



EPPING FOREST LOCAL COUNCILS' LIAISON COMMITTEE

NOTICE OF MEETING

Place: Council Chamber, Civic Offices, High Street, Epping
Date: Monday, 13th March, 2017
Room: Council Chamber
Time: 7.30 pm
Democratic Services Officer: Rebecca Perrin (Democratic Services Officer)
Tel: (01992) 564243 Email: democraticservices@eppingforestdc.gov.uk

Members:

District Council Representatives:

Councillors E Webster, M Sartin, A Boyce, J Lea (Chairman), B Rolfe and J H Whitehouse

Local Council Representatives:

Clerks and Chairmen/Members of Parish and Town Councils

County Council Representatives:

Members for the following divisions:

North Weald and Nazeing:	Councillor A Jackson
Loughton Central:	Councillor C Pond
Ongar and Rural:	Councillor M McEwen
Epping and Theydon Bois:	Councillor J M Whitehouse
Buckhurst Hill and Loughton South:	Councillor V Metcalfe
Chigwell and Loughton Broadway:	Councillor J Knapman
Waltham Abbey:	Councillor R Gadsby

**PLEASE NOTE THE START DATE OF THE MEETING
COFFEE/TEA WILL BE AVAILABLE FOR MEMBERS OF THE COMMITTEE FROM 7.00
P.M IN THE MEMBERS ROOM**

1. WEBCASTING INTRODUCTION (Pages 5 - 8)

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Chairman will read the following webcasting announcement:

"I would like to remind everyone present that this meeting will be broadcast live to the

Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

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 any member of the public wishes to avoid this they should move to the upper public gallery".

2. APOLOGIES FOR ABSENCE

3. MINUTES OF PREVIOUS MEETING (Pages 9 - 20)

To confirm the minutes of the meeting of the Committee held on 14 November 2016 and any matters arising therefrom.

4. NORTH ESSEX PARKING PARTNERSHIP - ON-STREET PARKING ENFORCEMENT

(Epping Forest District Council) To receive a presentation from officers of the North Essex Parking Partnership, with regard to arrangements for the enforcement of on-street parking regulations across the Epping Forest District.

5. ESSEX COUNTY COUNCIL - HIGHWAY RANGERS

(Local Councils) To consider the possible invitation of Councillor Eddie Johnson, Cabinet Member for Highways and Transport at Essex County Council, to give a presentation to a future meeting of the Committee on the work of the County Council's Highway Rangers and how the service could be accessed to benefit the Epping Forest District.

6. LOCAL AIR QUALITY (Pages 21 - 24)

(Local Councils) To raise concerns about the impact of poor air quality in the district and to consider appropriate action being taken by Epping Forest District Council in such regard.

A copy of a report and proposals prepared by Councillor C. C. Pond of Loughton Town Council, together with a response of the District Council's Environmental Health Officer responsible for local air quality, is attached for the information of members. Councillor Pond has suggested that representatives of the Corporation of London might be invited to attend a future meeting of the Committee to discuss the impact of poor air quality on Epping Forest, at a time when the Air Quality officer could also be available.

The Committee is requested to consider this approach.

7. EPPING FOREST DISTRICT LOCAL PLAN

(Epping Forest District Council) To receive a report from the Director of Neighbourhoods, on progress with regard to the development of the new Local Plan for the Epping Forest District.

8. FLY-TIPPING (Pages 25 - 28)

(Local Councils) To consider the attached report of Epping Forest District Council on its approach to dealing with instances of fly-tipping, including some questions and answers that are regularly raised on this issue.

The Council's Environment and Neighbourhoods Manager was aware that fly-tipping is an issue of particular concern to the rural areas of the district, but is unable to attend the meeting. The Environment and Neighbourhoods Manager will attend the next meeting to respond further to specific concerns, if required.

9. ANY OTHER BUSINESS

10. DATES OF FUTURE MEETINGS

To note that future meetings of the Committee will be held at 7.30pm on the following dates:

11 September 2017; and
12 March 2018.

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL

**PROTOCOL FOR WEBCASTING OF
COUNCIL AND OTHER MEETINGS**



Introduction

The Council has agreed that certain meetings should be the subject of live web transmission ('web casting'), or recorded for subsequent transmission. Fixed cameras are located within the Council Chamber for this purpose and there is a mobile unit for use in other locations

This protocol has been produced to assist the conduct of web cast meetings and to ensure that in doing so the Council is compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998. Accordingly the following will apply to all meetings to be web cast by the Council:-

Main provisions:

1. The Chairman of the meeting has the discretion to request the termination or suspension of the webcast if in the opinion of the Chairman continuing to webcast would prejudice the proceedings of the meeting.

This would include:

- (i) Public disturbance or other suspension of the meeting;
- (ii) Exclusion of public and press being moved and supported;
- (iii) Any other reason moved and seconded and supported by the Council/Committee or Subcommittee.

2. No exempt or confidential agenda items shall be webcast.

3. Subject to paragraph 4 below all archived webcasts will be available to view on the Council's website for a period of six months. Council meetings are recorded onto DVD, which will be stored in accordance with records management procedures.

4. Archived webcasts or parts of webcasts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.

If the Monitoring Officer has decided to take such action she must notify all elected Members in writing as soon as possible of her decision and the reasons for it via the Bulletin

Council expects the Chair of the Council and the Monitoring Officer to ensure that Council meetings are conducted lawfully. Therefore, Council anticipates that the need to exercise the power set out above will occur only on an exceptional basis.

5. Any elected Member who is concerned about any webcast should raise their concerns with the Head of Research and Democratic Services

Agenda Front Sheets and Signage at Meetings

On the front of each agenda and on signs to be displayed inside and outside the meeting room there will be the following notice:-

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

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.

