

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF NEIGHBOURHOODS SELECT COMMITTEE
HELD ON TUESDAY, 15 NOVEMBER 2016
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.10 PM**

Members Present: N Bedford (Chairman), H Brady (Vice-Chairman), R Baldwin, L Hughes, J Jennings, S Kane, A Mitchell, R Morgan, S Neville, A Patel, C P Pond, B Rolfe, G Shiell, E Webster and J H Whitehouse

Other members present: J Philip, A Lion, G Waller, C Whitbread and J Knapman

Apologies for Absence: N Avey and M Sartin

Officers Present D Macnab (Deputy Chief Executive and Director of Neighbourhoods), K Durrani (Assistant Director (Technical Services)), K Polyzoides (Assistant Director (Policy & Conservation)) and A Hendry (Senior Democratic Services Officer)

22. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillors S Kane and A Mitchell were substituting for Councillors M Sartin and N Avey respectively.

23. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the last meeting of the Select Committee held on 13 September 2016 be agreed.

24. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

25. TERMS OF REFERENCE AND WORK PROGRAMME

The Committee noted their Terms of Reference and Work Programme.

The Assistant Director Technical Services, Mr Durrani informed the meeting that the Council would be taking over Off-Street Parking from 1st February. As this fell into the terms of reference for this select Committee, would the Committee like to receive regular updates on the progress of this service. The Committee agreed that initially yearly updates would be agreeable.

AGREED: to add review of Off-Street Parking the Select Committee's work programme with an initial requirement of a yearly review.

26. CHANGE IN ORDER OF THE AGENDA

With the Committee's approval the order of the agenda was changed so the they next considered agenda item 9, Local Plan Update and then agenda item 10, Chigwell Neighbourhood Plan.

27. LOCAL PLAN UPDATE

The Assistant Director Planning and Economic Development, Ms Polyzoides along with the Planning Consultant, Ms Blom-Cooper introduced the report updating the Committee on the Local Plan. The draft policies had been developed in close and regular consultation with key stakeholders including Members (District and Parish) and officers at a series of workshops. The draft Local Plan set out the Council's preferred approach to development in the District for the period up to 2033 including the amount of new homes and jobs that the plan sought to achieve. The purpose of the Plan was to deliver the vision and objectives for the District whilst contributing to sustainable development as described in the National Planning Policy Framework to achieve economic, environmental and social progress. This meant taking a balanced approach to meeting the needs of existing and future residents, businesses and visitors, whilst protecting and enhancing the natural and historic environment and built heritage and addressing the impacts of a changing climate.

The Draft Local Plan set out:

- The Council's vision and objectives for the District's development over the plan period;
- Policies to ensure that development delivers high quality, sustainable homes, drive the quality of design and maintain our high quality built and natural environment;
- The future distribution for housing growth and requirements for affordable housing;
- Policies to build a strong, competitive economy and the future distribution for new employment land space and thus new jobs;
- Policies to maintain and enhance the vibrancy and vitality of our towns centres;
- Policies to support a sustainable transport and road infrastructure network; and
- Proposals for delivery including a draft Infrastructure Delivery Plan (IDP) to demonstrate the infrastructure requirements necessary to support the site allocations and other proposals.

The full Council on the 18th October agreed that the Draft Local Plan be subject to a six week statutory consultation from 31st October to 12th December 2016. The draft Local Plan could be accessed on our website. This was a one stop shop so stakeholders could find the relevant information quickly, whilst accessing the technical detail if they were interested in further reading. Feedback has been that the website was easy to use and the questionnaire was straightforward and stakeholders were being urged to use this platform to submit their responses.

Each Member had received a Members Briefing Pack, which provided a guide to the Draft Local Plan and the consultation. An increased effort had been made to promote the consultation via social media. Where appropriate officers were using social media to address any major misconceptions or issues associated with the draft Local Plan.

The local public exhibitions have been well attended with approximately 259 people attending the North Weald one, 207 at Loughton, 238 at Chipping Ongar, 125 Waltham Abbey and 277 at Epping. The local plan was difficult to navigate but the exhibitions helped. Following these, officers were now getting questionnaires back on line and also some by post. They were expecting a surge in submissions towards the end of the consultation period.

Officers would look at all the responses and process them into a finished document for publication and publish it under Regulation 19. This would be the document that the Council considered was ready for examination. In the meantime decision makers could give weight to the relevant policies in emerging plans according to the stage of preparation of the emerging plan – the more advanced the preparation, the greater the weight that could be given – in accordance with paragraph 216 of the National Planning Policy Framework. The Council has agreed that some weight can now be given to the Draft Local Plan when determining planning applications.

