

EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

Date: Monday, 16 September 2019 **Time:** 7.30 - 9.00 pm

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

Members Present:

Representing Epping Forest District Council:

Councillors R Bassett (Chairman), C C Pond (Vice-Chairman), H Kane, J Lea, R Morgan, B Rolfe and M Sartin

Other Councillors:

Councillors S Kane

Representing Essex County Council:

County Councillors V Metcalfe and G Mohindra

Representing Local Councils:

A Belgrave (Chigwell Parish Council), B Rumsey (Epping Town Council), B Scruton (Epping Town Council), M Squire (Loughton Town Council), D Wixley (Loughton Town Council), R Brockman (Matching Parish Council), S Billingham (Nazeing Parish Council), S Clarke (Nazeing Parish Council), T Blanks (North Weald Bassett Parish Council), S De Luca (North Weald Bassett Parish Council), S Jackman (North Weald Bassett Parish Council), R Northwood (Sheering Parish Council), A Jones (Stanford Rivers Parish Council), J Jackson (Stapleford Abbots Parish Council), E Burn (Theydon Bois Parish Council) and K Richmond (Waltham Abbey Town Council)

Apologies:

Epping Forest District Council:

None.

Essex County Council:

Councillors M McEwen and C Whitbread

Parish/Town Councils:

L Petyt (Buckhurst Hill Parish Council), B Scrutton (Chigwell Parish Council), D Buckle (Epping Upland Parish Council), J Eldridge (Epping Upland Parish Council) and N Wilkinson (Roydon Parish Council)

Officers Present:

N Richardson (Service Director (Planning Services)), Q Durrani (Service Director (Contracts & Technical Services)), V Messenger (Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

20. APPOINTMENT OF CHAIRMAN & VICE-CHAIRMAN

- (1) It was confirmed that District Councillor, R Bassett, was the Chairman of the Committee for this municipal year; and
- (2) Councillor C C Pond was appointed the Vice-Chairman of the Committee for this municipal year.

21. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

22. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Committee held on 11 March 2019 be taken as read and signed by the Chairman as a correct record, subject to the following amendment to Issues Raised by Local Councils – Air Quality (Min no 16 (d)), paragraph 6, the inclusion of 'in Loughton' to read:

Cllr C C Pond agreed and that there was a further Government report on idling near school gates, and could joint action be taken between the Council and North Essex Parking Partnership (NEPP). NEPP had some surplus money to spend. Also Transport for London would be deploying electric hybrid buses in Loughton on 23 March 2019.

23. ISSUES RAISED BY LOCAL COUNCILS

(a) Street lighting (Min no 16 (f) – 11 March 2019)

The Service Director (Contracts and Technical Services), Q Durrani, reported that Epping Forest District Council had written to local councils at the beginning of January 2019 regarding the costs of night street lighting for their parishes for the hours when Essex County Council (ECC) normally switched them off. An agreement had been reached with ECC that the District Council would collect the funds and there would be a legal contract with ECC. A draft version of the ECC contract had been received, which would start on 1 April 2020. However, the four-year contract could start as soon as it was ready, but prices were dependent on energy prices each year and would likely fluctuate.

Councillor D Wixley was concerned if local councils were paying for night street lighting that this would not delay LED lighting, which used less electricity. The Service Director (Contracts and Technical Services) replied that he could not comment on LED lighting for ECC but hoped this would not be an issue. Councillor C C Pond explained that ECC had got established programmes for LED lighting and a number of street lights had been changed in Loughton.

Parish Councillor, S Jackman, asked if local councils had been informed of the costs, to which the Service Director (Contracts and Technical Services) replied, yes, by the former Acting Chief Executive, D Macnab. There would be new figures for the coming year.

Parish Clerk, S De Luca, remarked that North Weald Parish Council had not wanted to pay for all-night street lighting as it was too expensive, but had the costs dropped? The Service Director (Contracts and Technical Services) replied that the cost was the same.

Parish Clerk, A Belgrave, said that Chigwell Parish Council had initially wanted to pursue this but it would have cost £16,000. However, the Parish Council was still waiting for a reply to its questions, to which the Service Director (Contracts and Technical Services) replied all responses had been sent last week.

The Service Director (Contracts and Technical Services) asked local councils to confirm in writing that they wanted to pay the additional costs for all-night street lighting, as he was keen to sort out the contracts.

(b) Electric vehicle charging

Councillor C C Pond said it would be interesting to know what the District Council's intentions were on electric vehicle charging. Six constituents had asked him, particularly taxi drivers complying with the Mayor of London on electric cabs, if charging points could be provided as they did not have off street parking?