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 Senior Democratic Services Officer on 01992 564249.

Meetings of the Area Plans Subcommittees, District Development Control Committee, Licensing Committee and other 'Quasi Judicial' Hearings

In any correspondence notifying applicants, supporters or objectors of the meeting date on which an application will be heard, the following advice will be included if the particular meeting has been chosen to be web cast:-

"Please note that Council meetings may be filmed for live or subsequent broadcast via the Authority's Internet site. If you do not wish the hearing of your application to be filmed, please contact the Senior Democratic Services Officer to discuss their concerns. The Council will not film speakers if they do not wish to appear in the webcast"

Conduct of Meetings

At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being or may be web cast, and that the Chairman may also terminate or suspend the web casting of the meeting, in accordance with this protocol. This will be confirmed by the Chairman making the following statement:-

"I would like to remind everyone present that this meeting will be broadcast live to the internet and will be capable of repeated viewing.

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."

This page is intentionally left blank

EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

Date: Monday, 14 November 2016 **Time:** 7.30 - 8.35 pm

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

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

Councillors J Lea (Chairman) and B Rolfe

Other Councillors:

Councillors R Baldwin, B Sandler, B Surtees, G Waller and D Wixley

Representing Essex County Council:

County Councillors Knapman and C C Pond

Representing Local Councils:

D Buckle (Epping Upland Parish Council), S Jackman (North Weald Bassett Parish Council), K O'Brien (Buckhurst Hill Parish Council), Janet Bicknall (Ongar Town Council), C Feetham (Ongar Town Council), N Wilkinson (Roydon Parish Council) and K Richmond (Waltham Abbey Town Council)

Apologies: **Epping Forest District Council –**

Councillors A Boyce, M Sartin, E Webster and J H Whitehouse

Essex County Council –

Councillors R Gadsby, A Jackson, V Metcalfe, M McEwen and J Whitehouse

Parish/Town Councils: -

E Walsh (Loughton Town Council), R Morgan (Matching Parish Council), A Jones (Moreton, Bobbingworth & The Lavers Parish Council), R Northwood (Sheering Parish Council) and G Shiell (Waltham Abbey Town Council)

Officers Present: S G Hill (Assistant Director (Governance & Performance Management)), K Durrani (Assistant Director (Technical Services)), P Maddock (Assistant Director (Accountancy)), J Leither (Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

By Invitation:

10. WEBCASTING INTRODUCTION

The Democratic Services Officer 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.

11. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the committee held on 4 July 2016 be taken as read and signed by the Chairman as a correct record.

12. NEW COUNCILLOR CODE OF CONDUCT - REPORT OF THE EPPING FOREST STANDARDS COMMITTEE

The Committee received a report from the Deputy Monitoring Officer (EFDC) regarding revisions to the Code of Member Conduct. He advised that the Epping Forest District Standards Committee had looked at the Code of Conduct earlier in the year, as part of an overall review of the Council's Constitution. They had agreed two areas of change to the Code which Epping Forest District Council would like all of the Town and Parish Councils to adopt so that the whole District was covered by the same code.

The two areas highlighted and in need of revision were:

- (a) Dealing with Non-pecuniary interests; and
- (b) Revisions to the Nolan principles.

Dealing with Non-Pecuniary Interests

A recent Investigators report on a Standards complaint case highlighted that the Code did not take effect unless there was a pecuniary interest and remained silent on predetermination in non-pecuniary interest cases. Having rechecked with the Public Law Partnership a later version of their Model Code has the following provision:

"Public Perception

If you have an interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it was likely to prejudice your judgement in the public interest and you are present at a meeting of the Authority at which such business was to be considered or was being considered you should:

- (i) Disclose the existence and nature of the interest; and
- (ii) Withdraw from the room or chamber where the meeting considering the business was being held".

This addition gives guidance on non-pecuniary interests and deals with the subjective assessment that each Councillor must make on items where they may be open to accusations that they are predetermined.

This wording has been included in our new code at Paragraph 11.2 of the Council's Constitution.

The Nolan Principles

Since the last review of the code, the Government had published a further report of the Committee on Standards in Public Life. That report reviewed the principles that the Nolan Committee originally put forward. There were suggested minor wording changes as a result of their review, which left the headings unchanged but the descriptions had changed.

Within their report the Committee highlighted the following reasons for the changes.

- The description of the present formulation of honesty refers to holders of public office having a duty to declare any conflicts of interest. The avoidance of conflicts of interest fits more obviously into our current understanding of integrity. Most people today would expect honesty to have a much broader meaning, focusing on truthfulness. This had particular resonance at the present time since a number of issues of current concern had involved allegations of inappropriate behaviour being covered up.
- Discussion around the importance of public office-holders making decisions on merit, tended to refer more frequently to impartiality than to objectivity. The Committee thought it would be helpful to include impartiality in the description of the meaning of objectivity.
- Equality of opportunity had become even more of a central tenet of thinking about ethics and values in the period since the principles were first established. The Committee thought it would be helpful to make clearer that objectivity required giving full regard to the importance of equality of opportunity and fair treatment, irrespective of individual characteristics such as disability, race, gender or sexual orientation.
- Public office-holders needed to show courage in speaking up about difficult issues, speaking “truth to power” and making or sticking by difficult decisions. The Committee saw this as a key element of ethical leadership and had therefore amended the description of leadership accordingly.

RESOLVED:

- (1) That the changes implemented by the Epping Forest Standards Committee to the Councillors Code of Conduct be noted; and
- (2) That the Council adopts the new Code of Conduct accordingly.

