

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF NEIGHBOURHOODS SELECT COMMITTEE
HELD ON TUESDAY, 19 MARCH 2019
IN COUNCIL CHAMBER - CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 8.30 PM**

Members Present: N Bedford (Chairman), H Brady (Vice-Chairman), A Beales, P Bolton, R Brookes, I Hadley, S Heather, L Mead, S Neville, A Patel, M Sartin, D Stocker and J H Whitehouse

Other members present: N Avey, S Kane, J Philip, C Whitbread and H Whitbread

Apologies for Absence: K Chana

Officers Present: D Macnab (Deputy Chief Executive), J Chandler (Service Director (Community & Partnership Services)), Q Durrani (Service Director (Contracts & Technical Services)), D Marsh (Waste and Recycling Manager) and V Messenger (Democratic Services Officer)

51. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitute members for the meeting.

52. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the last meeting of the Neighbourhoods Select Committee held on 29 January 2019 be agreed.

53. DECLARATIONS OF INTEREST

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

54. TERMS OF REFERENCE AND WORK PROGRAMME

(1) Terms of Reference

The Committee noted the Terms of Reference.

(2) Work Programme

The Committee noted the current Work Programme.

It was also noted that this was likely to be the last meeting of the Neighbourhoods SC as the Overview and Scrutiny Committee on 16 April 2019 would be considering a report from the Overview & Scrutiny Select Committee Framework Task and Finish Panel on the select committee framework review. The recommendation was for three new scrutiny committees going forwards – Stronger Communities SC, Stronger Council SC and Stronger Place SC.

55. LOCAL PLAN UPDATE

Councillor J Phillip, Portfolio Holder (Planning Services), was in attendance and provided the following update.

The first tranche of public hearing sessions that had taken place in February 2019, had covered:

- Legal Compliance
- Context, Vision and Objectives and Sustainable Development
- Place Shaping and General Masterplanning Approach
- Quantitative Requirements for Development
- Spatial Strategy

All sessions had been webcast live and were available for later viewing on the Examination website at: www.efdclocalplan.org

Where the Inspector had required further information or clarification on a particular issue, the Council had prepared various notes, which had been submitted to the Inspector and were available on the Examination website. Some of the issues arising from the first tranche of hearing sessions had included delivery of particular sites, settlement hierarchy and its role in the site selection process, and Green Belt release.

The second tranche of hearing sessions had commenced on 19 March 2019 and the following issues would be discussed:

- Site Selection and Viability
- Housing Supply
- Garden Town Communities
- Development Management Policies

The Planning Policy Team was working with colleagues to prepare statements for the third tranche of the hearing sessions, which would take place from 12 May 2019.

The hearing session for Matter 1, Issue 5 on Habitats Regulations Assessment (HRA) has been postponed until 21 May 2019 in light of the publication of this report in January 2019. The Local Plan Inspector had decided to also postpone discussion of Development Management Policies DM2 (Epping Forest Special Area of Conservation and Lee Valley Special Protection Area) and DM22 (Air Quality) until that date so that the over-lapping matters could be considered at the same session.

The Planning Policy Team was working to develop and finalise a number of further Statements of Common Ground with, for example, Historic England, Highways England, Natural England, Essex County Council and promoters of strategic sites. These would be available on the Examination website once finalised.

As the Public Examination progressed, any proposed amendments to the Local Plan identified through the hearing sessions, matter statements etc., and agreed by the Inspector, would be collated into a list of proposed modifications which would be consulted on, after the hearing sessions had concluded.

The Council was working towards the timeline set out in the Local Development Scheme - November 2018, with the expected adoption of the Local Plan to be in October 2019.

Councillor S Neville asked about the proposed modifications that would be consulted on and what form these would take. Councillor J Philip replied that it would entirely depend on what the modifications were and the scale of modification, as to whether any change would be needed. If changes were needed, then the Council would consult on these. The Council would do as much as it needed to do because of the cost implications.

Councillor A Patel asked that at this stage how much officer time was being utilised. Councillor J Philip replied that virtually all of the Planning Policy Team's time, from preparation work, attending the hearing sessions, meetings and enquiries from other organisations, e.g. Historic England.

