

**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF NEIGHBOURHOODS SELECT COMMITTEE  
HELD ON TUESDAY, 21 MARCH 2017  
IN COMMITTEE ROOM 2, CIVIC OFFICES, HIGH STREET, EPPING  
AT 7.30 - 9.25 PM**

<b>Members Present:</b>	N Bedford (Chairman), H Brady (Vice-Chairman), R Baldwin, J Lea (Chairman of the Council), S Neville, A Patel, C P Pond, M Sartin, G Shiell, E Webster and J H Whitehouse
<b>Other members present:</b>	R Bassett and W Breare-Hall
<b>Apologies for Absence:</b>	N Avey, J Jennings and R Morgan
<b>Officers Present</b>	D Macnab (Deputy Chief Executive and Director of Neighbourhoods), A Blom-Cooper (Local Plan Consultant), D Coleman (Planning Policy Manager), K Durrani (Assistant Director (Technical Services)) and A Hendry (Senior Democratic Services Officer)

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**34. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

It was noted that Councillor J Lea was substituting for Councillor N Avey.

**35. NOTES OF PREVIOUS MEETING**

**RESOLVED:**

That the notes of the last meeting of the Select Committee held on 15 November 2016 be agreed.

**36. DECLARATIONS OF INTEREST**

Councillor J H Whitehouse declared a non-pecuniary, non-prejudicial interest in the following item of the agenda by virtue of being a trustee for Epping Forest Re-use Centre.

- Item 9 – KPI Qtr 3 progress.

**37. TERMS OF REFERENCE AND WORK PROGRAMME**

The Committee noted their Terms of Reference and Work Programme.

Councillor Sartin asked if this Committee could scrutinise the new leisure management contract as it was included in the terms of reference. Also she had received some complaints about the squash courts from the Epping Squash Club. Councillor Bedford said that as the centres were soon to be under new management it would be prudent to let them get to grips with their new facilities. Councillor Brady responded that the squash courts may have disappeared by then. Mr Macnab noted that under the contract it was agreed that the Epping Squash courts would go from 4 to 2 courts. The 2 courts taken away would be put to other uses. It would be a good

idea to have the new management company come to a future meeting (sometime in September) and explain their plans.

Councillor Janet Whitehouse asked if the different services could attend a meeting and tell us about the work they did. Mr Macnab said that the first meeting of the year usually presented the Directorate's Service Plan, so members could then prioritise what they wanted to hear about.

Councillor Sartin noted that the O&S Chairs and Vice-Chairs would be meeting to consider the work programme of the Select Committees.

Councillor Neville reported that the online booking system for users of the sports centre had been lost. Also, could the passenger transport people who oversaw the counties bus service come in to talk to us. Mr Macnab said that we would need to focus down on what we wanted to talk to them about. As for online bookings for the sports centres that would have an app to take booking. It may also be the case that with the change over, SLM did not want to take booking beyond March.

**Agreed:** that the Passenger Transport officers be invited to a meeting of this Select Committee to be questioned about the district's bus service. However the Committee would need to focus down to what exactly they would wish to question them about.

Councillor Lea asked if the land drainage people could be invited to come again at the end of the year especially due to the local plan. Mr Macnab said this could be arranged for sometime after January 2018.

**Agreed:** to invite the Land Drainage Officers to a later meeting of the Select Committee (in the new calendar year).

### 38. **RESPONSE TO THE GOVERNMENT'S HOUSING WHITE PAPER**

The Interim Assistant Director (Forward Planning) introduced the report on the government's consultation on the Housing White paper. The White Paper provided an analysis of the issues and challenges facing both the delivery of and access to housing. The document comprised a range of 'proposals' which were the subject of consultation and issues on which it was seeking comment. It also provided a range of questions for comment. The questions posed have formed the basis of the suggested response to the consultation, which was attached to the report.

The White Paper covered four key areas as follows:

- Planning for the right homes in the right places,
- Building homes faster,
- Diversifying the market; and
- Helping people now.

At this stage many of the proposals carried no firm commitment to implement, as drafted. They would be considered further having reviewed the responses made to this consultation. Some proposals would require changes to regulation, whilst some would require amendments to national policy, including to the National Planning Policy Framework. (NPPF).