13. COUNCIL TAX AND PRECEPTS

The Assistant Director of Accountancy explained to the Committee the situation regarding the Council Tax and Precepts for the 2015/16 year and why they had received an adverse comment from the External Auditor.

He advised that the Council had set a provisional tax base for the year 2015/16 which was communicated to the major preceptors, that being the Fire, Police and Essex County Council during November 2014. However this tax base figure was later updated and it became apparent during January 2015 that due to an oversight this change had not been reported to the major preceptors only to the Town and Parish Councils. Therefore the major preceptors were working on one basis and the Town and Parish Councils on another basis. As soon as the issue was identified the major preceptors

were contacted with a view to getting them to amend their budget papers to reflect the precept figures that had been updated but for whatever reason this did not happen.

When the Parish and Town Councils put in their precept demands the District Council honoured these in full. However within the District Council's accounts this was accounted for slightly differently and the difference between the two figures was treated as a grant.

The Assistant Director, Accountancy understood that when the final accounts for that year were reviewed by the auditors the issue became apparent and that there was a return that the Parish and Town Councils would have to make to Central Government around the precepts of income that they received during the year.

He advised that in hindsight it would have been helpful if the District Council could have communicated the issue to the Town and Parish Councils and that the Auditors should have also alerted the District Council at that point and the issue could have been resolved.

The Assistant Director confirmed that this did not happen for the 2016/17 year.

Town and Parish members expressed concerns and they asked the District Council to send all of the Town and Parish Council's a letter of apology to explain that they were not at fault. Loughton and Waltham Abbey had achieved Gold Quality Status at their accreditation and they were concerned that they would now be marked down for no fault of their own.

Councillor Knapman advised that he was a Member of Essex County Council's Audit Committee and Chairman of the Fire Service Audit Committee and would raise this matter at the next meeting of both of these Committees, as to why they hadn't updated their figures.

The Assistant Director of Governance advised that the Assistant Director of Accountancy should approach the Director of Resources to discuss this matter and then he would inform the Town and Parish Councils of the outcome.

RESOLVED:

- (1) That Councillor Knapman would raise with Essex County Council's Audit Committee and the Fire Service Audit Committee why the figures had not been updated; and
- (2) The Director of Accountancy would inform the Town and Parish Councils of the outcome of the Director of Finance's decision regarding sending letters of apology to the Town & Parish Councils in the District.

14. LOCAL CHARTER REVIEW

The Local Charter had been drawn up jointly between the District Council and the Town and Parish Councils within the district. The Charter emphasised the importance attached by these bodies to working in partnership in the provision of public services.

At the last meeting of the Committee on the 4 July 2016 it was agreed that the review of the Local Charter be progressed by the Vice-Chairman, with the assistance of the Parish Clerk for North Weald Bassett Parish Council and the Clerk of Loughton Town Council. Unfortunately, it had not been possible to make any progress on the review of the

Charter in recent months. When completed the outcome of the review will be reported to the Committee and the Chief Executive of the District Council.

RESOLVED:

That the Vice-Chairman of the Committee, the Parish Clerk for North Weald Bassett and the Town Clerk for Loughton complete a draft review of the Local Charter and submit a draft to the Committee and the Chief Executive.

15. LOCAL COUNCILS LIAISON COMMITTEE - FUTURE MEETINGS

At its meeting on 4 July 2016, the District Council requested that consideration be given to a possible reduction in the number of meetings of the Committee during each municipal year, from three each year to two. The Committee requested that the District Council consult with all Parish and Town Councils to obtain a consensus view in this regard.

Officers have since consulted on this matter with all twenty-four local councils and its own member representatives on the Committee. Eight responses were received to this consultation, as follows:

- (a) 6 respondents favoured holding 2 meetings each year. These respondents felt that any urgent business which transpired between the scheduled meetings that an additional meeting could be arranged as and when necessary; and
- (b) 2 respondents favoured retaining 3 meetings each year.

Members discussed the content of the meetings and what subjects would encourage other town and parish councils to attend.

16. NEPP AND CHANGES TO ENFORCEMENT ARRANGEMENT FOR OFF STREET PARKING

The Committee received an update on the North Essex Parking Partnership (NEPP) and the off-street parking arrangements from the Assistant Director, Neighbourhoods. He advised that there were 18 car parks within the district which were owned and maintained by the Council. In 2012 NEPP took over the contract and enforcement of the car parks. A review was undertaken in 2015, the Cabinet decided to take back control of the enforcement of the car parks in the District. Notice was given to NEPP early this year and Officers have been working on a procurement solution of trying to get the off street car parking enforcement and cash collection done directly by the District.

Tenders were sent out and I am pleased to inform you that the Council received three very good tenders back which have now been assessed. A report will be submitted to the next Cabinet meeting on 1 December and a recommendation that a contract be awarded to one of the tenderers.

In 2015 £500,000 was invested across the District car parks installing new smart machines, CCTV and LED lighting. Officers were now able to access, from the office, reports on each machine as to how they were performing and whether there were any problems. He also stated that the car park charges were increased in July 2015 for the first time in 5 years.

Members expressed concern regarding the lack of enforcement in the district since NEPP took over, in particular weekend enforcement. They asked for assurances that when the new company took over on 1 April 2017 that there would be better enforcement and weekends would be covered.

The Assistant Director advised that as the Council were taking back control of the off-street parking that they would be in complete control of the days, times and areas that enforcement would occur.

Members were also concerned with on-street parking in particular with the enforcement of single and double yellow lines.

The Assistant Director advised that the District Council had no jurisdiction over the on-street parking as this was an Essex County Council function and NEPP would still enforce all on-street parking. He also advises that it would have to be a County wide decision to get on-street enforcement back to the districts and that the other districts in the County were happy with the current arrangements.