56. LEISURE MANAGEMENT CONTRACT UPDATE

Q Durrani, Service Director (Contracts and Technical Services), provided the following update.

The last meeting of the Leisure Management Contract Partnership Board had been held on 13 February 2019. The financial performance report including all the figures and key performance indicators were available for members to view on the Intranet.

Construction of the Waltham Abbey Leisure Centre had been started in 2017 and was officially opened in November 2018. Memberships at the Leisure Centre were performing strongly. As there was no screening on the pool windows, Places Leisure had looked into providing glazing on the windows, but this would have meant that the lighting levels would have needed to be increased. However, Places Leisure was monitoring this and there was also CCTV in the car park. Staff would be proactive and challenge anyone they were concerned about.

The new gym at Epping Sports Centre had been opened in February 2018, which had made a positive impact on membership numbers and resulted in a large increase. The new gym at Loughton Leisure Centre had opened in August 2018 and memberships were on target. The heating plant at Loughton pool was also more energy efficient. The swimming membership offer was proving to be popular and numbers were very encouraging across the whole of the contract, especially for casual swimming.

D Macnab said that a progress report on the St John's Road Development – Leisure Provision, would be going to Cabinet on 11 April 2019. This was a result of a business case that was presented to the Leisure Management Contract Partnership Board at the February meeting.

Councillor R Brookes was supportive of the measures that Places Leisure had taken to monitor people looking through the pool windows. She said that an individual would have to peer in very close to the window to be able to see anything. She asked that when there was a different contract and a bid was put in, was it to do with predicted income against the budget? D Macnab replied that dialogue and formal negotiations would be entered into with Places Leisure to vary the Leisure Management Contract for the development of a new leisure centre at the St John's Road site, which would result in a tender. All the risk of under achievement would fall

on the contractor not the Council. The Council was more interested in quality and diversity of activities within the contract. The contract was designed as a risk transfer.

Councillor A Patel commented on the Leisure Contract updates, but how many complaints had the Council's Contract Manager had to support? D Macnab said that there were mechanisms in the contract and that a complaint would be dealt with as soon as it occurred. There were escalation and default procedures in the contract but concerns tended to be around timetables etc.

57. ENVIRONMENT & NEIGHBOURHOODS ENFORCEMENT ACTIVITY 2018

J Chandler, Service Director (Community and Partnerships) provided the following update in place of R Gardiner, Service Manager (Community Resilience).

A detailed report on Environment and Neighbourhoods (EN) Enforcement Activity for 2018 had been published in the agenda. Fly-tipping caused one of the highest pressures in the Epping Forest District. This could be a black bag carelessly dumped by a resident to an industrial sized fly-tip by organised criminal fly-tippers.

Noise nuisance was the second busiest area of work and could be as a result of dogs barking, loud music or at properties that had poor sound insulation. There had been unauthorised encampments on Council land where EN officers had dealt with twelve sites and thirty incidents or concerns that had been registered.

Officers continued to carry out inspections of taxis to ensure they were licensed by the Council and were operating correctly. The team also investigated other noise nuisance issues, such as smoke, dust, odour, dog fouling, litter and light nuisance.

As part of the enforcement role, EN officers aimed to be proactive and educate residents and businesses to avoid causing environmental / nuisance issues and comply with the law. The Council promoted the Essex wide Crime not to Care Campaign in partnership with the Cleaner Essex Group and Keep Britain Tidy. Police officers had been increasing stop checks of vehicles to catch people before they dumped waste or were in the processing of fly-tipping.

Councillor S Neville said that for managing fly-tipping, the District was sub-divided into three main areas, East 1 and 2, South 1, 2 and 3, and West 1, 2 and 3. However, which areas did they represent and was the work equally divided? J Chandler replied that staff resourcing was adjusted to deal with fly-tipping incidences when they occurred and divided up according to the number of ongoing cases. Unfortunately she did not know offhand the areas these covered, but would provide a reply.