The Service Director (Contracts and Technical Services) replied that the District Council was implementing changes as a result of the Local Plan going through. Local Plan policies were encouraging the installation of charging points on planning applications. The District Council could also install charging points in its own car parks. However, it was difficult to find a suitable charging supplier because if you were not a member, you could get charged excessive amounts. Therefore, a fairer charging system was needed. However, there were also complex technical issues to overcome as the District Council would be struggling with limited parking spaces if electric parking bays were occupied for four to five hours to recharge a vehicle's battery. The District Council was looking at options and had been in contact with ECC to convert electric charging columns into charging points. Increased cost implications were likely as street lights were not by the roadside but set back on the land side of pavements, but ECC Highways was the best option and the District Council was monitoring the situation.

(c) Libraries

The Service Director (Planning Services), N Richardson, reported that North Weald Parish Council had raised the following concerns as a result of Essex County Council's (ECC) publication of 'Essex Future Library Services Strategy: 2019-2024'.

(1) North Weald Parish Council had raised this issue as the sum of £18,000 was being allocated by ECC to run a library, which was to be spread over five years with funding available over three years, and would the District Council give any dispensation on rateable value for library buildings.

The Service Director (Planning Services) replied that according to the Service Director (Customer Services), R Pavey, there was a potential for the District Council to be able to give 80 per cent rate relief if a library was occupied and run as a charitable organisation. The advice was either to seek charitable status or to share the premises with a partner.

(2) Regarding the amount of time it was taking to get information from ECC on how this would affect those groups / organisations who had placed 'Expressions of Interest', the District Council had no jurisdiction over Essex library services. Therefore, the County Councillors present might be able to offer advice on this.

(3) Regarding the continuing recruitment of volunteers to help run a local library was a real issue, but Voluntary Action Epping Forest (VAEF) might be able to advise further on this.

Parish Clerk, S De Luca, explained that North Weald was the only parish council in the District that had put in an expression of interest to run the local library. A number of other local councils in this area had already withdrawn their expressions of interest. She had attended ECC committee meetings and met with ECC Library Services, but was worried £18,000 was too small an amount when it included building maintenance, which was expensive, and rates. North Weald Parish Council would not get charitable status. ECC's forward strategy that no libraries would close needed to be read because this might mean a library could be moved into a different building. The Parish Council did not want this as it was seeking to use the library to run as a community hub, especially as more homes would be coming into the parish under the new Local Plan. She asked if County Councillors could take this issue back to ECC that £18,000 was not enough to run a library for five years.

County Councillor V Metcalfe commented that Buckhurst Hill Parish Council had submitted an expression of interest and had attended a very good meeting with County Councillor S Barker, Cabinet Member (Customer, Communities, Culture and Corporate). Every individual case was different and 20 per cent had set up a Trust to get an 80 per cent discount. There was not one overall answer. It would take ECC time to go through the expressions of interest as there had been a number of applications received.

County Councillor C C Pond said that North Weald Parish Council was co-housed in the library building. Loughton Town Council had put forward Loughton Library as an asset of community value and collected over 3,000 signatures in support of this.

County Councillor G Mohindra, Cabinet Member (Finance, Property and Housing), said this was one of his project's. This was an opportunity for all parish councils. He was looking at the County's estate, as there were a lot of old buildings. Community hubs were part of the vision. The £18,000 was specifically for library services, but it might be more cost effective for parish councils to partner with other organisations, such as the CAB. If local councils had any ideas, the Library Service would be proactive and any element of property regeneration could be looked at by his officers.

(d) Unauthorised traveller encampments

The Service Director (Planning Services) reported that Loughton Town Council had asked why the District Council had opted out of the services of the Essex Countrywide Traveller Unit (ECTU) that provided a comprehensive service to move on unauthorised encampments. Whilst the Town Council had received great support and advice from the District Council, individual local councils had to operate independently to remove unauthorised encampments, which could be expensive in terms of seeking legal advice and officer time. The ECTU provided a comprehensive service to move on unauthorised encampments and charged each District Council a modest sum for its services.

The ECTU was a partnership with Essex County Council, local councils and other authorities and also offered support to gypsies and travellers to access services, including education and health services. It had largely been superseded by the Essex Police Gypsy and Traveller Rural Team. The District Council was doing a quicker and better job itself.

The Chairman, Councillor R Bassett, had previously attended ECTU meetings and acknowledged this was a very difficult subject. He suggested liaising with Essex Police Gypsy and Traveller Rural Team and inviting a representative along to the next Local Councils' Liaison Committee meeting.