Attached are a series of maps provided by NEPP which show the tracking information of where the CEO's were patrolling live and where they had patrolled. If Members wished to look at any particular areas of interest then more detailed maps and analysis could be provided.

17. ANY OTHER BUSINESS

(1) Parish Councillor D Buckle from Epping Upland expressed concerns regarding the Epping Local Plan comments that St Margaret's Hospital in Epping would be closing and it was also noted in the Harlow Local Plan that the Princess Alexandra Hospital in Harlow would close and would move elsewhere. Would it be possible to invite someone from the Clinical Commissioning Group to attend a future meeting to give some vision of what they see for the future and where would the new hospital be sited.

The Assistant Director of Governance advised that someone from the Clinical Commissioning Group could be invited to attend a future meeting of this Committee.

(2) Councillor J Knapman advised that the Local Highways Panel were accepting new schemes for 2017/18. Town and Parish Councils should submit any schemes they had as soon as possible.

18. DATES OF FUTURE MEETINGS

The Vice Chairman requested that the next and future meetings of the Local Councils' Liaison Committee meeting be moved from the first Monday of the month by a week so that it would not coincide with the North Weald Bassett Parish Council meetings which are held on the first Monday of every month.

RESOLVED:

(a) That the next meeting of the Local Councils' Liaison Committee be moved from Monday 6 March 2017 to Monday 13 March 2017; and

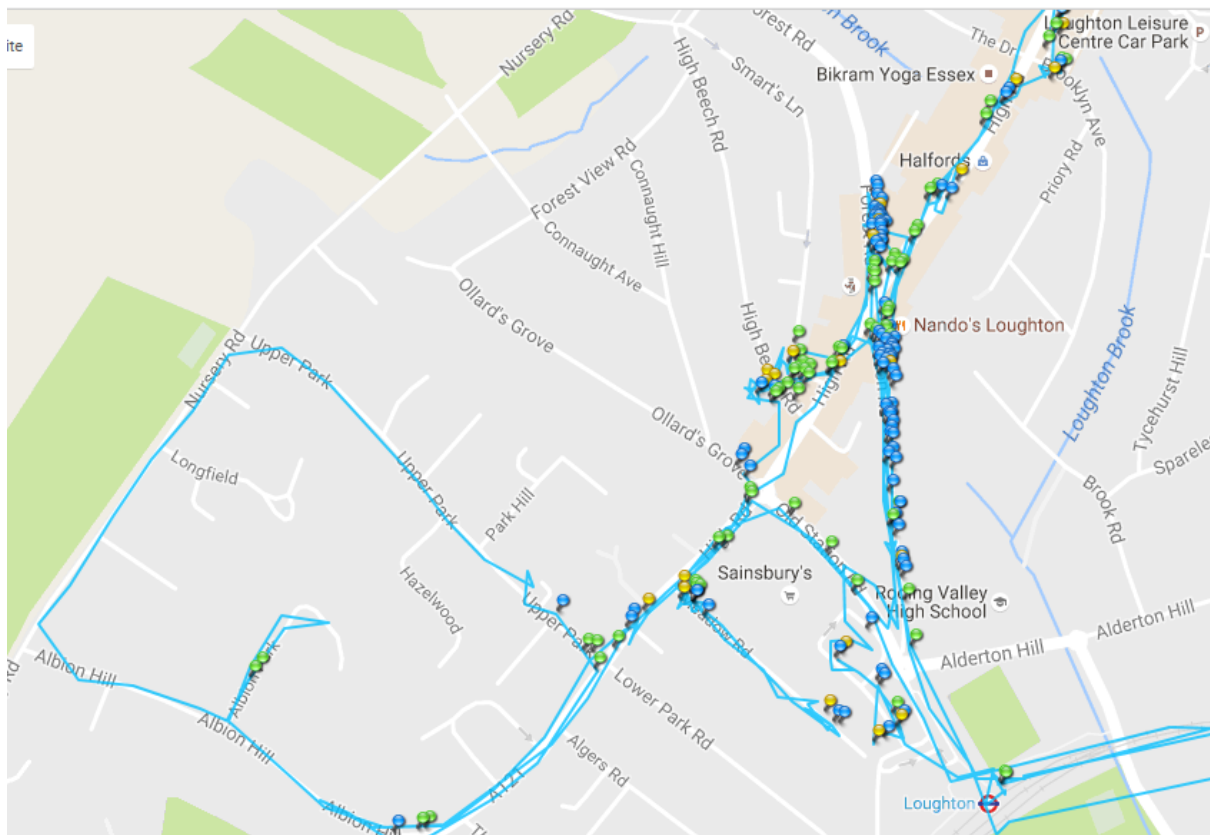
(b) That all future meetings of the Local Councils' Liaison Committee be moved from the first Monday of the month to the second Monday of the month so that they would not coincide with the North Weald Bassett Parish Council meetings.