The Director of Neighbourhoods, Mr Macnab commented that he had attended all the local exhibitions and had detected common themes. A lot of people had no awareness that a lot of the sites had been promoted by private landowners or thought that the District Council had acquired these sites to its advantage. Also a lot of issues raised were around the lack of infrastructure, such as GP surgeries, schools and transport. However, it had been a generally successful process.

Councillor Rolfe noted that the numbers of people attending the exhibitions were not that many compared to the interest shown before. They also seem to have missed the bit that asked them to present a coherent argument when arguing against any part of the Plan. All they generally say was that they did not want it.

Councillor Whitehouse asked what would happen at the end of the consultation, how could you access them and who would make the decisions? Councillor Philip said that for any new sites they would use the same criteria to judge them as they used now. How we worked through them was still to be decided. All members would be kept informed on a regular basis and as a Council we would publish this updated plan under Regulation 19.

Councillor Kane noted that there was work to be done on employment sites; was there more work to be done on infrastructure? Ms Blom-Cooper replied that there was still work to be done on employment and the sites identified, with an update to be carried out in terms of supply. All sites in the draft Local Plan would go through the assessment process and then through various workshops. As for infrastructure, the draft plan was looking to identify the current gaps. More detailed work was to be undertaken as the inspector would need to see it.

Councillor Neville commented that in the Members Briefing Pack an easy guide on what reasons we needed to use was promised, but it was not there. Councillor Philip said that they had not promised to give all reasons, but we did give examples. Ms Blom-Cooper added that he should look at the criteria used to take the various sites into account. Ms Polyzoides added that he could see online various reasons why we did not chose a particular site. This was very useful.

Councillor Lion asked about traffic surveys in the district and if there were any benchmarking exercise that would be used. Ms Blom-Cooper said that there was a baseline survey carried out in 2013 that would be used. They would also need to look at local sites and theses would be commissioned soon. Councillor Philip added that there was also a high level survey carried out around Harlow.

Councillor Patel commented on the type and specifications of the housing that came forward and noted from his health and wellbeing board and a survey on housing adaptations and how they would work in the policy. Ms Blom-Cooper said they would be working with the land owners and would have a specification in the draft Local Plan on this. Councillor Philip said that the SHMA (Strategic Housing Market Area) went into what sort of delivery was needed. This would be set out in the SHMA and on the population projections. Councillor Patel responded that with spending cuts, was category 2 a sufficient level we should be working at or should we be working at a wider level. Ms Blom-Cooper said they would be considering a wider level and would look at the viability of the plans as they took it through. Mr Macnab added that as part of the House Building Programme they would be looking to build up to these standards.

RESOLVED:

That the update on the Draft Local Plan (public consultation) was noted.

28. CHIGWELL NEIGHBOURHOOD PLAN

The Consultant, Ms Blom-Cooper introduced the Council's response to the Draft Chigwell Neighbourhood Plan. It needed to be broadly in conformity with the Council's own Local Plan and had to meet certain basic conditions.

Chigwell Parish Council had published its Draft Neighbourhood Plan for a period of formal public consultation which commenced on Monday 10 October 2016 and would run for six weeks, finishing on Monday 21 November 2016. The closing date for submission of comments was 25 November 2016. The District Council commended the Parish for the work undertaken in production of the Draft Neighbourhood Plan and sought to make a formal representation to the plan through the report on this agenda.

It was noted that the requirements that apply to plan making at the neighbourhood level were not as onerous as those required by a District Local Plan. The examination process was 'light touch' and considered a limited number of matters. In order to pass examination a Neighbourhood Plan must comply with the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004. The plan met the basic conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it was appropriate to make the plan;
- b) The making of the plan contributes to sustainable development;
- c) The making of the plan was in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
- d) The making of the plan did not breach, and is otherwise compatible with, EU obligations and human rights requirements.

Officers had some concerns on sustainability on some sites, there were also concerns about the viability of a proposed local parish bus service. They have not produced a viable business case that would show this to be a sustainable service. There were also concerns about proposed alterations to the Green Belt. Some of the proposals fall into locations some distance from current settlements, which may result later on in the infilling of the two areas. Officers suggested that a critical friend review was undertaken for this plan.

Councillor Knapman said that he was worried that this Committee was asked to endorse the officers response to the draft plan. He could not believe that the committee had seen all the background documents. He was happy to have EFDC officers express their concerns, but this reports states that this was a response from 'the Council'. This Committee was not the 'Council'. As for the proposed bus service, EFDC have a S106 agreement where we had been granted £1million for this bus service. But as with all these services it could not be guaranteed "in perpetuity". He asked that this Committee just notes the officers concerns but not endorse the report. We should be having meetings with EFDC officers on the details for our Local Plan.