For information, the areas were detailed below:

- East 1: North Weald, Ongar, Thornwood, Lower Sheeting, Moreton, Fyfield
- East 2: Epping, Theydon Bois, Lambourne
- South 1: Loughton (town)
- South 2: Buckhurst Hill, The Broadway
- South 3: Chigwell
- West 1: Nazeing, Roydon
- West 2: Waltham Abbey North
- West 3: Waltham Abbey South

For any queries relating to these areas, email Contactus@eppingforestdc.gov.uk, or report via the Council's website at <https://www.eppingforestdc.gov.uk/crime-and-safety/> as it could then be allocated to the correct officer (due to officers being on leave, and dynamic allocation of work). If a map was wanted, with officer contact details, this could be provided.

Councillor S Neville asked if the EN team had sufficient resources to do all the work. J Chandler replied that if you asked R Gardiner then he would probably say that if he had more resources he would do more work.

Councillor M Sartin asked what the cost of fly-tipping was to the Council over the year. Q Durrani replied that he would supply this information after the meeting as some costs were included as part of the Council's Waste Management contract. Also highway land removal costs would be covered. The Waste and Recycling Manager, D Marsh, added that any third party waste that the Waste Contractor picked up, would be a cost to the Council and that the costs were rising. Some large fly-tips had cost £7,000 to clear up. Also there were incidences of criminal fly-tippers who would load waste into articulated trailers, drive along the M25 and M11 motorways, e.g. to North Weald, find a place where they could unhitch their trailer and drive off, but leave the trailer behind. It was also reported that caravans had also been filled with waste and then dumped.

Councillor M Sartin said she had tried to see how difficult it was to report incidences online, but had not succeeded at all. Q Durrani replied that he would look into this and come back to her. For information, fly-tipping could be reported through the two weblinks below:

- <https://www.eppingforestdc.gov.uk/recycling-and-rubbish/report-dumped-rubbish-and-fly-tipping/>
- <https://www.eppingforestdc.gov.uk/crime-and-safety/>

Councillor M Sartin asked about licensed taxi drivers but had heard that Uber drivers would drive around airports waiting for bookings. Councillor N Bedford commented that he was not sure how Uber drivers operated. J Chandler explained that licenced taxi operators, including Uber, operated a "pre-book" private hire vehicle and, as long as they did not pick up without being pre-booked, there were no legal issues with this.

Councillor N Bedford was pleased that the Council had been successful in the prosecution of a large fly-tip and asked if the Council could seize vehicles to recover more costs. J Chandler replied that she would ask R Gardiner if this was a feasible option and provided the following response. The Council had the powers to seize vehicles and the logistics of this were being looked into. For larger scale fly-tips, this would be led by the Environment Agency and the Police.

Councillor N Bedford said that the way noise complaints were logged by EN officers, six or seven reports could be attributed to one incident. Why were complaints not logged under the incident and further or repeat complaints attributed back to the original incident? J Chandler replied that multiple complaints logged about one incident were mapped under the respective property, or on a master worksheet.

Councillor N Bedford asked how long would a Noise Abatement Notice last for and was it issued to a person or served on a premises. J Chandler replied that Noise Abatement Notices were served on the person(s) responsible, not against the premises. For example, if a pub changed management / licensee, the Noise

Abatement Notice would cease to be in force, unless one of the persons who was in receipt of the Abatement Notice remained in any form of control at the property. However, if there had been no incidents for a number of years, the Council might not enforce immediately should a breach be witnessed without first contacting the person responsible, to remind them that the Abatement Notice remained in force.

58. RESOURCE AND NATIONAL WASTE STRATEGY - CONSULTATIONS

Q Durrani, Service Director (Contracts and Technical Services) and D Marsh, Waste and Recycling Manager, were in attendance.

The Government had published a new waste strategy – Our waste, our resources: a strategy for England. The strategy was seeking to preserve material resources by minimising waste and promoting resource efficiency. The Government was setting a clear, ambitious policy direction that was linked to the 25-year target of its Environment Plan.

Government strategy was to encourage producers to take responsibility. The waste industry was not too keen to recycle plastics, but the Government objectives included a drive to reuse and recycle, especially to incentivise recycling by ultimately eliminating all avoidable waste within 30 years and double resource productivity. It would have a significant impact on the Council.

