

PLACE SCRUTINY COMMITTEE
Tuesday 27th February 2024

You are invited to attend the next meeting of **Place Scrutiny Committee**, which will be held at:

Council Chamber - Civic Offices
on **Tuesday 27th February 2024 at 7.00 pm**

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

L Kirman Tel (01992) 564243
email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors H Kane (Chairman), J Parsons (Vice-Chairman),
I Allgood, D Barlow, R Bassett, E Gabbett, A Lion, C Nweke,
L Paine, R Pugsley and B Vaz

SUBSTITUTE NOMINATION DEADLINE: 6.00PM

This meeting will be recorded for repeated viewing.

1. WEBCASTING INTRODUCTION

The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be recorded to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

Therefore, by entering the Council Chamber and using the seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.”

2. APOLOGIES FOR ABSENCE

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal](#)

[webpage](#) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the [Council's website](#), at the bottom under 'Contact Us'.

3. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

4. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. NOTES OF PREVIOUS MEETING (Pages 3 - 7)

To agree the notes of the last meeting of Place Scrutiny Committee held on 19 September 2023.

6. WORK PROGRAMME (Pages 8 - 9)

Members to consider and review the work programme.

7. WASTE PROGRAMME UPDATE (Pages 10 - 12)

To consider the update on the delivery of the Waste Programme.

8. NEW EPPING LEISURE CENTRE PROJECT UPDATE (Pages 13 - 16)

To consider progress of the new Epping Leisure Centre project

9. UPDATED TREE POLICY (Pages 17 - 29)

To consider and comment on the updated EFDC Tree Policy 2024 – 2029.

10. LATTON PRIORY STRATEGIC DESIGN CODE (Pages 30 - 40)

To consider and comment on the Latton Priory Strategic Design Code. Please note Appendices A, B and C are attached separately to this agenda.

11. DATES OF FUTURE MEETINGS

To note that this is the last scheduled Place Scrutiny Committee meeting of the municipal year.

EPPING FOREST DISTRICT COUNCIL PLACE SCRUTINY COMMITTEE MEETING MINUTES

Tuesday 19 September 2023, 7.00 pm - 8.15 pm

Council Chamber - Civic Offices

Members Present:	Councillors H Kane (Chairman), J Parsons (Vice-Chairman), I Allgood, R Bassett, L Paine, R Pugsley and B Vaz
Other Councillors:	Councillors R Balcombe, N Bedford, S Kane, J Philip, C Whitbread, H Whitbread and J H Whitehouse
Apologies:	Councillor(s) A Lion
Officers In Attendance:	Melissa Faux (Senior Crime and ASB Officer), Mandy Thompson (Interim Acting Service Director (Technical)), James Warwick (Interim Acting Service Director (Contracts)), Phil Hawkins (Contract Compliance Specialist GM) and Christopher Smith (Environmental Enforcement Officer)
Officers In Attendance (Virtually):	Vivienne Messenger (Democratic Services Officer) and Jennifer Gould (Strategic Director and Chief Operating Officer)
Guests	Ben Sharples and Maria Sharples (Qualis Property Solutions)

A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING

11 WEBCASTING INTRODUCTION

The Chairman reminded everyone present that this meeting would be recorded and that the Council had adopted a protocol for the webcasting of its meetings.

12 SUBSTITUTE MEMBERS

The Committee noted that Councillor L Burrows had been appointed as substitute for Councillor A Lion.

13 DECLARATIONS OF INTEREST

Pursuant to the Council's Members' Code of Conduct, Councillor R Bassett declared a non-pecuniary interest in the following item of the agenda by virtue of being a Non Executive Director of Qualis and would remain in the meeting for its consideration.

- Grounds Maintenance

14 NOTES OF PREVIOUS MEETING

A statement in response to a query on the status of Union recognition by Qualis was provided verbally to the Committee and had been sent as requested to Cllr Murray. This can be viewed on the webcast of this meeting.

RESOLVED:

That the minutes of the Place Scrutiny Sub-Committee held on 4 July 2023 be taken as read and signed by the Chairman as a correct record.

15 WORK PROGRAMME**RESOLVED:**

The Place Scrutiny Committee noted the amendments and agreed the work programme.

16 TRANSFER OF GROUNDS MAINTENANCE TO QUALIS PROPERTY SOLUTIONS - UPDATE

Mandy Thompson (Interim Acting Service Director (Technical)) provided an overview and update on the transfer of the Grounds Maintenance Survey to Qualis Property Solutions the

- The service transferred in May 2023.
- Service issues were acknowledged; this was due to weather conditions and staff vacancies.
- The Council had appointed a Contract Compliance Officer.
- Independent and joint visits were carried out, and monthly monitoring meetings had been implemented.
- Both parties were working towards developing relevant performance indicators, improving the service and resident satisfaction.
- Performance would be reported to the Overview and Scrutiny Committee on a quarterly basis.

The Committee

- Agreed that questions and comments would be reserved until after the presentation by Qualis on the operational aspects of the service.

Resolved:

That the Committee noted and endorsed the report, for the next Cabinet meeting.

17 GROUNDS MAINTENANCE SERVICE UPDATE (QUALIS PROPERTY SOLUTIONS LTD)

Ben Sharples and Maria Sharples (Qualis Property Solutions) provided details on customer views and the areas of responsibility in the contract for Qualis. The four-stage improvement plan was detailed:

- Stage 1: May 2023 to December 2023 - embed a visual standard; schedule and complete a pilot GIS mapping project which would detail the ownership of land.
- Stage 2: January 2024 to May 2024 - assess the inherited ICT and potential roll out GIS mapping with a dependency on EFDC
- Stage 3: June 2024 - review standards, set performance and KPIs.
- Stage 4 May 2024 to August 2024 - job creation, including apprenticeships and local jobs.