The Service Director (Planning Services) had been advised by Environment and Neighbourhood officers that the last time the Cabinet had looked at membership of the ECTU was in 2016 but that a review in 2018 had not been carried out. Essex Police was very active in removing travellers and had recently helped in Buckhurst Hill.

Loughton Town Clerk, M Squire, explained that he had worked at Witham where there had been three incursions in the last year and the ECTU had been very efficient in removing encampments therefore, he had been surprised that the District Council was not an ECTU member. Membership cost £10,000 and covered every parish council. Although the District Council was helpful, every local council was on their own, which could be very costly especially for rural parish councils.

Waltham Abbey Parish Clerk, K Richmond, supported Loughton Town Council as it had experienced two recent traveller encampments. Advice had been obtained from the District Council but unless the incursion was on District Council land, the other scheme offered more support to local councils.

Councillor C C Pond remarked that Loughton Town Council about three years ago had needed to go to County Court and had engaged counsel so it had become expensive. The District Council did provide help but did not consider the effect on local organisations. Also District Legal Services had undergone changes that covered the Council but left out local councils and increased their financial burden. He suggested the ECTU should be invited.

The Chairman reiterated that the District Council had reviewed this in detail in 2016. It had looked at what ECTU was providing and in comparison what internal services officers were providing. It had taken the view that the District Council responded more quickly to unauthorised encampments, advised local councils and worked with private landowners. He suggested that the District Council invite an Essex Police Gypsy and Traveller Rural Team member to the next meeting, and from that meeting put forward suggestions to the Cabinet Portfolio Holder - perhaps to review the possibility of membership to sort out what services there were and check if the ECTU had got the same traveller brief.

Agreed:

That the Service Director (Planning Services) liaise with C Wiggins, Interim Service Manager (Community Resilience), to help sort this issue out and check whether the ECTU still existed, to enable this to be revisited at the next meeting in March 2020.

24. TERMS OF REFERENCE

Democratic Services Officer, V Messenger, reported that a request from members had been made for a Terms of Reference for this Committee. However, research had only led to a similar document, the former Local Charter with Parish and Town Councils. This had come into existence in 2006 when the fifth version was agreed and had been part of the Constitution until December 2015. This Local Charter had not been included when the whole of the Constitution was revised in 2016. Therefore, a proposed draft Terms of Reference was drawn up using elements of this former Local Charter for members to discuss and agree.

The Chairman said that this was a proposed draft that members could update so that it could be agreed at the next meeting, but asked if members had any comments.

Councillor C C Pond explained that this had come about because when local councils were looking at items for this Committee meeting, a number affected ECC issues, rather than on responsibilities that came under the District Council. The County Councillors present at the meeting could report back to ECC. However, this was no substitute for formal representation, where a representative could formally report back to the decision-making bodies within ECC, or for a formal mechanism to be in place. Therefore, there was a big gap in what members of this Committee did and how that feedback reached the right people at ECC. What this draft version did not cover was the County's roles, such as Highways etc, and that this Committee ought to be formally reporting back decisions reached by this Committee through an agreed mechanism, e.g. that the District Council Leader write to the County Council Leader or the Chairman of the North Essex Parking Partnership, whichever was relevant. The Chairman commented if this could possibly be included in the draft under 'Aims'.

Councillor S Jackman agreed with Councillor C C Pond's comments. Items at tonight's meeting were of County Council interest to members of the parishes and asked whether the Committee could invite a member(s) of ECC to the Local Councils' Liaison Committee to address them directly.

Councillor G Mohindra said that a lot of his Cabinet colleagues did go to the Essex of Local Councils (EALC) meetings and they found it easier to disperse information at that level. ECC Members could be invited but problems had previously been experienced with speakers attending the Overview and Scrutiny Committee.

Councillor C C Pond said that until recently there was the Locality Board, which was a formal meeting between the Members of Parliament, County Councillors and the District Council's Cabinet. It had also included one member of the ECC political leadership team who was also the designated officer for Epping Forest. This had been helpful and the parishes had also been able to attend the Locality Board. He was unsure why the Locality Board had ceased to exist, but could this be taken back to the District Leader. Councillor S Kane agreed to apprise the Leader, Councillor C Whitbread, of this.

The Service Director (Planning Services) asked if the Terms of Reference could be kept simple like the draft version and that it did not become over complicated.

It was agreed:

- (1) That the draft version of the Terms of Reference be emailed to all local councils for comment; and
- (2) That a revised and final draft go forward to the next meeting in March 2020.

