

EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

Date: Wednesday, 10 November 2010 **Time:** 7.30 - 9.05 pm

Place: Council Chamber, Civic
Offices, High Street, Epping

Members Present: **Representing Epping Forest District Council:**

Councillor(s): Mrs A Grigg (Chairman), K Angold-Stephens,
J M Whitehouse and Mrs P Smith

Other Councillors:

Councillor(s):

Representing Essex County Council:

County Councillor(s): V Metcalfe, C Pond and Mrs J H Whitehouse

Representing Local Councils:

R Balcombe, Mrs J Ballard (Roydon Parish Council),
Councillor Mrs N Bridge, Mrs K Canning (Chigwell Parish Council),
Mrs S De Luca (North Weald Parish Council), O Dunseath (Epping
Town Council), V Evans (Epping Upland), Mrs S Jackman (Ongar
Town Council), Councillor B Miller, R E Russell (Stapleford Abbots
Parish Council), I Sullivan, Councillor C Thompson (Moreton,
Bobbingworth and Lavers PC), Mrs E Walsh (Loughton Town
Council) and R Whittome (Epping Town Council)

Apologies: **Epping Forest District Council –**

Councillor(s): R Morgan and B Sandler

Essex County Council –

Councillor(s):

Parish/Town Councils: -

Councillor J Salter (Abbess, Beauchamp and Berners Roding Parish
Council), Mrs D Borton (Nazeing Parish Council),
Councillor C Hawkins (North Weald Bassett Parish Council),
Miss H Nicholas (Roydon Parish Council) and B Surtees (Ongar
Town Council)

Officers Present: D Macnab (Acting Chief Executive), J Gilbert (Director of
Environment and Street Scene), N Richardson (Assistant Director
(Development Control)), R Gardiner (Environment and
Neighbourhood Manager), G Oakley (Managing Legal Executive)
and M Jenkins (Democratic Services Assistant)

By Invitation: J Cann (Major Grants and Trusts Manager – Fields in Trust)

23. MINUTES**RESOLVED:**

That the minutes of the Committee meeting held on 17 March 2010 be agreed.

24. QUEEN ELIZABETH II FIELDS CHALLENGE

The committee received a presentation from Mr J Cann, Major Grants and Trusts Manager of the National Playing Fields Association, regarding the Queen Elizabeth II Fields Challenge.

The National Playing Fields Association was established in 1925 protecting over 1,200 fields and 8,000 acres for 1 million people. The association had worked hard to strengthen the law regarding the sale of playing fields in order to protect them for the future.

The beneficiaries and reach of the association were:

- Free access to all socio-economic groups
- 1,200 + sites
- Access for 1.4 million people at any one time
- Formal sport and informal recreation
- Access to communities, sports and teams
- UK wide urban and rural

Queen Elizabeth II Fields Challenge

The Queen Elizabeth II Fields Challenge was an exciting grassroots legacy programme marking two events in the United Kingdom in 2012; The Queen's Diamond Jubilee and the London 2012 Olympics. It was the very first project to receive official endorsement by the Queen and aimed to protect 2012 playing fields in communities across the country known as Queen Elizabeth II Fields. The Queen Elizabeth II Field Challenge created a fitting and lasting grassroots legacy across the UK marking both the Diamond Jubilee and the London 2012 Olympics. The objective was to create a branded network of 2012 permanently protected outdoor spaces in communities across the UK by 2012. More information could be obtained from www.qe2fields.com

It was advised that any area of community space could become a Queen Elizabeth II Playing Field, the minimum size being half an acre, once designated it would receive a commemorative plaque. Receiving this designation provided an extra layer of protection from development. However protecting every such field needed public support, the national Playing Fields Association was dependent on notification being received that a field was under threat from development. Mr J Cann said that if there was proposed development affecting a field, they could object to planning permission.

Councillor C Pond advised of a local situation concerning local pieces of land where a change of use was requested to a playing fields. A letter had been sent to the Chief Executive of the District Council, the Acting Chief Executive, Mr D Macnab said that although he did not recall receiving the letter, he was interested as to which land had potential for being used as play fields. He would liaise with local councils.

Members asked about open land in the ownership of a school or college, could the use be extended to the public? Mr J Cann replied that some land owned by schools was

open to the public already, a local council could approach a school and ask if they were willing to expand access to their land.