The Committee:

- Welcomed the update and presentation provided by EFDC staff and Qualis,
- Acknowledged that there had been some improvement since the previous presentation.
- Recognised the value of walkabouts and on-site inspections.
- Received confirmation that the Essex County Council (ECC) were responsible the enforcement of overgrown private hedges.

- Agreed that GIS mapping, the ownership and responsibility of land would be a valuable tool.
- Suggested the inclusion of areas of weed spraying into the GIS mapping exercise.

Qualis.

- Confirmed that any service requests that did not fall under their remit were referred back to the Council
- Acknowledged a difficult start to the contract with unseasonable weather and staff vacancies
- Advised that recruitment, and efficient and effective scheduling would improve the service.
- Provided information on recruitment, and advised there were currently 2 vacancies and 2 agency members of staff
- Detailed that specific requests including those for No Mow May would be assessed considered on an individual basis

Committee Recommendation:

A referral system for all ground maintenance issues, irrespective of ownership and responsibility, be developed between organisations, as an outcome of the GIS mapping project.

Resolved:

That the Committee noted the report.

Actions:

- (1) Qualis to provide details of the organisational structure of the grounds maintenance team
- (2) Qualis to ensure Ward Members were invited to the estate walkabouts.
- (3) Consideration be given to the development of a referral system to allow residents a single point of contact for all ground maintenance issues, irrespective of ownership and responsibility, as an outcome of the GIS mapping project.

18 PUBLIC SPACE PROTECTION ORDER (DOG CONTROL)

Mandy Thompson (Interim Acting Service Director (Technical)) introduced the Public Space Protection Order (Dog Control) (PSPO) report.

- The Committee were advised that the Council tried to encourage responsible dog ownership and an operational PSPO would streamline and improve the enforcement process carried out by the Council's Environment & Neighbourhoods officers.
- Consultation on the proposed PSPO was required and the suggested approach set out criteria for the implementation of the PSPO, if consultation was favourable (60%), or reconsideration of the proposal in light of 40% objections.
- The PSPO would last for three years with an option to amend and extend for a further three years.

The Committee

Welcomed the report and suggested that the PSPO would be welcomed by the community and received confirmation that:

- The PSPO applied across the district and would be enforceable in Epping Forest as City of London Constables were authorised to issue Fixed Penalty Notices (FPN).

- Dog waste could be put in any waste bin, and awareness on the disposal of dog would be included as part of the consultation exercise.
- FPNs carried the maximum level of fine, which was set by Government,
- Enforcement would be carried out within current resources.
- A targeted approach could be taken, when there was repeat offending of dog fouling,

Committee Recommendation

Consideration be given to raise awareness of the fines and use of litter bins for dog waste with the use of stickers on all litter bins throughout the district.

Resolved:

The Committee endorsed the recommendations of the report to Cabinet.

19 PUBLIC SPACE PROTECTION ORDER (DEBDEN BROADWAY)

Mandy Thompson (Interim Acting Service Director (Technical)) introduced the Public Space Protection Order (Debden Broadway) (Antisocial Behaviour, Crime & Policing Act 2014) report. The Committee were advised that:

- Public Space Protection Orders (PSPO) were intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life.
- The Broadway had been highlighted as an area of focus for the Home Office 'ASB hotspot patrols' within the Epping Forest District.
- Detailed conditions of the proposed PSPO were included in the report.
- Hotspot patrols had commenced and the introduction of the PSPO would complement this work and allow swift enforcement action to be taken.
- Consultation on the proposed PSPO was required and the suggested approach set out criteria for the implementation of the PSPO, if consultation was favourable (60%), or reconsideration of the proposal in light of 40% objections.

The Committee welcomed the report and received confirmation that:

- The PSPO would give the powers to identify where the perpetrators of the ASB were from.
- There was scope for other areas to have a PSPO, but this must be based on evidence.
- Low level ASB should be reported to the Council.
- Enforcement would be carried out within existing resources.
- Officers did have powers to request names and addresses, if a perpetrator refused the police could be contacted, CCTV and body cam footage could provide opportunities to gain this information retrospectively.

Resolved:

The Committee endorsed the recommendations of the report to Cabinet.

20 ESSEX DRAFT WASTE STRATEGY

J Warwick (Contracts Service Director) introduced the draft waste strategy for Essex and advised the Committee that this report was before the Scrutiny Committee to raise awareness

and ask members for feedback and support on the consultation. The following key points were highlighted.

The Strategy:

- Had been developed collaboratively with all the bodies in the Essex Waste Partnership,
- Provided the Vision, objectives and a framework for the management of waste for the next 30 years, had challenging targets and did not prescribe collection regimes or practices which would be developed locally,
- Consultation would run from 13 September 2023 to 22 November 2023, there were in-person sessions across the County, and it was available on-line and in hard copy,
- The final waste strategy would require approval from Essex County Council before being presented to Forest District Council, and other members of the Essex Waste Partnership Wand for adoption.

The Committee

- Received clarity that the figures contained in the cover report, in relation to aims and aspirations of the draft waste strategy had been transposed, and should be read as per the draft waste strategy for Essex 2024/2025
- Acknowledged their role in the consultation exercise.
- Were advised that costs needed to factored into waste collection.