Some of the matters raised in the White Paper had already been taken into account in developing the Council's Draft Local Plan, in part because they related to good

practice in planning for places or because, as can be seen from the detailed response by officers, these were matters that EFDC already consider to be clear within the NPPF. There were, however, a number of proposals which were likely to have implications for the development of the Council's Local Plan, depending on the outcome of the consultations and any subsequent changes to the NPPF.

It had been announced in the White Paper that planning application fees would be increased by 20% from July 2017 if local authorities committed to investing the additional fee income in their planning department. Many of the proposals were out on consultation and were reported to the Cabinet on 9 March 2017. It was reported that: *"The service is anticipated to have a net cost to the Council of approximately £400,000 in both 2016/17 and 2017/18. If fees were to be increased from July 2017 this would be likely to generate additional income in 2017/18 of £150,000. As this income would have to be spent on planning functions there would not be any reduction in the net cost of the service but an enhanced service could be provided."*

It was therefore recommended that as part of the response to DCLG on the White Paper that the following was submitted:

'The Council welcomes the increase in planning application fees and is committed to spending the additional income on planning functions. However, EFDC wish to advise that the increase in planning application fees would be insufficient to cover the current cost of the Development Control Service. Therefore, whilst the additional fee income would support an enhancement of the Service at no extra cost to Council Tax payers, those payers are part funding and will continue to, part fund the service even though the majority of them do not use the service. In the context of the move towards local authorities becoming financially 'self-sufficient' from 2020 onwards, charges for planning applications are, as far as the Council is aware, the only service where fees are still set nationally. EFDC would therefore strongly request that Government reviews its position on this matter. Furthermore, this does not take into account the costs of the plan-making process which is not just about the development of EFDC's Local Plan, but also other activities such as the Masterplanning of strategic sites which seek to ensure the speedy delivery of the high quality housing that the District needs.'

It was also noted that the White Paper removed the expectations that each planning authority produce a single Local Plan. Officers would nevertheless press ahead with the draft Local Plan.

The Committee went through the proposed draft response to the Housing White Paper, noting that: small sites were to be treated positively; that local planning authorities were to determine what their Green Belt policy was; the Green Belt review to look at brown field sites; the 20% increase in fees for planning applications (now agreed by the Cabinet); and Section 106 restrictions to be removed.

The draft response answered 38 questions. The response to question 3(b) being highlighted - the question being: "from early 2018, use a standardised approach to assessing housing requirements as the baseline for five year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?" Officers basically responding that without having the opportunity to see and make comment on the methodology proposed it was not possible to respond to this.

Notwithstanding this, there was a need for clarification as to how such an approach would apply to local plans.”

The following questions were raised by the Committee:

Councillor Bassett asked if the use of small sites would result in in-filling. The Planning Policy Manager said that it would not apply to us as none were allocated in our local plan.

Councillor Bedford asked if we could stipulate if land in the green belt had to have its trees put back. He was told that that officers were already making provision in the Local Plan for this.

**Q3** – *on having clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?* Councillor J H Whitehouse said that we needed better policies, especially for older people and needed to cater for downsizing, flats and the need for lifts. And, to cater for the loss of smaller houses as older people did not have anywhere to move to. The Planning Policy Manger replied that they agreed with increasing the choices for sections of the community, and that we needed houses of all sizes.

Councillor Bedford asked if we could include a reference to people with mental health needs in our reply to this question (Q3). He was told that could be added.

**Q4 (a)** - *Do you agree with the proposals to amend the presumption in favour of sustainable development so that: a) authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?* Councillor C P Pond said that we should be more firmer and saying we did not agree at the start of the answer and then keep the text as was by way of an explanation.

**Q6** - *How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where ‘ransom strips’ delay or prevent development)?* Councillor C P Pond was not happy with this response and would like to say, as a council, we did not carry out compulsory purchases. She was told that the government was asking what powers could be given to local councils, other than the use of money, after we had exhausted all other routes. Councillor Bedford added that we needed a safeguard. Councillor Sartin said that she was not comfortable with this either. The Planning Policy Manager emphasised that this would be for a “ransom strip” and not just for general compulsory purchases. The Director of Neighbourhoods added that it was about having an extra means to help us. Councillor Sartin said that she was worried about its use on green belt land. The Chairman agreed that the answer would stand as was.