Open space under the protection of the Queen Elizabeth II Field Challenge was not protected from compulsory purchase. Some land had already been lost to development at the M25. However the development would need to be of a large scale and proven to have significant community benefit to warrant a compulsory purchase. Mr J Cann advised that he would find out more information regarding this and have this sent to the local councils.

The Chairman thanked Mr J Cann for his presentation.

RESOLVED:

That the presentation by Mr J Cann be noted.

25. UNAUTHORISED GYPSY AND TRAVELLER ENCAMPMENTS

The Committee received an information update regarding Unauthorised Gypsy and Traveller Encampments, from Mr R Gardiner, Environment and Neighbourhood Manager and Mr G Oakley, Senior Managing Legal Executive.

The officers outlined the procedures members of the public should follow if they suspect an unauthorised Gypsy and Traveller Encampment (attached as appendix to this minute item). There were different procedures regarding the types of ownership of land – Private (including Town and Parish land), Essex County Council or Epping Forest District Council. Owners should go through the courts when trying to evict. It was advised that police powers were discretionary with the problem of the occupation being balanced with the welfare of the Gypsies and Travellers. Owners should keep land as secure as possible with strong gates barring illegal access and ditches surrounding land to deter vehicle access.

Officers were asked about a Gypsy and Traveller encampment in Basildon which was facing eviction. There was concern as to where the community encamped there would move to. Officers had spoken to Basildon Council but were unclear as to when the evictions would actually take place. Officers advised that it was unlikely that the community concerned would move to the district.

The District Council used possession proceedings if forced eviction was required. The police could employ Section 61 of the criminal Justice and Public Order Act 1994 to evict illegal encampments. Mr R Whittome of Epping Town Council suggested that Sections 77 and 81 of the Criminal Justice and Public Order Act 1994 should be used as they were cheaper and quicker to facilitate than Section 61. Officers explained that the Essex Chief Executives Group agreed a number of years ago that Essex Authorities would use possession proceedings as it was felt that Section 77 was easily defended at court. It was also used against named individuals. However officers said they would take these comments on board.

RESOLVED:

That the presentation regarding Unauthorised Gypsy and Traveller Encampments be noted.

26. LOCAL COUNCIL COMMENTS ON PLANNING APPLICATIONS

The Committee received a report from Mr N Richardson, Assistant Director of Planning and Economic Development, regarding Local Council's comments on Planning Applications.

At the Planning Services Scrutiny Standing Panel on 11 October 2010 members suggested that local councils, responding to consultations on planning applications, had, on occasion, requested that where they had raised no objections and asked for an application to be reported to the relevant planning committee, the application in fact had been dealt with under delegated powers.

Under delegated powers, there was no such provision for these applications to be reported to planning committees. The delegated agreement made it clear that there were two provisions that determined applications were reported to planning committees, where it involved local councils comments. They were:

- (a) Applications recommended for approval contrary to an objection from a local council which were material to the planning merits of the proposal; and
- (b) Applications recommended for refusal but where there was support from the local council and no other overriding planning consideration necessitates refusal.

The first of the above (a) regularly triggered applications going to area plans committees, whereas the second (b) was occasionally a trigger, because local councils appeared to be a little less forthcoming in stating support for development and more comfortable in stating no objection.

Officers advised that local councils could provide a more positive response where necessary, subject to justifying this opinion and also they can approach a District Councillor of the relevant area planning committee to request a planning application be reported to that area plans committee within the first four weeks of notification.

Members said that elements of applications sometimes required a comment. It was suggested that local councils should state the reasons for supporting or objecting to an application. A local council could ask a district councillor to "call-in" an application.

RESOLVED:

That the report concerning Local Council's Comments on Planning Applications be noted.

27. ISSUES RAISED BY LOCAL COUNCILS

The following issues were raised by local councils:

- **Eviction of Large Gypsy/Traveller Camp in Basildon**

This matter was discussed under Item 25 above.

- **Weekly List of Planning Applications moved to the Internet. Some local councils required paper copies of the Weekly List**

Mr N Richardson advised that the cost per week of printing and distributing the Weekly List to the District Council was between £60.00-£70.00. Members advised that some smaller local councils did not have email facilities and needed paper copies. There had been problems with the District Council's IPlan system. It was sometimes difficult to

download the plans, in some cases the plans were not on the system. It was advised that plans would be emailed to local councils in the near future.

Mr R Whittome of Epping town Council mentioned a User Group which had looked at IPlan in 2009. It was felt that a user group should be established looking at IPlan usage.