Resolved:

That the Committee acknowledged the consultation exercise on the draft waste strategy

Actions:

- (1) Details of the draft waste strategy to be included in the Members Bulletin
- (2) The website to be circulated - <https://www.essex.gov.uk/wastestrategy>

21 DATES OF FUTURE MEETINGS

Resolved:

The committee noted the date of the next meeting was on 9 January 2024 at 7:00pm.

CHAIRMAN

Place Scrutiny Committee Work Programme 2023/24
Chairman: Councillor H Kane

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	Item		Progress/Comments	Lead Officer
4 July				
1	Grounds Maintenance	4 July 2023, 19 Sept 2023	Grounds Maintenance Service Update (Qualis Presentation – Ben Johnson) Agreed to an additional update from Qualis at 19 Sept meeting	Jen Gould
2	Waste Collection Services Future Delivery Options	Completed	Scrutiny of Options Paper Options (Exempt Report) restricted papers	James Warwick
3	Climate Change Action Plan	Completed	c/f from Stronger Place Select Committee	Fran Edmonds/ Nigel Richardson
19 September 2023				
4.	<i>Technical Service</i>	<i>tbc</i>	<i>To provide an update on the service functions and key areas of delivery for the year; item to be reviewed. Delayed due to additional agenda items</i>	<i>Mandy Thompson</i>
5.	Grounds Maintenance	19 Sept 23	Contract Monitoring and review of grounds maintenance post transfer to Qualis Property Service (EFDC)	Mandy Thompson
6.	District Wide Public Space Protection Order – Dog Control	19 Sept 2023	The introduction of Dog control areas. Pre scrutiny report - Cabinet 9 October 2023	Mandy Thompson
7.	Waste Strategy for Essex	19 Sept 2023	Overview of waste strategy for Essex and consultation plans.	James Warwick
8.	<i>Air Pollution Mitigation Strategy</i>	<i>tbc</i>	<i>Approval of an updated strategy to mitigate the impact of air pollution from new developments on the Epping Forest Special Area of conservation Postponed pending the completion of monitoring and traffic modelling.</i>	<i>Nigel Richardson</i>

	Item		Progress/Comments	Lead Officer
9.	Public Space Protection Order (Debden Broadway)	19 Sept 2023	Public Space Protection Order Pre scrutiny report - Cabinet 9 October 2023	Mandy Thompson
9 January 2023 – Cancelled				
10.	Planning /Development Management and Planning Enforcement	Tbc	As requested by O & S APG 12 Jan 2023 To include virtual attendance at planning meetings (Stronger Council Select Committee c/f) Postponed pending PAS review	Nigel Richardson
11.	Epping Leisure Centre Progress Report	Postponed 27 Feb 2023	Progress report on the construction of the new Epping Leisure Centre Postponed to 27 Feb to align with construction proposal ,	James Warwick
12.	Digital Innovation Zone (DIZ)	Postponed	Annual progress review of the DIZ and to include an impact assessment of the project to provide fibre-based services to GP practices. – proposed at 4 July Postponed to align with DIZ annual reporting timescales -	Jen Gould/ Mike Warr
27 February 2024				
13.	Waste Programme Update	27 Feb 2024	Progress report on three waste workstreams: WS1: Future delivery of Waste Services WS2: Mobilise a New Environment Operations Centre WS3: Procurement of a Waste Vehicle Fleet	James Warwick
14.	Latton Priory Strategic Design Code	27 Feb 2024	NEW ITEM Latton Priory Strategic Design Code – pre cabinet scrutiny	Nick Finney/ Krishma Shah
15.	Tree Policy	27 Feb 2024	NEW ITEM Tree Policy – pre cabinet scrutiny	Mandy Thompson

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Agenda Item 7

Report to Place Scrutiny Committee

Date of meeting: 27th February 2024

**Portfolio: Contracts, Service Delivery, and Improvements
(Councillor Ray Balcombe)**

Subject: Waste Programme Update

**Officer contact for further information: James Warwick: email: jwarwick@eppingforestdc.gov.uk
(01992 564350)**

Democratic Services Officer:

L Kirman: email: DemocraticServices@eppingforestdc.gov.uk tel:01992 564243)



Recommendations/Decisions Required:

- (1) To note the update on the delivery of the Waste Programme.

Report:

1. The purpose of this report is to provide an update on the progress of the Waste Programme. Epping Forest District Council will end its current waste collection contract with Biffa in November 2024. To do this and maintain its statutory duty to provide a multi-stream waste collection service, three workstreams are being undertaken:

Workstream 1 – The Creation of a LATCO. This option has been identified and approved by Cabinet. The creation of a new waste company owned by EFDC which will launch on the 4th of November 2024.

Workstream 2 - Mobilise a New Operations Centre. To develop and mobilise a new Operations Centre to be used to operate the waste collection service. The Operations Centre needs to be operational by November 2024.

Workstream 3 - Vehicle Fleet. To contract hire a vehicle fleet to deliver the waste collection service from November 2024. This will include developing a vehicle specification, confirming fuel type, expected lifespan and storage and maintenance arrangements.

2. The project requires planning, execution, and coordination of all three workstreams and programme and project management culminating in a fit-for-purpose service ready to provide services to EFDC residents from Nov 2024. A programme board and project steering group has been set up, along with thematic working groups to ensure the project stays on track and it delivered and implemented successfully and on time. The thematic working groups include, operations, legal and governance, suppliers and procurement, ICT, insurance, people, support services, communications, vehicle procurement and operational hub. The working groups are working collaboratively across the Council and supported by external subject specialist.
3. In terms of Workstream 1, the waste company has been registered with company's house, and the articles of association and contract are being drawn up by Anthony Collins Solicitors and workshops have taken place to progress this. An interim Managing Director has been

appointed to the new waste Company, Dave Ward, who brings a wealth and knowledge and experience in setting up and delivering successful local authority waste companies.