**Q7** - *Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?* Councillor Bedford asked that something was added to take in the need for similar/sympatric designs to balance with existing housing. This was agreed.

**Q8 (b)** - *Encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority’s housing needs?* Councillor Patel said that he did not follow the response; he was not sure how we could do this without having an adverse effect on the villages.

Councillor Brady said it was aimed at making things slightly better and supportive rather than having whole scale change. The Planning Policy Manager added that it would be for local authorities to determine the effect and how it would be carried out.

**Q12(d)** - *Makes clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?* Councillor Patel noted that design was often used as an objection in planning applications. Councillor Sartin said that this fell into what Councillor Bedford said earlier about harmonious design within a street scene.

**Q13 (a)** - *Make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?* Councillor Whitehouse asked if this meant no more bungalows. She was told that it was not as specific as that, but about moving to high densities.

**Q13(b)** - *Address the particular scope for higher density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas?* Councillor Whitehouse commented that this seemed to be looking for rows of flats. She was told that it was the government saying that; we were not. Councillor Patel said we needed to make a strong point about car parking spaces. The Director of Neighbourhoods said that this question specifically mentioned public transport. Councillor Whitehouse supported Councillor Patel; we needed something in there about parking. The interim Assistant Director said that this was for national policy, but you were talking about how we apply it locally. Councillor Bassett asked if we could add we have concerns about parking and say their proposals would lead to a lot of problems. Add a sentence at the end of our response saying that we appreciate this sentiment but need consideration to be given to car parking. This was agreed by the officers.

**Q14** - *In what types of location would indicative minimum density standards be helpful, and what should those standards be?* Councillor Pond said that in parts there was no public transport and existing services could not cope with any additional demand. There was a need to increase capacity. She was told that the response did say that a one size fits all was not appropriate.

Councillor Whitehouse made a general comment that we needed to be stronger in our response especially on the things we felt strongly about. She asked if this had been in the Council Bulletin. She was told that it had gone to a member's workshop in February. But a draft of the response could be put in the Council Bulletin. The Director of Neighbourhoods agreed that the response should be shared with all members via the Council Bulletin. If there were any material changes made then officers would review the situation. He then reminded the Committee that members could also respond personally to this consultation.

**RESOLVED:**

That the response to the Government's consultation on the Housing White Paper be agreed with the addition of the comments agreed at this meeting.

**39. LOCAL PLAN UPDATE**

The Interim Assistant Director (Forward Planning), Alison Blom-Cooper introduced the update on the Local Plan. It was noted that the formal 6 week Regulation 18

consultation on the Draft Local Plan finished on 12 December 2016. Since the Council decision to consult on the Draft Local Plan on 18 October 2016, Draft Local Plan policies were being treated as a material planning consideration when determining planning applications.

A further detailed report will be provided to cabinet following the conclusion of the analysis of all responses received. All responses would also be available for public inspection as soon as possible following completion of the analysis.

Following consideration and further analysis of the comments received in response to the Draft Local Plan consultation, the next stage would be to prepare a plan for publication and to publish it under Regulation 19. This would be the document that the Council considers was ready for examination. There would also be more member workshops to come.

A Developer Forum had been established alongside the progression of the Draft Local Plan to provide a basis for ongoing discussions with relevant landowners, site promoters and stakeholders. It was important that the Council liaised closely with relevant landowners and promoters of the sites proposed for allocation within the Draft Local Plan, and with other stakeholders as required.

The Developer Forum was split into two groups, one to address the Strategic Sites around Harlow, and the other to consider those that are subject to a draft allocation across the rest of Epping Forest District. Two rounds of meetings have been held to date, one on 2 December 2016 and one on 24 February 2017 when an update was provided on the Garden Town Programme, and the award of funding to EFDC, Harlow Council and East Herts District Council to deliver the growth required.

Officers from Harlow and East Herts District Councils were present to provide updates on their current positions to the group addressing the Strategic Sites around Harlow. Harlow Council had made clear they were currently reviewing the current objections held to the inclusion of sites to the south and west of Harlow, within Epping Forest District, in the Epping Forest District Draft Local Plan. East Herts District Council would submit their Plan for Examination on 31 March 2017.