Four consultations had been published with a deadline for responses by 13 May 2019. They were aimed not just across production but all costs back to recovery and to reduce all waste going to landfill. These consultations were:

- (1) Consultation on reforming the UK Packaging Producer Responsibility System.
- (2) Consultation on consistency on Household and Business Recycling Collections in England.
- (3) Introducing a deposit return scheme (DRS) in England, Wales and Northern Ireland.
- (4) Consultation: A plastics tax on non-recycled content packaging.

The Government was seriously looking at all aspects of the waste industry, and it was anticipated that the results of the consultations would be announced by the third quarter.

- (1) Consultation on reforming the UK Packaging Producer Responsibility System

The principle of ‘polluter pays’ was being reinforced in that producers would bear the full cost of managing their products at the end of their life. There was an onus on incentivising greater reuse through design and the use of appropriate enforcement if this was required. A target date of 2023 had been set for when the new packaging Extended Producer Responsibility scheme became operational.

- (2) Consultation on consistency on Household and Business Recycling Collections in England

This was to do with consistent recycling collections whether from residents in houses or flats and from businesses. The use of separate food waste collections for households and businesses and whether there should be colour standardisation for the bins/containers. There was a drive for greater efficiency of energy from waste and to assess any barriers on the use of recycled materials to increase market use. Other areas being consulted on were to tackle hazardous waste, to explore

alternatives to weight based measures and develop new performance indicators. Also the evaluation of the necessary funding for the new burdens.

- (3) Consultation on introducing a deposit return scheme (DRS) in England, Wales and Northern Ireland

Thirteen billion plastic bottles were used each year in the UK which resulted in three billion being incinerated, left as litter or sent to landfill. Q Durrani and D Marsh had attended a roadshow on 19 March 2019 to learn more about the Government's plan to introduce a DRS for single use drinks containers made of plastic, glass or metal and how the scheme would work to increase recycling rates. The impact of the scheme on the Council's recycling stream raised many questions and could have a significant effect on costs.

Q Durrani asked if the select committee would approve the final response before the consultations closed on 13 May 2019, and that this could be publicised in the Council Bulletin.

Councillor A Patel asked how members should respond to these consultations. Q Durrani replied that the intention was for a collective view. It would be difficult to assess how much the potential new legislation would impact on the waste collection authorities and the waste contractors. The Government's new waste strategy was to incentivise the industry. This would be a challenge but what would happen if the waste authorities failed to comply.

Councillor A Patel asked if the Government's new national waste strategy would have a future impact on the way the Council's waste contractor collected waste in the District. Q Durrani replied that it could have an impact in future and would necessitate discussions with Biffa to come to an agreement.

Councillor N Bedford asked what municipal solid waste meant, to which D Marsh replied it was any waste the authority collected within legislation and was classed as MS waste.

Councillor N Bedford said if there was 60 to 70 per cent of imported waste, how would this affect the levy in China? D Macnab replied that the packaging legislation was on the producers or distributors of those goods. For instance, motor vehicles were imported into the UK and sold by the manufacture, but they had to adhere to the legislation.

Councillor N Bedford commented on the 500-page consultation document and if it was desirable that officers pushed forward a response on these consultation reports. D Macnab replied that it was to do with the practicalities around four consultation exercises and the consistency of the Council. Members agreed the Service Director (Contract and Technical Services) would draft responses to these four consultations, subject to final approval by the Contract and Technical Services Portfolio Holder, Councillor N Avey, and the Chairman of the Neighbourhoods Select Committee, Councillor N Bedford. The response would be published in the Council Bulletin in due course.

Councillor J H Whitehouse asked if the 500-page consultation document could be publicised in the Council Bulletin. D Macnab agreed that information on this would be useful. D Marsh would collate all the member responses and was tasked with providing the relevant weblinks to enable members to view all the consultation documents.

RESOLVED:

That, subject to final approval by the Contract and Technical Services Portfolio Holder and the Chairman of the Neighbourhoods Select Committee, the Service Director (Contracts and Technical Services) submit a response on the Council's behalf before the deadline of these consultations closed.

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

Councillor M Sartin asked that a report be made to the Overview and Scrutiny Committee detailing the Council responses submitted to the four consultations of the new national waste strategy – Our waste, our resources: a strategy for England.

60. FUTURE MEETING

It was noted that subject to the Overview and Scrutiny Committee select committee framework review, future dates will be advised in due course.