4. After engaging with our Members and Leadership teams, we have reached a significant milestone in the project. The name for the new wholly owned company has been determined, Terra Verde Services Ltd (TVS), this company has now been registered with Companies House.
5. Executive Leadership Team are currently discussing nominees for the board of TVS and Anthony Collins Solicitors have prepared a briefing paper on nominee criteria and roles. Anthony Collins Solicitors are also drafting waste collection contract for TVS on behalf of EFDC with input from officers.
6. The TUPE process with Biffa is underway and progressing, EFDC's People Team is working closely with Dave Ward (TVS Interim Managing Director), collecting TUPE information from Biffa in preparation for the transfer of the workforce. EFDC's ICT team are working at pace to ensure the right IT solutions and support is in place for the company ahead of go-live in November 2024.
7. Following a detailed options appraisal, it is likely that other support services (finance, HR, health and safety etc.) will be procured from an external provider as this represents the best value for money for the company. Operational budgets have been developed and being refined, as well as year 1 start-up costs.
8. Workstream 2, the mobilisation of a new operational hub for the new waste company, is making good progress. A full planning application has been submitted and went to District Development Management Committee (DDMC) on 13th February 2024 and planning permission was approved.
9. Architects have been appointed and initial designs have been developed. A contractor has been appointed for the Pre-Contract Services Agreement (PCSA). Design and value engineering workshops as part of the PCSA are underway to determine the final construction costs. Stantec have been appointed as the Employers Agent/Contract Administration role and are helping to support resolution of the final design and construction costs.
10. Workstream 3, the procurement of a new waste fleet has achieved a real milestone for the project by placing the order for the waste vehicle fleet, the contract hire of which has been awarded to Specialist Fleet Services. An 8-year contract hire agreement with Specialist Fleet Services (SFS) has been agreed. Contract hire as opposed to the outright purchase of vehicles is the preferred method of procurement. An independent financial advisor supported EFDC to determine the preferred route of contract hire based on EFDC's requirements.
11. Contract hire provides for:
 - Greater flexibility to switch and change vehicles to fit the changing requirements of the waste service
 - The ability to introduce greener, cleaner vehicles when it is both affordable and practicable to do so
 - Available vehicles ready for the start of operations in November 2024
 - The ability to right size the number of vehicles throughout the life of the contract ensuring value for money and that the very best use is made of all resources
 - The ability to include the maintenance and servicing of vehicles within one more cost-effective agreement

- Vehicle maintenance to take place at the Operations Hub at North Weald Airfield maximising vehicle availability
- EFDC to include the disposal of vehicles within the agreement

Reason for decision:

N/A

Options considered and rejected:

N/A

Consultation undertaken:

N/A

Resource implications:

Work is ongoing with finance to determine and work up budgets for the set up and operational costs that the waste company will occur.

Budget for procurement of waste fleet vehicles approved and order placed for 8-year contract hire agreement.

Value engineering work is currently in progress to determine construction costs of Operational Hub.

Legal and Governance Implications, Relevant Statutory Powers:

The reason for the proposed decision is to ensure EFDC can maintain and appropriately manage its statutory duties around domestic and commercial waste collections.

Corporate Plan Implications:

Key Corporate Plan Objective

Background Papers:

N/A

Risk Management:

Risk register and logs regularly reviewed and updated by the project team.

Equality:

An Equality Impact Assessment was carried out and there was no significant impact.

Key Decision: (if required):

N/A

Report to Place Scrutiny Committee

Date of meeting: 27 February 2024

Portfolio: Contracts, Service Delivery and Improvement
Portfolio (Councillor Raymond Balcombe)

Subject: New Epping Leisure Centre Project Update

Officer contact for further information: James Warwick

Democratic Services Officer:

L Kirman: Email: DemocraticServices@eppingforestdc.gov.uk Tel: 01992 564243



Recommendations/Decisions Required:

To consider progress of the new Epping Leisure Centre project.

Report:

1. On 13 March 2023, Cabinet agreed the delivery of the new Epping Leisure Centre project and that Places Leisure appoint Pellikaan Construction Ltd. to construct the Epping Leisure Centre. This report seeks to provide a progress update following Cabinet approval.
2. The new Epping Leisure Centre is to be constructed on the former Bakers Lane car park site in Epping and will replace the existing Epping Sports Centre once completed. The Epping Leisure Centre is recognised to bring financial and community benefits to the Epping Forest District and will provide a main swimming pool, learner pool, sports hall, health and fitness gym, studios and squash courts. The new facility aims to achieve a BREEAM 'Excellent' rating to become the most energy efficient leisure facility in the District, supporting the Council's aim to become a carbon neutral District by 2030. Epping Leisure Centre will provide an increased provision to accommodate current demand and also future proof the expected increase in future demand.
3. The project is delivered by Epping Forest District Council in partnership with Places Leisure under the existing Design, Build, Operate & Maintain Contract (DBOM). The Council's four facilities (Epping Sports Centre, Loughton Leisure Centre, Ongar Leisure Centre and Waltham Abbey Leisure Centre) are managed by Places Leisure under the DBOM contract. The contract was used to deliver the Waltham Abbey Leisure Centre in 2017 and the same mechanism will be used for the new Epping Leisure Centre. Following a competitive tendering process, the works contract was awarded to Pellikaan Construction Ltd. Pellikaan Construction is the same company that successfully built the Waltham Abbey Leisure Centre.
4. The planning application for the new Epping Leisure Centre was granted at the District Development Management Committee meeting on 27 October 2021. Following Cabinet approval for the delivery of the facility, a Value Engineering (VE) workshop was

conducted for cost-saving opportunities that do not compromise the design and required functionalities. These opportunities included the use of air source heat pumps in lieu of ground source heat pumps, changes to the positioning of the building to omit retaining wall/sheet piling and introducing an area for extra storm water storage to omit the blue roof. A Non-Material Amendment application was submitted in respect of these changes and approved on 2 October 2023.