CHAIRMAN

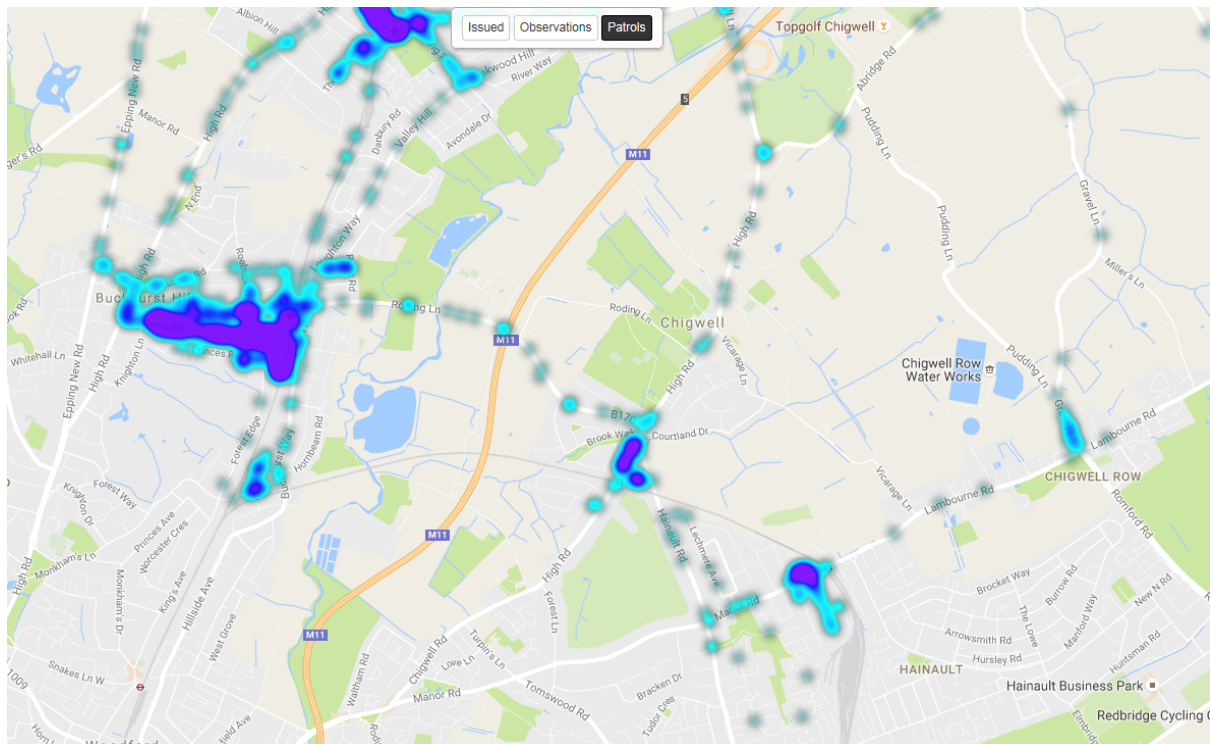
This page is intentionally left blank

Minute Item 16

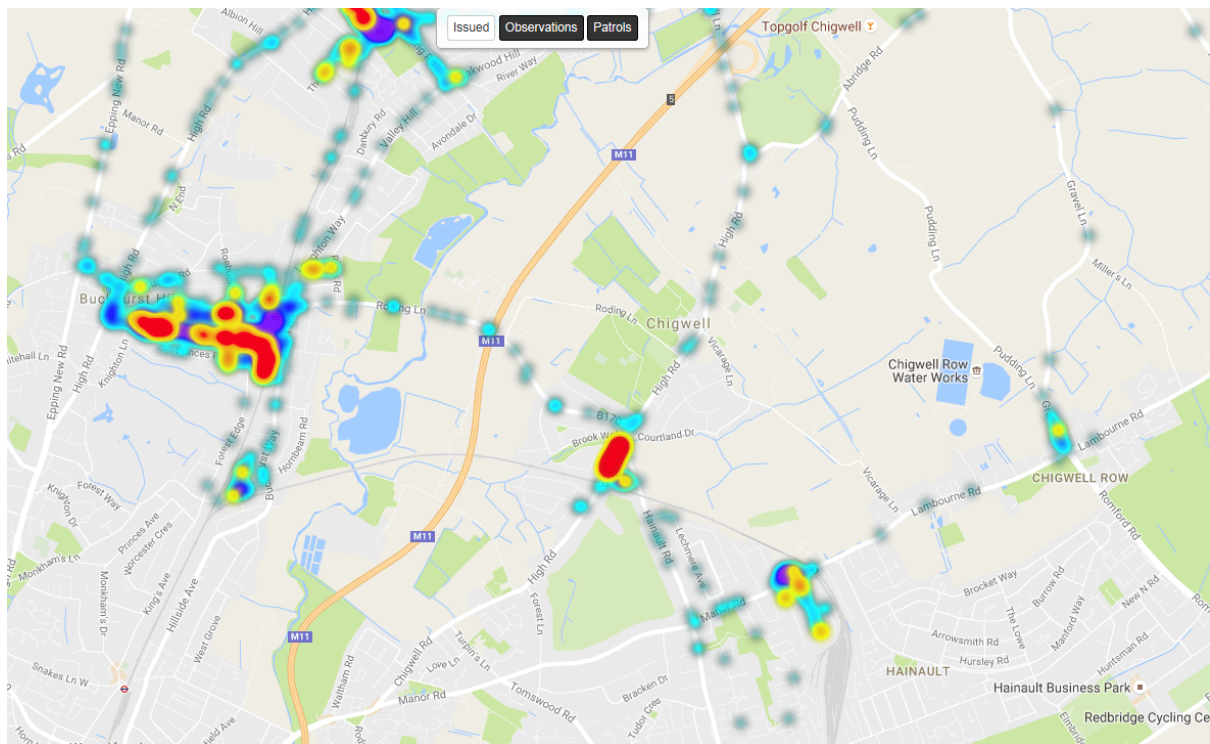
The information as viewed in the offices live so it is possible to see where a CEO was and what location the CEO had patrolled.



