applicable) that is significant enough to form a few minor accumulations (grade C)
D	Significant accumulations (grade D) is regarded as unacceptable.
Fly-tipping is the illegal dumping of waste - from a single bag of waste to large quantities of domestic, commercial or construction waste	

APPENDIX III

Epping Forest: Street Cleansing Standards

Quality Inspection Report 30.11.2021

At the time of the inspections, the overall condition of the sites was good, with isolated instances of graffiti or flyposting found at only two (2) sites (7%) and some generally small amounts of litter, with only 7% of sites falling below a Grade B. Generally, detritus grading was high, with only one (1) site (3%) falling below a Grade B.

A summary table of the sites and their respective grades is below:

Zone	Site	Litter	Detritus	Graffiti / Flyposting
'Z' Zone	Highbridge Street, Waltham Abbey	B	B	A
'Z' Zone	Leverton Way, Waltham Abbey	B	B	A
'Z' Zone	Market Square, Waltham Abbey	B	B	A
'Z' Zone	North Place, Waltham Abbey	B	B	A
'Z' Zone	Quaker Lane, Waltham Abbey	B	B	A
'Z' Zone	Cornmill, Waltham Abbey	B	B	A
'Z' Zone	Clarks Lane, Epping	B	B	A
'Z' Zone	High Street, Epping	B	B	A
'Z' Zone	Queens Road, Buckhurst Hill	A	B	A
'Z' Zone	Clifton Road, Loughton	C	B	A
'Z' Zone	The Broadway, Loughton	B	B	A
High Intensity	Station Road, Epping	B	B	A
High Intensity	Brook Parade, Chigwell	B	B	A
High Intensity	Kings Avenue, Buckhurst Hill	A	B	A
High Intensity	Kings Place, Buckhurst Hill	B	B	B
High Intensity	Burton Road, Loughton	B	B	A
Medium Intensity	Honey Lane, Waltham Abbey	B	B	A
Medium Intensity	Rue De St Lawrence, Waltham Abbey	A	B	A
Medium Intensity	Bakers Lane Service Road, Epping	B	B	A
Medium Intensity	Epping Road, Epping	B	B	A
Medium Intensity	Coopers Hill, Ongar	B	B	A
Medium Intensity	High Street, Ongar	A	B	A
Medium Intensity	Station Road, Chigwell	B	B	A
Medium Intensity	Lambourne Road, Chigwell	A	B	A
Medium Intensity	Back Lane, Buckhurst Hill	A	B	B
Medium Intensity	Brook Road, Loughton	B	B	A
Low Intensity	Allison Close, Waltham Abbey	C	C	A
Low Intensity	Pigstye Green Road, Ongar	A	n/a	n/a
Low Intensity	All Saints Close, Chigwell	A	B	A
Low Intensity	Farm Way, Buckhurst Hill	B	B	A

APPENDIX IV

STREET CLEANSING KPI REPORT 2020-21

Year	Land Use Classification	Grand Total	%
2020/2021		3	0.23274
	High Obstruction Housing	160	12.4127
	Industry & Warehousing	177	13.7316
	Low Obstruction Housing	149	11.5593
	Main Retail & Commercial	166	12.8782
	Main Road	163	12.6455
	Medium Obstruction Housing	159	12.3351
	OH	3	0.23274
	Other Retail & Commercial	167	12.9558
	Rural Road	142	11.0163
	Total	1289	100

Year	Litter	Grand Total	%
2020/2021	A	267	20.71%
	B	872	67.65%
	B-	148	11.48%
	C	2	0.16%
	Total	1289	100%

**TOTAL
5.89604**

Year	Detritus	Grand Total	%
2020/2021	A	224	17.38%
	B	956	74.17%
	B-	102	7.91%
	C	4	0.31%
	N/A	3	0.23%
	Total	1289	100%

**TOTAL
4.26687**

APPENDIX V

Litter Enforcement Table

Legislation	ENVIRONMENTAL PROTECTION ACT 1990				ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014			TOWN AND COUNTRY PLANNING ACT 1990	PREVENTION OF DAMAGE BY PESTS ACT 1949	PUBLIC HEALTH ACT 1936
Section	33	87	59	80	43	59	59	215	4	78
Offending Activity	Fly-tipping	Littering	Fly-tipping	Statutory Nuisance	Litter	Litter	Dog Fouling	Litter	Litter	Litter & Dog Fouling
Enforcement Action	Fixed Penalty or Prosecution	Fixed Penalty	Fixed Penalty or Prosecution	Abatement notice	Community Protection Notices	Public space Protection Orders (PSPO)	Fixed Penalty Notice	Fine or Prosecution	Fine or Prosecution	Fine or Prosecution
Penalty	£400	£150	£400	£400*	£75	£75	£75	£1,000	£1,000	£200
Action Against	Individuals (and legal entities such as Companies)	Individuals	Occupier of Land	Person responsible (whose act, default or surference the nuisance is attributable)	Occupier of premises	Occupier of land	Individuals	Individuals (and legal entities such as Companies)	Occupier of land	Occupier of land
Objective	Penalty for fly-tipping	Penalty for dropping litter	Penalty for fly-tipping	The abatement of the nuisance or prohibiting or restricting its occurrence or reoccurrence	Conduct of individual or body is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality or deemed unreasonable	Prevent litter or refuse being detrimental to the amenity of the area	Penalty for not picking up dog faeces after dog	Land Adversely Affecting Amenity of Neighbourhood	clearing of common courts and passages	Scavenging of common courts and passages
				* Fixed Penalty option – industrial, trade or business and £150 in all other cases.			Local Authority can introduce public spaces protection orders	LPAs also have powers under s219 to undertake the clean up works themselves and to recover the costs from the landowner.		

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