5. The Bakers Lane car park closed on 14 November 2023 and Pellikaan Construction Ltd. have taken formal possession of the site to construct the new Epping Leisure Centre. Mobilisation and site preparation works are currently taking place at a steady pace. The contractor has completed the site investigation surveys and testing, site clearance works (including stripping out the existing foliage), sheet piling capping line and breaking out of the tarmac. Progress photos are included in the Appendix. Upcoming works include erection of main site hoarding, piling works, excavation of basement and swimming pools. The estimated completion of the facility is Q4 2025.
6. The Council has demonstrated prudent financial and project management discipline on the project to date. There is a robust cost planning process in place where costs are reviewed in real time and the project is currently reporting on budget. The VE exercise has generated savings which will be used as a contingency reserve for potential project risks with high impact such as ground contamination, increase in Section 278 Highway costs and other unforeseen project expenses.
7. Quality control is an important aspect of the project to ensure that the facility is constructed according to the required standards and specifications. Pellikaan prioritise quality standards and the level of quality control during the construction phase can be demonstrated by the Waltham Abbey Leisure Centre, which had no significant defects during the Defects Liability period. Pellikaan have a dedicated contract manager, project manager, design manager and site manager for the Epping Leisure Centre project. Press and Starkey is the Independent Certifier, appointed to monitor the quality of the construction and ensure compliance with the design, specification and statutory standards with the project requirements. The Council and Places Leisure also have designated project managers for close monitoring of the project.
8. Regular contract meetings with the project team are taking place to ensure the team are informed and aligned with project goals, timelines and progress.
9. Pellikaan Construction prioritise being considerate to communities, the environment and their own workforce during construction and is part of the Considerate Constructors Scheme (CSS). The Epping Leisure Centre site is also registered with CSS for independent monitoring to assess how the site is performing against the Code of Considerate Practice. Additionally, Pellikaan is committed to providing Social Value benefits to the District and is working with the Council's Economic Development team to offer employment opportunities to residents, provide apprenticeships and appoint local suppliers.
10. The Council recognises that managing stakeholder communication is a fundamental part of the project and needs to be conducted in an effective way. A comprehensive communications plan has been developed for effective communication and collaboration throughout the project lifecycle. Examples include a dedicated EFDC webpage for regular updates, Contractor newsletters to residents, a ground-breaking ceremony and burial of a time-capsule with the local Epping Primary School. A future progress report will also be brought to the Stronger Place Select Committee in Q1 2025.

Reason for decision:

To report on progress for the new Epping Leisure Centre project.

Options considered and rejected:

Not providing a progress updated on the Epping Leisure Centre project. This option was disregarded as members are key stakeholders and progress updates are important for stakeholder engagement.

Consultation undertaken:

A public consultation was undertaken as part of the statutory planning process. Leisure Management Partnership Board have been kept up to date with progress and will continue to be updated throughout the project.

Resource implications:

The approved capital budget for the project is £33.1m and the project is currently within budget. The construction contract is a fixed priced sum, however, the project total may vary due to fluctuations in provisional sum items, client direct costs or extraordinary unstable economic conditions.

The annual management fee for the new facility is still to be determined (revenue cost). The Council is currently working with external consultants and Places Leisure to agree a management fee for the facility.

Legal and Governance Implications, Relevant Statutory Powers:

Under Local Government Act 1976, the Council has powers to provide recreational facilities within its area and duty to take such steps as it considers appropriate to improve the health of the people in its area.

Anthony Collins Solicitors LLP is providing legal services to the Council on this project. Legal work on the DBOM contract variation is ongoing between the Council and Places Leisure. An Early Works Agreement has been entered into for the preliminary works, prior to finalisation of the DBOM contract variation.

Work is progressing for the Essex Highways Section 278 Highways Agreement.

Corporate Plan Implications:

The delivery of the Epping Leisure Centre contributes to the following strategic aims of the Council:

- Working with our partners to achieve wellbeing and health equity for all our residents.
- Reduce pollution and protect our environment by delivering the Climate Change Action plan effectively by 2030.
- Improving existing spaces and create new places for people to live, play, gain skills and do business.

Background Papers:

Report to Cabinet C-040-2022/23 (13 March 2023), Construction of the New Epping Leisure Centre.

Risk Management:

The Council adopt a proactive risk management approach which requires regular risk reviews to identify and manage risks that may impact the project. A risk register is in place to ensure that all associated risks are identified, assessed and managed effectively.

Equality:

An Equality Impact Assessment was carried out and there was no significant impact.

Key Decision: (if required): N/a

Appendix

Epping Leisure Centre Project Progress Photos

As at date: 09 February 2024



Report to Place Scrutiny Committee

Date of meeting: 27th February 2024

Portfolio: Regulatory & Technical Services – Cllr K Williamson

Subject: EFDC Tree Policy (2024 – 2029 updated)

Officer contact for further information: Mandy Thompson

Service Director: Mandy Thompson: mthompson@eppingforestdc.gov.uk

Democratic Services Officer:

L Kirman: DemocraticServices@eppingforestdc.gov.uk tel:01992 564243)

Recommendations/Decisions Required:

To consider and comment on the attached Draft Cabinet Report, EFDC Tree Policy (2024 – 2029 updated).