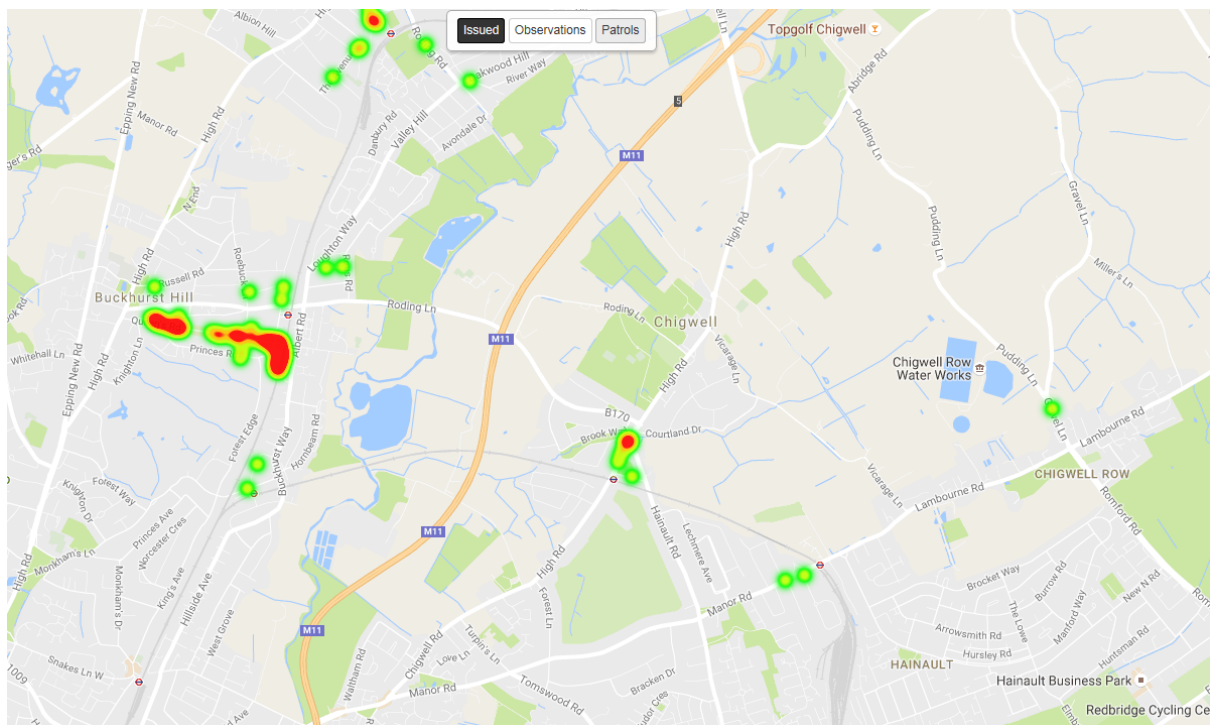
The following are examples of the more general patrol "heat maps":
Patrols in Chigwell / Buckhurst Hill in the week commencing 14/11/16.



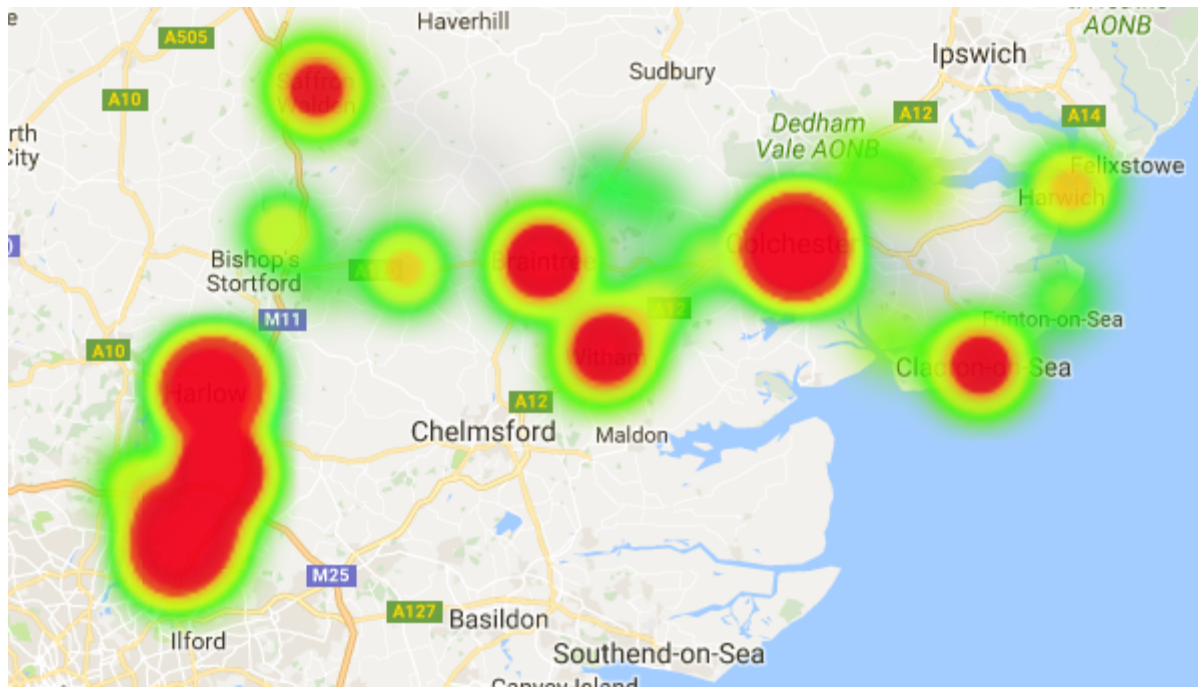
Observations (logged vehicles in limited waiting areas) overlaid.



PCNs that were issued on the same timescale.



The map below shows that the Epping Forest District get the majority of all NEPP enforcement.