Councillor Philip commented that if the Select Committee wished to just note this then he was happy to do a Portfolio Holder's report to give a response from the Council but not from the officers. The officers have gone through Chigwell's draft plan and have provided reasoned arguments. Happy to have you disagree as this was all a learning process. The critical friend process would be a good thing to do.

Councillor Knapman responded that he did not see how a Committee who had not read our documents could make a proper decision on this. Why endorse something that could be wrong as a number of things were incorrect.

Mr Macnab noted that the Overview and Scrutiny rules allow the Committee to make these decisions on various consultations, it was in their gift and they had done it many times before. The point that officers were making on the proposed bus service was that they needed to see a business case.

Councillor Brady agreed that members had not seen all the plans etc. but the officers feel that some parts differed enormously from the whole and we need to listen to the officers comments.

Councillor Philip noted that Select Committees had responded to consultations without seeing the whole document. We have responded to other local plans relying on officers for advice. This was probably the best way we could do this.

Councillor Whitehouse proposed that that we note rather than endorsing this report, for the reasons given by Councillor Knapman. This was seconded by Councillor Pond. This proposal was then put to the vote and fell.

The Chairman then put the substantive recommendation from the report to the vote, which was carried.

RESOLVED:

That the points as outlined in the report as the main substance of a response to Chigwell Parish Council following publication for consultation of the Draft Chigwell Neighbourhood Plan be agreed.

29. KEY PERFORMANCE INDICATORS 2016/17 QUARTERLY REVIEW

The Director of Neighbourhoods, Mr Macnab introduced a report on the second quarter performance of the Key Performance Indicators for 2016/17. The Committee noted that 13 of the Key Performance Indicators fell within the Neighbourhoods Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at Q2 for these 13 indicators was as follows:

- (a) 11 (85%) indicators achieved target;
- (b) 2 (15%) indicators did not achieve target; and
- (c) 0 (0%) of these KPI's performed within the agreed tolerance for the indicator;
- (d) 11 (85%) of indicators are currently anticipated to achieve year-end target, and no further indicators are uncertain whether they will achieve year-end target.

The 'amber' performance status used in the KPI report identifies indicators that have missed the agreed target for the quarter, but where performance was within an agreed tolerance or range. The KPI tolerances were agreed by Management Board when targets for the KPIs were set in February 2016.

The Select Committee then went through each of the 13 indicators.

NEI001 - *how much non-recycled waste was collected for every household in the district* – the figure was below the target in quarter 1 but had exceeded the target in quarter 2. Members thought it likely that the target would be met at the year end should be changed from red to orange.

Councillor Pond asked for clarification of the strategies used for corrective action. The Assistant Director, Technical Services, Mr Durrani replied they needed to divert the recyclable waste from the black bin to the recycle waste bin. They would use some of their enforcement polices but were mainly looking to educate and inform. They were also working with blocks of flats as they were having issues with them and also with schools.

Councillor Whitehouse asked about residual bins with partially open lids. Did officers call on the residents to tell them? Mr Durrani replied that Biffa staff could not do that as they were on a tight timetable. Sometimes it appeared that the residents would put out the smaller recyclable items on the top of the bin to be taken away. They do however collect the partly opened 'smiley' bins.

Councillor Knapman asked if the Civic offices recycled its paper other than the confidential paper it collected. Mr Durrani said he would check it out and get back to him.

Councillor Neville asked if they used the Town and Parish newsletters to educate the public on recycling and waste. Mr Durrani replied that they have contacted various Town and Parish Councils and would get back on the outcomes.

Councillor Bedford asked what happened if the waste was contaminated. Mr Durrani replied that Biffa would put a sticker on the bin and leave it. If it got through to the recycle centre we would then get penalised for it. Councillor Bedford asked which was better to put stuff in the recycling bins or landfill. Mr Durrani said it put in recycling bin. It could cost the County about £80m a year. They have found 40 to 50% in sampling of black bins was recyclable waste.

NEI003 – *what % of our district had unacceptable levels of litter* – Councillor Brady commented that some roads had really bad levels of litter such as the M11 roundabout at Harlow. Who dealt with this? Mr Durrani said that the district was divided into 300 sections and they are randomly inspected. The A414 is done by Essex, but it may be the roundabout was looked after by us. We could look into enforcement aspects and talk to the Highways Agency about this.

NEI008 – *what % of the recorded incidences of fly-tipping (variation order / non-contract) are removed within 10 working days of being recorded* – Councillor Brady asked about any unsafe objects (such as gas canisters) that have been fly-tipped and we could not remove them? She was told that there was a special helpline that we could ring.