Report:

See attached Draft Cabinet report

Draft Report to the Cabinet

Report reference:

Date of meeting:



**Epping Forest
District Council**

Portfolio: Regulatory & Technical Services
(Cabinet Portfolio Holder Cllr K Williamson)

Subject: EFDC Tree Policy (Updated) 2024 – 2029

Responsible Officer: M Thompson/Interim Service Director
(mthompson@eppingforestdc.gov.uk)

Democratic Services Officer: V Messenger
(democraticservices@eppingforestdc.gov.uk)

Cabinet Recommendations/Decisions Required:

1. Cabinet agrees to adopt the proposed updated overarching tree policy for a 5-year period.

Executive Summary:

The updated EFDC Tree Policy 2024 – 2029 (appendix A) defines EFDC's approach to the management of trees owned by District Council and the publicly owned highway under the stewardship of Essex County Council. We want to promote responsible tree management and provide clear guidance on responsibilities and expectations for residents within the district.

Reasons for Proposed Decision:

The current policy, Trees, Information, Objectives and Policies was last reviewed in 2008 and does not reflect our approach today.

The current policy does not include a review plan to reflect changing priorities and practices.

Other Options for Action:

N/A, The Council's current strategy was entitled "Trees, Information, Objectives and Policies" was introduced in August 2008 and requires updating.

Report:

1. The Council has a responsibility to maintain Council owned trees within the district.
2. The Council's tree stock is the largest natural asset the Council owns and manages. Its' trees are the single biggest positive contributor to biodiversity, air quality and climate change mitigation in the district.
3. Trees are the common element that features across all its many and varied landscapes from the miles of tree lined streets and roads, parks and gardens, churchyards and cemeteries to woodlands and other sites managed for nature conservation. It should be noted that the Forest known as Epping Forest is managed by the City of London Corporation and is not covered by this policy.

4. EFDC carry out reactive tree maintenance as required on behalf of Essex County Council, regarding certain trees assets considered to be part of the public highway. This does not include trees assets located on Essex Property and facilities (EPF sites), or tree assets owned by the local Town and Parish Councils.

Scrutiny Comments

To be added following Place Scrutiny 27th February 2024

Please insert where its relevant to the report a paragraph entitled, e.g. "Scrutiny Comments" as above. Any pre-scrutiny and/or consultation undertaken can be included here. It can also be summarised below under "Resource Implications" in the "Consultation / Scrutiny Undertaken" section.

Resource Implications:

None

Legal and Governance Implications:

The Council has a duty of care to take reasonable management measures to avoid foreseeable injury or harm in the case of trees wherever possible, where the public are using its land.

Safer, Cleaner and Greener Implications:

Trees are effective in improving the quality of the environment, by modifying local climate and by controlling air pollution. An environment enriched with trees improves human health and lowers stress levels. Trees are also important for wildlife and can have historic and sentimental value. Trees are the single biggest positive contributor to biodiversity, air quality and climate change mitigation in the district.

Consultation / Scrutiny Undertaken: The draft policy has been circulated to

Planning Directorate

Legal Services

Insurance Officer

Housing Directorate

Background Papers:

[Trees, Information, Objectives and Policies 2008](#)

Appendices:

Appendix A: EFDC Tree Policy 2024 – 2029

Risk Management:

A Tree Policy for the Council will help ensure a consistent approach to managing the trees on Council land that fall within the Council's responsibility whilst contributing to the Council's Climate Change initiatives.

The Council has a legal duty to take reasonable mitigating actions to avoid foreseeable death, injury or damage to property from trees on Council land for which it is responsible for.

Failure to adopt this Policy could increase the risk of death, injury or damage to property and Trees that are in an obvious state of disrepair, and are classed as Dead, Dying or Dangerous must be managed in a prudent and timely manner to provide a safe environment for all.

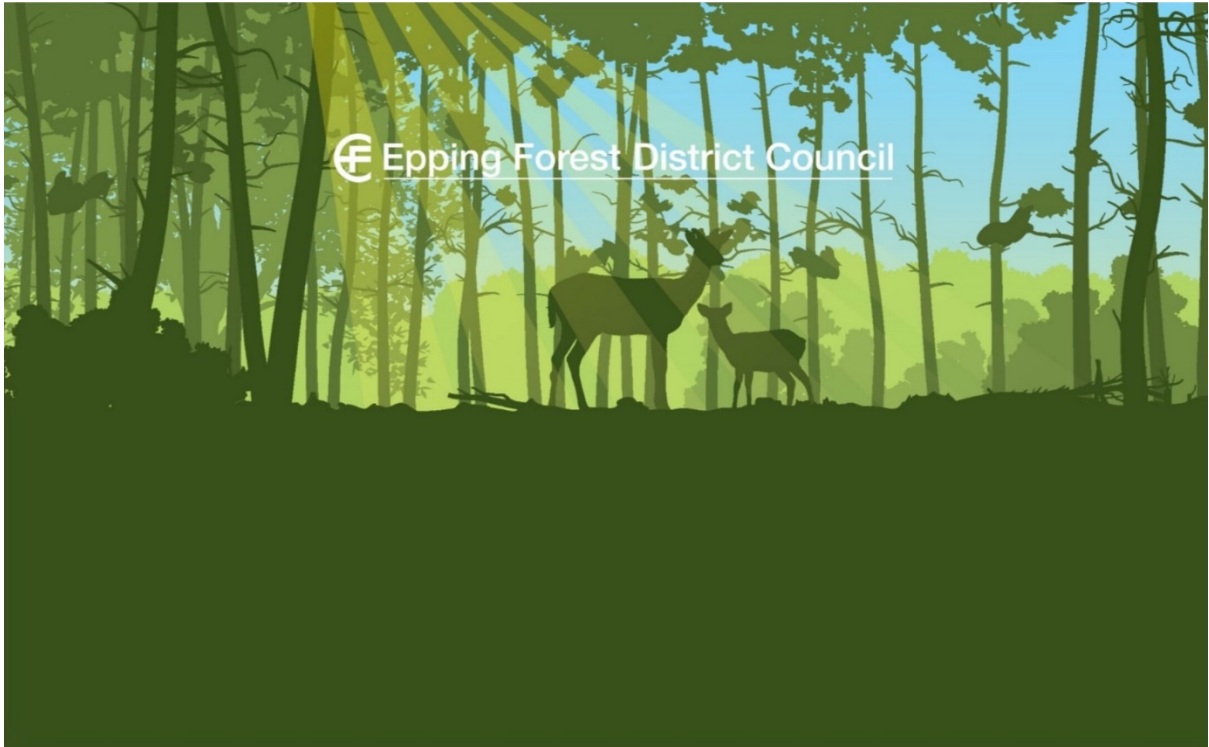
Equality:

An Equality Impact Assessment has been carried out and there is no significant impact, there is a positive impact.

DRAFT

Epping Forest District Council

Tree Policy 2024-2029



Version Control	Date	Review Date

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1. Introduction

Epping Forest District Council (EFDC or The Council) manages a landscape in no small part defined by its' trees. The Council's tree stock is the largest natural asset the Council owns and manages. Its' trees are the single biggest positive contributor to biodiversity, air quality and climate change mitigation in the district.

EFDC comprises 133 square miles extending fan-shaped out from the edge of Northeast London. It has a population of approximately 135,000. Nearly half the population live in the south, within the urban areas of Chigwell, Loughton, and Buckhurst Hill. The market towns of Waltham Abbey and Epping, together with villages and hamlets are situated in the West and rural North of the District.

Trees are the common element that features across all its many and varied landscapes from the miles of tree lined streets and roads, parks and gardens, churchyards and cemeteries to woodlands and other sites managed for nature conservation. It should be noted that the Forest known as Epping Forest is managed by the City of London Corporation and is not covered by this policy.

Trees are universally recognised as vital to providing a healthy and safe future landscape that will be desirable to live in. Across the world societies that are serious about greening their cities and urban environments, look to trees as the major contributor. As a local authority we are proud and protective of our tree stock. We strive to maintain the existing stock to a high standard and replace and increase canopy cover for the future.

2. Scope

This policy defines EFDC approach to the management of trees owned by the District Council and the publicly owned highway, under the stewardship of Essex County Council.

Trees contribute many positive attributes throughout the district which include.

- Reduction of air temperature
- Shading
- Removal of air borne pollution
- Carbon sequestration
- Mental health benefits
- Flood mitigation.
- Increasing house prices

The Council recognises the importance of its role in the protection of the local and global environments, and the priority given to this role by those who live locally, work in or visit the Epping Forest district. The Council will, in all that it does, either through the direct provision of services or otherwise, give particular emphasis to environmental considerations.

There are few issues more important than the environment in which we all live. From Government down to the individual citizen, there are concerns about how we must change the way we live and behave to protect our environment, for us now and future generations.

Trees form a major part of the environment. They bring character to towns and villages and soften the hard edges of buildings. They enhance gardens, local streets, and the countryside.

It has been estimated that a substantial street tree will, over its lifetime, contribute an equivalent value to the community of up to £100,000. Trees are not only of visual amenity value, they are also effective in improving the quality of the environment, by modifying local climate and improving air pollution.

They are effective in improving the quality of the environment, by modifying local climate and by controlling air pollution. An environment enriched with trees improves human health and lowers stress levels. Trees are also important for wildlife and can have historic and sentimental value.

Obviously, there can also be problems, but these should be outweighed by the general benefits. The presence of trees significantly increases land and property values.

The Council will use its power to protect and increase public respect for our countryside and wildlife. The Council is playing a leading role at local level by:

- Setting an example by its own actions and practices.
- Working in the community to educate and influence about the need to protect and manage the environment.
- Offering guidance on community environment initiatives.
- Using its powers in a positive way to guide and control the activities of others.

3. Responsibilities

EFDC are responsible for the maintenance of all tree assets on EFDC land.

- EFDC owned trees will be inspected and managed adopting a risk-based approach.
- Trees in high footfall areas will be inspected at a higher frequency.
- EFDC tree work is also dealt with on a reactive basis.

Open Spaces

EFDC manage trees within Open Spaces, they are managed adopting a risk-based approach.

Nature Reserves

EFDC own and manage nine sites that have been designated as Local Nature Reserves.

- Linder's Field, Roughtalley's Wood, Chigwell Row Wood, Church Lane Flood Meadow, Home Mead, Thornwood Common Flood Meadow, and Weald Common Flood Meadow.

Countrycare assists with the management of privately, parish or town council owned sites but the responsibility with these sites reverts back to the landowner. For instance, Nazeing Triangle Local Nature Reserve is owned by Nazeing Parish Council.

Use the link below, to access the Epping Forest Country Care website and further information.

[Epping Forest Countrycare](#)

Planning Control and Advice

EFDC Planning team is responsible for serving and processing applications regarding T.P.O.s and any trees within a Conservation area, as well as considering requests for a new TPO to be made. The service is a statutory consultee for planning applications and provides pre-application advice to customers, for which there may be a fee.