This page is intentionally left blank

Agenda item 8, Other Matters

AIR QUALITY

Loughton Town Council would like to raise concerns about poor air quality in the district by drawing attention to following report by Cllr Chris Pond and to ask for the Branch's support.

The latest systematic reports by Epping Forest District Council on air quality are published at www.essexair.org.uk In 2013, the intention was to declare some Air Quality Areas in Loughton. There is no evidence this has been done.

The main cause of poor air quality in our parish (both urban and rural parts) is road traffic, with two motorways on our borders, and endemic stop-start traffic on the High Road and the A1168.

During the public enquiry on the Enfield NGAR in 2015, the Conservators expressed great concern that the A104 and A121, especially through Loughton, would become much more polluted from NOx emissions from extra vehicles. Local GPs have reported an increase in asthma cases in the young, mainly from the emission of particulates from diesel vehicles.

In 2016, the City of London, recognising threats to the environment in the green spaces as well as in the City itself, banned further purchases of diesel vehicles, and persuaded hire-car owners to switch hybrids to electric-only mode.

Diesel vehicles were being promoted by the Government only 5 years ago and given tax benefits. Official research (eg <https://www.parliament.uk/business/publications/research/key-issues-parliament-2015/health/air-quality-in-urban-areas/>) indicates that dealing with NOx and particulate pollution is now a government priority

What the Town Council has already agreed to do:

- Replace the Council's diesel vehicle with petrol, electric, or hybrid alternatives, already under consideration by the Recreation Committee;
- Exert pressure on
 - Epping Forest District Council to monitor and publicise vehicle pollution levels in the District; and
 - Essex County Council to include a requirement in their bus contracts for companies to incorporate anti-pollution measures on their vehicles;
- Cease (after a reasonable period) to pay mileage to councillors and if possible council staff for any diesel vehicle journeys;
- Require as a contractual condition its contractors to install particulate filters on any equipment they use (e.g. in grass cutting, site maintenance, etc), and the Planning and Licensing Committee, where relevant, to request similar conditions in planning consents;
- Join with relevant bodies such as the Conservators and local GPs to reduce the levels of pollution;
- Lobby relevant committees; and
- Encourage residents, when changing vehicles, to choose the smallest and least polluting non-diesel cars for their replacements.
- Encourage the provision of charging points for electric vehicles in Loughton.
- Promote these concerns at the forthcoming meeting of the Epping Forest Branch of the Association of Local Councils and with the Essex Association of Local Councils and the National Association of Local Councils.

This page is intentionally left blank

Epping Forest Local Councils Liaison Committee

13 March 2017

Local Air Quality

1. The following has been prepared in response to the report of Councillor C. Pond dated 8 February 2017 and addresses the points raised by Councillor C. Pond in the order that they are presented in his report.
2. All of Epping Forest District Council's air quality reports are available from the Essex Air website. They are placed on this site following confirmation from Defra that they are acceptable.

<http://www.essexair.org.uk/>
3. Monitoring of nitrogen dioxide concentrations continues at specific sites across the district. These sites are identified in the reports published on the Essex Air website. Where annual average concentrations are found to exceed the objective concentration of 40µg/m³, the Council has a duty to declare an Air Quality Management Area. It is then required to publish an Action Plan detailing what measures it will be taking to bring about a reduction in this concentration. As no such exceedances have occurred where there are relevant receptors, the Council has not declared any further Air Quality Management Areas. Defra have concurred with our decision not to do so.
4. The Council has not had any communication from any General Practitioners with regards to Asthma incidents in the Loughton area, although it would be keen to speak to any such professional that has evidence that there is an increased occurrence of health impacts from poor air quality within the district. As Councillor Pond's report identifies particulates from diesel vehicles, the Council would also be interested to have any evidence with regards to this as the cause of Asthma in these patients. To date the Council has not identified concentrations of particulate matter to be elevated within the district.
5. Epping Forest District Council monitors nitrogen dioxide at 27 locations across the district. The sites for monitoring have been selected in order to obtain good coverage across the district in locations close to both busy roads and residential properties. These are the locations which are most likely to experience elevated concentrations of this pollutant, as it is produced by road traffic. The Council has a duty to assess air quality across its district and as such this programme of monitoring will continue to be undertaken for the foreseeable future. The Council may cease monitoring at some locations, or indeed add further sites to the programme as seen appropriate over time.
6. Over the coming months, Epping Forest District Council will be revisiting the Action Plan that was produced in 2012 following the declaration of the Air Quality Management Area at Bell Vue, Epping. Whilst this process will focus on the reduction of concentrations of nitrogen dioxide within the declared Air Quality Management Area, it will also include other measures that will help to enhance the quality of air across our district.
7. As part of this work, the Air Quality Officer will be liaising with colleagues in development control with regards to conditioning future developments so that conditions are set that ensure all appropriate measures to minimise air pollution are undertaken. This will include the provision for electric vehicle charging points on both residential and commercial developments.
8. The Air Quality Officer is looking forward to updating and implementing the necessary measures that will assist in minimising health impacts from any poor air quality within the district.

This page is intentionally left blank

Epping Forest District Council – Fly-tipping response

All reports of fly-tipping reported to the Council or found by Council officers are logged to the Environment & Neighbourhoods team to consider a fly-tip investigation and to follow up clearance of the waste.

Officers will prioritise cases for investigation and then pass the information to our contractor for clearance or raise the incident with the landowner to arrange clearance.

Environment & Neighbourhood Officers (ENO) will visit, search for evidence, and then follow this up with the source of the waste and/or the alleged fly-tipper.

Often there is no evidence to identify the fly-tipper and the investigation relies on tracing the source of the waste to try and identify who may have tipped the waste. This can lead to waste duty of care offences being identified.