The Council was successful (together with East Herts and Harlow Councils) in securing £500,000 Garden Towns funding from DCLG for the Harlow and Gilston Garden Town to support the delivery of strategic sites in and around Harlow. This includes the four strategic sites to the South, West and East of Harlow in this District. A joint delivery team was being established with EFDC as the lead authority and the post of Project Director was currently being recruited.

The Council had also been allocated funding by DCLG to support community led housing developments. The total sum allocated was £32,211 with 50% paid for 2016/17 and a further tranche available subject to satisfactory evidence that the money was being spent in accordance with the objectives. Officers were working with colleagues from East Herts and Uttlesford District Councils, with the support of ATLAS, to collaborate on the use of the funds received.

Councillor Patel asked for clarification on the Strategic Masterplan (SMP). The Planning Policy Manager said that the SMP was separate to the Local Plan. The Local Plan set out the strategic over-plan while the SMP sat alongside the Local Plan and was not statutory and would provide a bridge to the Local Plan. Council would have a role in agreeing any development and how they relate to each other and also meet our needs. Ms Blom-Cooper added that they would like have members involved

in the pre-application stage, so it would be scrutinised before it went to a planning committee.

Councillor Baldwin asked how much control we had over the development of a site and could we use the local development guidelines as opposed to the national development guidelines. He was told that we controlled the sites we allocated, but not the developers. Nationally there was a push to use smaller developers.

Councillor Baldwin queried the selling of leaseholds for freeholds after a time. Could we ensure developers sold freehold properties? The Planning Policy Manager replied that the government was pushing the leaseholds as people could buy part of the property and thus get people on the housing ladder. Councillor Baldwin said that he would like to see 'Common hold' pushed. Councillor Bassett said that Common hold was very restrictive and not flexible, but we could not influence developers.

Councillor Brady asked if the large sites around Harlow failed, how would that affect EFDC. A lot of this would also rely on whether Junction 7a would be put in. Ms Blom-Cooper replied that they were looking for around 17, 000 new homes around Harlow and there were concerns about roads and congestion. Harlow had now signed the MOV on this and were looking to build it as 'Harlow Garden Town with a sustainable transport corridor coming in from the north.

Councillor Whitehouse said that the developer's forum had caused concerns. It seemed that we met with developers on sites that we had not made decisions about. She was told that officers were very conscious of the process, some sites may change but they must start now bringing forward sites to make the Local Plan stand. Officers were about to start a new site selection process with about 60 new sites to look at. There will be member workshops on these new sites. The end of the process was very near (at the end of this year) and officer will have to do a lot of work before this on sites. Infrastructure needed to be sorted out and to do this officers would need to work with the developers on what they would need to provide. This also stopped them doing the things that we did not want them to do.

Councillor Neville asked that when a new site came in and the public were consulted how did we take their views into account. He was told that would depend on the objections received and where the sites were etc. also all members could comment on the site selections.

Councillor Webster commented that members had spent a lot of hours on this in various workshops etc. and they had now reached this point. What would happen if some of these sites were flooded out, how would we square this with residents? Ms Blom-Cooper said that that officers would look at the sites proposed and come to a conclusion on their suitability.

**Agreed:** that the list of the 60 new sites would be put in the Council Bulletin when officers had the list settled.

**RESOLVED:**

That the update on the Local Plan was noted.

**40. CORPORATE PLAN KEY ACTION PLAN 2016/17 - QUARTER 3 PROGRESS**

The Director of Neighbourhoods introduced the quarter 3 progress Corporate Plan Key Action Plan for 2016/17. The Corporate Plan was the Council's key strategic

planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

There were 49 actions in total for which progress updates for Q3 are as follows:

- |                          |                        |
|--------------------------|------------------------|
| • Achieved or On-Target: | 26 (53%)               |
| • Under Control:         | 13 (27%)               |
| • Behind Schedule:       | 4 (8%)                 |
| • Pending:               | 6 (12%)                |
|                          | <b>Total 49 (100%)</b> |

12 actions fall within the areas of responsibility of the Neighbourhoods Select Committee. At the end of Q3:

- 6 (50%) of these actions had been 'Achieved' or are 'On-Target'
- 4 (33%) of these actions were 'Under Control'
- 2 (17%) of these actions were 'Behind Schedule'
- 0 (0%) of these actions were 'Pending'

Councillor J H Whitehouse asked for an update on the St John's Road site. Mr Macnab said that it had been sold to Frontier Estates. They will now have a tripartite agreement and negotiations with the Town Council were still going on.