25. EPPING FOREST DISTRICT LOCAL PLAN - PROGRESS

The Service Director (Planning Services), N Richardson, said that the Planning Services Portfolio Holder report to Council on 19 September 2019 that had already been published, provided the most recent update to the Local Plan. The public hearings had finally closed on 11 June 2019. There had been much discussion and high turnouts at some of the hearing sessions. M Beard, the District Council's Counsel, had thought that the public examination had gone well.

The Inspector had issued advice on 2 August 2019, which was published on the Council's website, on the changes that would be required to the Local Plan. There were

no major problems on the soundness of the Local Plan. The District Council was required to undertake some additional work to agree with the Inspector a final suite of main modifications, which would be subject to a public consultation. The timeline for this work was still being worked out. Further actions to finalise the main modifications included a sustainability appraisal and an updated Habitats Regulations Assessment (HRA). The Inspector could not prove beyond all reasonable 'scientific' doubt, the robustness of the HRA and that the SAC would not be compromised. The Inspector had asked the Council to update the HRA modelling, which would involve undertaking additional transport modelling and air quality modelling. It would also require careful scoping with relevant consultants and agreement with Natural England on the methodology to be used. This would then feed into a final mitigation strategy addressing both the recreational impact on the Forest and the air quality impact across the whole of the District. A consequence of this was that the District Council was unable to issue planning decisions for additional houses or additional commercial floorspace until an agreement had been reached with Natural England, unless the developer was able to demonstrate that there would be no harm to the Forest in terms of air quality, and for the Council to assess it.

A neighbourhood plan referendum was being held by Moreton, Bobbingworth and the Lavers Parish Council on 26 September 2019. If the referendum result was a yes vote, then a report would be going to Council on 5 November 2019 to be 'made'. It would then form part of the statutory development plan for the District.

The District Council had been looking at the infrastructure to support growth across the District and was developing a contributions strategy and that had been agreed by Cabinet on 11 July 2019.

The Government had offered Green Belt authorities planning enforcement support. The District Council had made a bid for budget and would hopefully be successful.

The District Council had taken part in the Quality Review Panels, both for the Epping Forest District and Harlow and Gilston Garden Town. The Panel of eighteen experts was chaired by P Maxwell and would help improve the quality of developments. None of the planning applications or pre-planning applications had come before the planning committees yet but the Panel's recommendations would form part of the planning officers' reports. Achieving this, would help make improvements in decision making.

Councillor R Bassett asked further about the Epping Forest Special Area of Conservation (SAC). The Service Director (Planning Services) replied that this affected the majority of Epping Forest and was to do with the recreational impact from development, and was set at three kilometres from the SAC boundary for dog walkers. Air quality across the whole of the area of the Epping Forest District was to do with increased traffic movements as a result of planning application permissions.

Councillor R Bassett asked about the current status of the Harlow and Gilston Garden Town. The Service Director (Planning Services) replied that there was a lot going on. A liaison officer, S Williams, had joined the planning team in early August 2019 and would be supporting the work on strategic sites around Harlow.

Councillor G Mohindra was concerned that given the delay with the SAC, as an interim measure, could the District Council charge applicants a fee to cover the cost of mitigations? N Richardson replied that legal advice was being sought to identify what extra air quality work was required but until the HRA was agreed, the District Council could not move forward. There was no interim position at the moment.

Stapleford Abbots Parish Councillor, J Jackson, remarked that although only 47 houses were identified in the Local Plan for the parish, 134 new houses were being built/planned and other plans were still going through. Many gardens had been sold for cash gain for more housing. The Service Director (Planning Services) replied that the Inspector had not commented that sites in the parish needed to be removed or altered. Planning permission had been granted for the site at the rear of the public house before the SAC restriction. A second residential development near Tysea Hill had been to the Quality Review Panel twice to help move it forward. Windfall sites beyond what the Local Plan was proposing could be looked at within the Local Plan. He acknowledged that even though some sites were in the Green Belt a lot of infilling had been granted over the last two years.

Stanford Rivers Parish Clerk, A Jones, asked about the implementation of the Community Infrastructure Levy (CIL). The Service Director (Planning Services) replied that adoption of the Local Plan was required but the Government had removed the S106 pooling restriction. Work on the main modifications of the Local Plan would be undertaken as a matter of priority.