NEI010 – *what was the net increase or decrease in the number of homes in the district* – Mr Macnab noted that we only had a certain amount of control over the supply of new homes. We did our jobs to the appropriate timescale, but the developers sometimes leave it up to three years to start their work. Councillor Brady noted that there was no actual target until the Local Plan came in. Mr Macnab added that they may wish to make this more locally relevant and set the long term target assessment to red as opposed to the green it was now.

Councillor Patel noted that other Local Authorities when considering Housing needs re-evaluate every five years. Did we really need quarterly targets and were they relevant. Mr Macnab replied that it was a national indicator for government use. When our Local Plan came in we could have a more relevant local indicator.

NEI013 – *what % of all household waste was sent to be recycled or reused* – Mr Macnab noted that this was a new indicator. It was currently slightly under target but should be OK at year's end.

RESOLVED:

That the Select Committee noted and reviewed the Quarter 2 performance of the Key Performance Indicators for 2016/17.

30. CORPORATE PLAN KEY ACTION PLAN 2016/17 - QUARTERLY PROGRESS

The Director of Neighbourhoods, Mr Macnab introduced the quarterly report on the progress of the Corporate Plan Key Action Plan 2016/17 (quarter 2 progress). The meeting noted that the Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

The meeting noted that there were 49 actions in total for which progress updates for Q2 are as follows:

- 29 (59%) of these actions have been 'Achieved' or are 'On Target';
- 14 (29%) of these actions were 'Under Control';
- 2 (4%) were 'Behind Schedule';
- 4 (8%) were 'Pending'.

12 actions fall within the areas of responsibility of the Neighbourhoods Select Committee. At the end of Q2:

- 9 (75%) of these actions have been 'Achieved' or were 'On-Target';
- 2 (17%) of these actions were 'Under Control';
- 1 (8%) of these actions were 'Behind Schedule';
- 0 (0%) of these actions were 'Pending'.

Councillor Whitehouse queried that the target date for completion for action 4 (*to facilitate, by purchase of ECC's interest and subsequent disposal to the preferred developer, the St John's Road redevelopment scheme*) was October 2016 and had now passed. Mr Macnab said that they had yet to complete the purchase of the District Council Land, but that this was now near completion.

Councillor Patel queried what the revised date for action was 6 (*evaluate the submission received for North Weald Airfield marketing exercise*). Mr Macnab explained that the expectation was to go out and seek concessionary contract but the EU rules have changed and it should be back on track by next May.

RESOLVED:

That the Committee noted and reviewed the quarter 2 progress of the Corporate Plan Key Action Plan for 2016/17 in relation to its area of responsibility.

31. ENVIRONMENTAL CHARTER AND OBJECTIVES

The meeting reviewed the report updating them on the progress of the Environmental Charter. It was noted that the development of an Environmental Charter and associated action plan was added to the Green Working Party's (GWP) work programme. Over a period of months the GWP developed the Charter and associated 'commitments and actions' and these were agreed by this Select Committee at its meeting on 28 June. The Select Committee recommended the Charter to the Cabinet and asked to receive an annual report on the progress of the Charter against its action plan.

The Cabinet considered the documents at its meeting on 1 September and endorsed the Charter and associated 'Commitments and Actions'. In accordance with the Cabinet's agreement, the Charter had been signed by the Leader of the Council and the Chief Executive on behalf of the Council.

At its meeting on 7 September 2016 the Corporate Green Working Party agreed that items in its existing Work Plan should be incorporated into the new 'Commitments and Actions' format. This will be further developed at the Working Party's next meeting on 9 December 2016.

Councillor Brady commented that these were all plans that needed to be actioned. She noted that there had been plans to move the Civic Offices away from the transport hubs which would cause more car use and would therefore flout this charter. Mr Macnab noted that action plans lay behind this and they would report back on them. Officers could adopt homeworking and the use of environmentally friendly vehicles etc.

Councillor Neville wondered how often the Corporate Green Working Party would update the action plan. Councillor Waller commented that it was important that we follow up on our words with actions. He noted that this building was now more energy efficient and that they hoped to put in car charging points around the district.

The Chairman said that the Committee should review this on a yearly basis and that it should be put into the work programme. This was agreed by the committee.

RESOLVED:

- (1) That the progress on the Environmental Charter be noted; and
- (2) That the Charter be reviewed on an annual basis.

32. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Committee thought that a short report back to the Overview and Scrutiny Committee should be given on the items covered at this meeting.

33. FUTURE MEETINGS

The Committee noted the dates for their future meetings.