#### **RESOLVED:**

That third quarter progress of the Corporate Plan Key Action Plan for 2016/17, in relation to its areas of responsibility was reviewed and noted by the Select Committee.

#### **41. KEY PERFORMANCE INDICATORS QTR 3 - 2016/17 AND REVIEW OF TARGETS FOR 2017/18**

The Director of Neighbourhoods introduced the quarter 3 performance of the Key Performance Indicators (KPIs) for 2016/17 and the review of targets for the following year.

The overall position for all thirty-seven KPIs at the end of the Quarter 3 was as follows:

- 26 (70%) indicators achieved third quarter target;
- 11 (30%) indicators did not achieve third quarter target, although 4 (11%) of KPIs performed within the agreed tolerance for the indicator; and,
- 31 (84%) indicators were currently anticipated to achieve the cumulative year-end target, and a further 3 (8%) are uncertain whether they will achieve the cumulative year-end target.

Thirteen of the Key Performance Indicators fell within the Neighbourhoods Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at Q3 for these 13 indicators was as follows:

- 8 (62%) indicators achieved target;
- 5 (38%) indicators did not achieve target, although 4 (31%) of these KPI's performed within the agreed tolerance for the indicator;



(c) 11 (85%) of indicators were currently anticipated to achieve year-end target, whilst 0 indicators were uncertain whether they would achieve year-end target.

**NEI001** – *How much non-recycled waste was collected for every household in the District* - Councillor Whitehouse asked if residents were being educated on what they could recycle. Mr Durrani, the Assistant Director, Technical Services said that the Cabinet had agreed new policies and officers could now start enforcement procedures if thought necessary, but they would still start with trying to educate residents. They have been having issues with blocks of flats and their recycling. Councillor Bedford agreed about the problems with blocks of flats; could we write to the relevant management companies about recycling and collection of waste in general. Mr Durrani replied that they did this already but they can do more. Officers were currently starting a new project to target flats and incentivise recycling.

Councillor Sartin asked a general question about flytipping (NEI006, NEI007 and NEI008). She wanted to know if there were any records to show the number of flytips or the types of flytips that we dealt with. Mr Macnab said that we could get this information from the ECC. Councillor Neville asked that this information be put in the Council Bulletin.

Councillor Bedford noted that the City of London had a zero tolerance towards flytipping.

Councillor Brady commented that when there was any flytipping on verges and on farmer's land, the Council refused to do anything about it. Currently there was some asbestos by Gains Park. Mr Durrani said that anything on the public highway we could remove, but not when it was on private land, all that could be done was to enforce its removal by the land owner. It was a funding issue and would need a change in policy.

Councillor Bedford noted that asbestos was a public health issue. Could we do something about this? He knew that there would be no easy answer to this.

The Committee went on to review the KPIs for 2017/18 and noted that the following had been altered:

- (a) NEI006 – Fly-tip Investigations – target decreased
- (b) NEI010 – Increase in homes – target increased
- (c) NEI011 – Commercial rent arrears – target increased
- (d) NEI013 – Waste recycled – target decreased
- (e) NEI014 – Waste composted – target increased

The Select Committee were in agreement with these changes.

Councillor Sartin asked how we compared with other authorities on recycling. Mr Durrani said that the Council was one of the higher achievers, being 2<sup>nd</sup> in Essex. But some other authorities were changing the way they collected recyclables, and there was a discernible trend in that the percentage of recyclables were falling. Also the problems with non-recyclables were increasing.

**RESOLVED:**

- (1) That the Select Committee reviewed and noted the Q3 performance in relation to the key performance indicators within its areas of responsibility; and
- (2) That the Select Committee reviewed and agreed the proposed key performance indicator set for 2017/18 for those areas which fall within its' areas of responsibility.

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

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

**43. FUTURE MEETINGS**

The Committee noted that this was their last meeting for this municipal year and thanked the Chairman for his good chairmanship during the year.