Councillor C C Pond advised that Waltham Forest Borough Council was in the process of adopting a new Local Plan, which had a number of cross-border implications, especially development around north Chingford and its impact on air quality on Epping Forest. The District Council should comment on this consultation, but the deadline was by the end of September 2019. He also commented on the appeal decision for 113 Church Hill in Loughton, which Area Plans South had refused, where the Inspector had upheld a refusal of permission solely because of the SAC, and not on what the planning committee had refused it on, which reinforced N Richardson's concerns. The Service Director (Planning Services) would check with the Interim Assistant Director (Planning Policy and Implementation) as he was unsure whether the District Council had been consulted.

Councillor C C Pond asked for the Service Director (Planning Services) prognosis as the Inspector had deleted Jessel Green (Loughton) and Limes Farm (Chigwell), which were on public urban open space land. The Service Director (Planning Services) replied that the Inspector had deleted these two sites from the Local Plan and had taken the Inspector's comments seriously. The Local Plan had provision for 11,400 homes over the course of the Local Plan and had more sites, so Planning Policy needed to look and assess their suitability.

Theydon Bois Parish Councillor, E Burn, asked if Waltham Forest had submitted a HRA and if not, should the Borough Council have done so? The Service Director (Planning Services) confirmed he would check with the Interim Assistant Director (Planning Policy and Implementation) and would look at including this observation.

Nazeing Parish Councillor, S Clarke, added that the National Planning Policy Framework defined an infill on Green Belt land, but was there a planning definition for windfall sites? The Service Director (Planning Services) replied that windfall sites were for small scale developments within the Local Plan. Infill in the Green Belt was for limited development in villages that did not affect the character of the Green Belt so would have to be on a more built up Green Belt site. Councillor S Clarke asked if there was a threshold for windfall sites was? The Service Director (Planning Services) was not sure, but the only sites assessed in the Local Plan were for sites of six or more units or 0.2 of a hectare or more.

Councillor S Billingham said that in Nazeing the parish had 122 houses allocated in the Local Plan but 270 houses had been granted permission in the last four years. Plus there were 220 homes planned for the Nazeing Glassworks site, and would this be

classed as a windfall site? The Service Director (Planning Services) said he would not have thought so. Pre-planning application meetings had taken place, which he had not been involved with, but there was contamination on the site that would be costly to rectify, so the developer had to decide if it was financially viable.

Councillor C C Pond asked about the Transport for London (TfL) car park sites at Debden and Loughton underground stations, as the Inspector had said that the degree and density proposed for the developments by TfL for buildings of 12 to 15 storeys in height were out of character, and unless the developments were scaled down then they would be removed from the Local Plan. Both he and District Councillor M Owen would be interested in these discussions with TfL, but what was the timeframe for this to happen? The Service Director (Planning Services) replied that he was not aware the meetings would involve members, but he was not in contact with TfL but knew this needed to be done and would be.

26. ANY OTHER BUSINESS

(a) Chairman's charity event

Councillor R Bassett publicised a forthcoming charity event he was holding to raise money for young carers. There were over 10,000 young carers in Essex and he knew of 9 year-olds looking after parents and siblings. The charity Italian night would take place at Papillon Ristorante, Brook Parade, High Street, Chigwell on 28 October 2019. There would be a three-course meal along with a very good singer and guitarist. Tickets would cost £40 on the night.

Councillor D Wixley said he had attended a musical event last year at New City College in Loughton, in aid of the same charity. The talent of the young musicians was incredible and it was a very entertaining event, but more councillors could have attended. He asked if the Chairman would be holding another similar event again, to which Councillor R Bassett said he would.

(b) Member Training

Nazeing Parish Councillor, S Clarke, wanted to know if the District Council could possibly put on more member training, as the parish council had four new co-opted councillors since the May 2019 elections. The Code of Conduct training had been cancelled in July and another Introduction to Planning session would be helpful. She knew Roydon had new members, but would other local councils be interested in attending as well? The Service Director (Planning Services) replied that he had organised planning training for members after the May elections and also organised a bespoke training session for two other councillors. He would only consider organising another session if there was sufficient interest from 10 to 12 parish/town councillors.

It was noted that EALC could organise mobile training sessions for a parish council or two or more local councils if they wished to share the training costs.

Regarding the possibility of another Code of Conduct course, local councils were asked to contact the Democratic Services Manager, S Tautz, directly to see if there was sufficient demand.

The Service Director (Planning Services) would be open to do another Introduction to Planning course. The only cost implication for the District Council's training sessions was if local councils had booked members to attend but they did not turn up on the day.

27. DATE OF FUTURE MEETING

It was noted that the next meeting of the Committee would be held at 7.30pm on 16 March 2020.

CHAIRMAN