RESOLVED:

That D Macnab, Acting Chief Executive, investigate the creation of an IPlan Usage User Group.

28. ANY OTHER BUSINESS

There was no other business for the committee to consider.

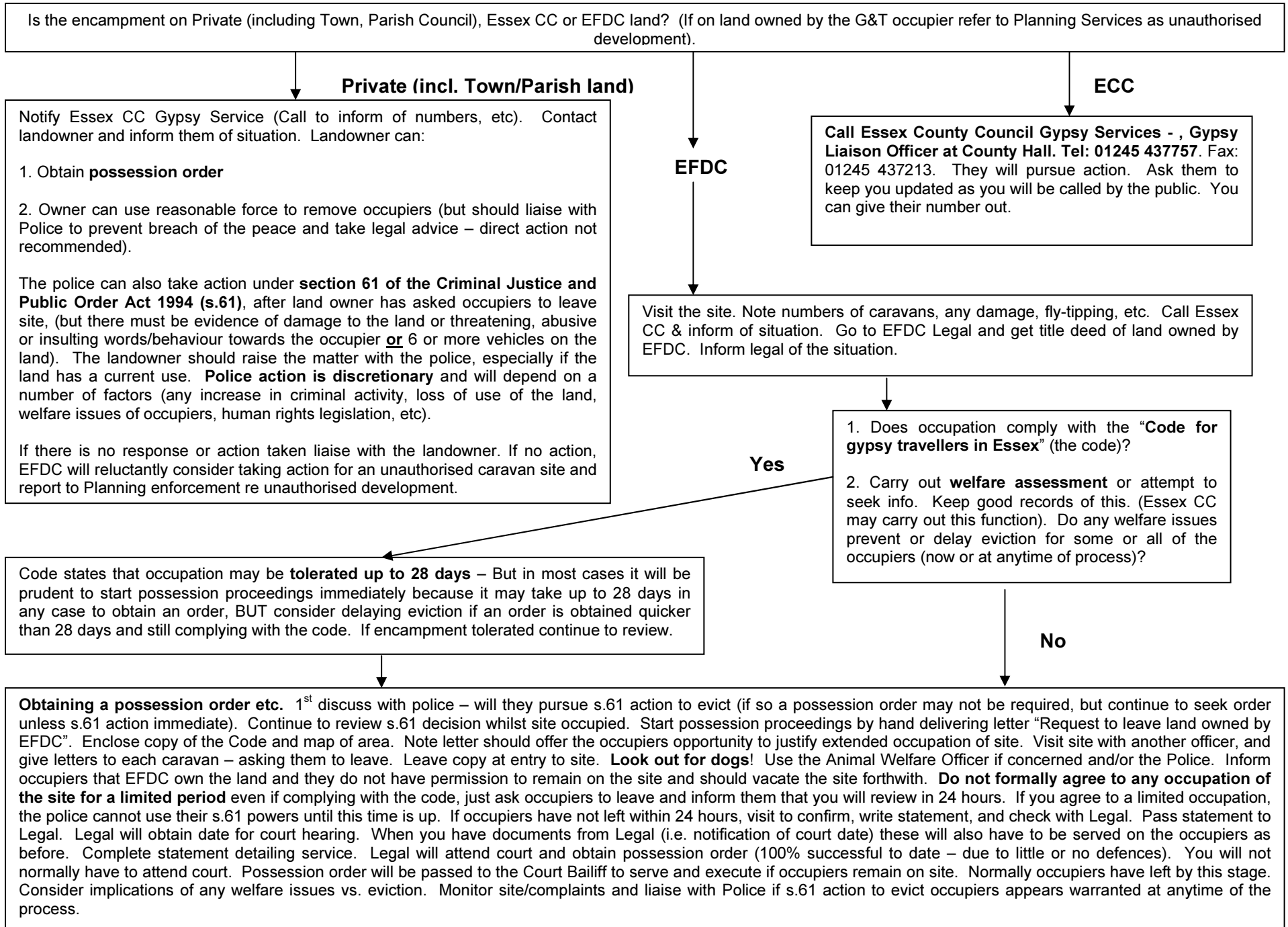
29. DATES OF FUTURE MEETINGS

The next meeting of the committee was being held on 9 March 2011.

CHAIRMAN

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EFDC Flow Chart for dealing with unauthorised encampments (revised 08/11/10)



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