Officers will carry out interviews under caution and use power to demand paperwork and co-operation with an investigation. Failure to cooperate with an investigation can result in prosecution.

The Environment Agency (Tel. 0800 70 60 50) will also investigate the most serious “industrial size” fly-tips and any waste polluting water courses. However the vast majority of fly-tips in the district will be investigated by EFDC (or the Corporation of London if the fly-tipping is on forest land).

There has been an increase in large scale organised fly-tipping across Essex and neighbouring authorities in 2016/17. May authorities are working together to try and prosecute and disrupt organised fly-tippers.

Frequently asked questions:

Q1. How can I report fly-tipping?

If a crime of fly-tipping is in progress please report this to the police and the Council on 01992 564608.

Accumulations of fly-tipped waste should be reported to the Council on 01992 564608.

Or online <http://www.eppingforestdc.gov.uk/index.php/residents/your-environment/crime-safety/fly-tipping>

Or by email: erefuse@eppingforestdc.gov.uk

Most serious incidents can be reported directly to the Environment Agency Tel. 0800 80 70 60.

Q2. Who is responsible for clearing fly-tipped waste?

The responsibility for clearing up fly-tipped waste falls on the landowner where the waste was deposited. If an offender can be identified, we will seek to recover any clearance costs or in some cases immediately persuade the offender to return and pick up the waste.

EFDC are responsible for litter and refuse clearance on the public highway, which means that most fly-tips on the public highway and other public rights of way will be cleared by EFDC. Large fly-tips that obstruct the highway may occasionally be cleared by Essex County

Council as an emergency. The Corporation of London will clear fly-tips on their land. Ditches that run between the boundary of the public highway and private land are normally completely the responsibility of the private land owner to clear. EFDC is also responsible for clearing waste from any Housing or Estates land that it owns.

Q3. Where is the boundary between the public highway and private land?

Boundary lines are not always clear. Officers will use land registry records to try and identify landowners. Some unregistered land can be difficult to arrange clearance as ownership is not clear. In these cases those who occupy or abut the land may be held responsible for clearance.

Q4. What is the fine for fly-tipping?

Fines are unlimited. A fixed penalty notice (FPN) of £200 (default level) is available to deal with small fly-tips. A higher FPN up to £400 can be set by EFDC. Smaller incidents may be dealt with as a littering offence as an alternative, with a FPN of £75.

There is no FPN available for duty of care offences, although failure to provide waste transfer notes can result in a fine.

Q5. What is the waste duty of care?

Whenever businesses or householders give their waste to somebody else to dispose of (outside the routine household collection provide by the Council), they should always “Check, Challenge & Record”, to ensure that the person they give their waste to is authorised by the Environment Agency to carry waste. Householders and businesses who fail in their duty can expect to be prosecuted.

Householders must make reasonable checks and businesses who produce commercial waste must keep waste transfer notes to comply with their waste duty of care.

CHECK

Always check that the company or person you are intending to give your waste to is authorised to take it. Ask for their waste carriers registration details. Telephone the Environment Agency to check the public register on 03708 506 506.

CHALLENGE

Always ask for their details and what will happen to your waste? Ask yourself - Is it a good idea to employ somebody who has “cold called” offering to remove waste before you have checked their details? Get some quotes for the clearance work. Trust your instincts. If in doubt, don't give them your waste.

RECORD

Always record the details of who you give your waste to and any vehicles involved. Legal waste operators will be happy to cooperate.

Further advice:

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

Q6. Is the duty of care important?

Compliance with duty of care is vital to keep a track on waste disposal and keep waste out of the hands of rogue traders who profit from fly-tipping.

Q7. If the Council cannot collect the waste from my doorstep, how can I dispose of it legally?

EFDC provides a special collection service for some bulky household items such as beds, chairs, sofas, fridges and washing machines that cannot routinely be collected. There is a cost for this service. Collections can be booked via the Council's website or by telephone 01992 564068.

<http://www.eppingforestdc.gov.uk/residents/your-environment/recycling-and-waste/special-collections>

Essex County Council (ECC) provides a limited number of Recycling Centres for Household Waste only (RCHW). Always check before visiting to make sure the RCHW is open and will take the waste you intend to dispose of. ECC will not allow commercial vehicles into most of their sites. Commercial waste cannot be disposed of at RCHW.

<http://www.recycleforessex.com/i-want-to-get-rid-of/>

Email ECC: waste.management@essex.gov.uk

Call ECC: 0345 603 7625

If EFDC and ECC cannot take your waste (and you can't recycle, reuse or donate it to be re-used) you will need to employ a waste disposal company. If you employ a waste disposal company always "Check, Challenge and Record" to ensure that you comply with your duty of care and minimise the risk of your waste being fly-tipped.

Q8. What more can be done to stop fly-tipping?

We all need to take responsibility for the waste we produce, to reduce, recycle and if possible re-use. If we have to dispose of waste we need to ensure that we take our responsibilities seriously and ensure that our waste is being disposed of correctly with the right waste in the right place.

The Cleaner Essex Group, made up of local authority representatives across Essex are looking at a campaign in 2017 to raise awareness of duty of care, through links with Keep Britain Tidy using the slogan "#CrimeNotToCare".

<http://www.keepbritaintidy.org/Documents/Files/Campaigns/CN2C%20flier%20-%20web.pdf>

Suspicious waste activities and rogue traders can be reported to the Council or Crime Stoppers Tel. 0800 555 111 <https://crimestoppers-uk.org/>

Information: Richard Gardiner (Environment & Neighbourhood Manager – EFDC)

This page is intentionally left blank