Please use the link [Planning Control & Advice](#) to access the Epping Forest District Council webpage, regarding TPO and Trees within a conservation area.

Town and Parish Councils

Town/Parish Council are responsible for trees on their land.

Please use the link [Council Services - who does what](#) to access the EFDC webpage for information on Town and Parish Councils.

Essex County Council/ Essex Highway Trees

EFDC carry out reactive tree maintenance as required on behalf of Essex County Council, regarding certain trees assets considered to be part of the public highway. This does not include trees assets located on Essex Property and facilities (EPF sites), or tree assets owned by the local Town and Parish Councils.

Reactive maintenance of Highway tree assets includes works to dangerous and fallen trees which present a high risk to the public highway. Any fallen trees reported within normal working hours will be undertaken by EFDC.

The Conservators of Epping Forest

The District Council do not have responsibility for Epping Forest, and all enquiries should be addressed directly to The Conservators of Epping Forest. [Please use the link Tree strategy - City of London](#) for more information.

4. Tree Planting

Planting is undertaken on an annual basis in locations that are appropriate, within budget provision, for the following reasons:

- to replace dead or dying trees or ones that have been removed.
- New sites (EFDC owned land).
- Donation planting [Tree donation scheme](#)

Planting schedules incorporate 'The right tree for the right place'.

The tree planting list is compiled from 1st August to 30th June the following year. Trees will be planted from the November of that year to April of the following year while the trees are in their dormant state. In all cases the onus being on 'The right tree for the right location'.

5. Climate Change

Epping Forest District contains Epping Forest itself and remnants of further ancient woodland. Although land use in the district only captures a small amount of carbon emissions (2%), trees, hedges, and nature in general help to increase our resilience to the impacts of climate change (such as overheating and flooding), improving air quality, and providing wildlife habitats which help maintain and increase biodiversity.

Use the link below for more information on how you can enhance the natural environment in your home, organisation, or business.

[Climate Change - Natural Environment](#)

6. Maintenance

EFDC will undertake the following: -

- Fell or undertake remedial works to trees in high footfall areas that are deemed as an unacceptable risk to the public.
- Prune back a tree that is physically touching an EFDC owned building to a maximum of 30% of the crown volume where it is feasible to do so.
- Undertake emergency tree works.

- Prune/Reduce the size of the tree on a regular maintenance regime where documentary evidence supports it has historically caused damage to private property and/or is currently causing damage to property.

Where the tree requires works which is beneficial for the health and amenity value of the tree.

Winter Works Programme.

Except for reactive works, planned maintenance works will be undertaken only in the Autumn/ Winter period while the trees are dormant, when the nesting season is over. Pruning at this time of the year is also more beneficial to the trees rather than to prune while the tree is in full leaf.

Nesting Birds

It is illegal to disturb a nesting bird as part of the Wildlife and Countryside act 1981. We will only undertake light works to trees in the nesting period, such as lifting of low branches, pruning back from street furniture, and felling trees in cases where there is a risk to the public.

EFDC will not undertake works on trees for the following: -

- Leaf fall on footway or private land.
- Fruit fall on footway or private land
- Flowers fall on footway or private land
- Right to light or light issues.
- Perception of tree height
- Perception of future damage
- Oak Processionary Moth situated on private land
- Television or satellite reception
- Allergies or medical complaints
- Lifting or damage to Highways (See Highways)
- Improvement of sightline
- Wasp, Bee or animal use or infestation.
- Bird droppings.
- Interference with telephone lines
- Mitigation of the growth of moss or mold.
- Encroachment of the boundary line.

7. Tree Removal

Trees are classed as an asset, and under normal EFDC Stewardship a healthy tree will not be removed. However, there are some exceptions which are listed below: -

- If the tree is inspected by an EFDC Tree officer, and defined as either, Dead, Dying or Dangerous
- Accordance with Council procedures when damage is occurring to property.

Illegal damage to EFDC owned trees.

In cases where there has been intentional or accidental damage to Council owned trees, we will prosecute and seek full cost of the Capital Asset Value for Amenity Trees (CAVAT) of the tree before the tree was damaged or felled.

8. Overhanging trees/ Root encroachment

In cases that a tree branch or root encroaches the boundary line of a piece of land or residence the landowner is within their right in 'Common Law' to remove the offending branch, up to and not past their boundary line, from their side of the boundary. Under these terms pruning is legal and permissible. If the tree is found to have been pruned in any way other than specified, the person or persons undertaking the work may be prosecuted for trespass, and criminal damage.

9. Damage caused by trees to private property

Where it is alleged that tree roots are causing damage either directly or indirectly to privately owned property, the following information will be required to satisfy the Council on causation and/or that any tree work will mitigate the alleged damage.

- 12 Months of Crack monitoring data ideally at 2 monthly intervals.
- 12 Months of Level Monitoring Data ideally at 2 monthly intervals.
- Year the property was originally built and date of erection of a subsequent extension.
- Engineers report including description, photos, plans of damage and site plan showing layout including position of trees, drainage runs, vegetation within the boundary of the property.
- Site investigations to include soil and root analysis (which may include DNA analysis), and depth of foundations.
- Arboriculturist report.

All information should be sent to Insurance@eppingforestdc.gov.uk.

10. Useful Contacts and Numbers

i) Countrycare

Nature reserves

Tel. 01992 788203

Tel 01992 564000

CountrycareTeam@eppingforestdc.gov.uk

ii) Planning Services

Trees in Relation to New Developments, Parish Tree Strategies, Tree Warden Scheme, Tree Preservation Orders, Trees in Conservation Areas, Tree Advisory Service (garden trees)

Contacttrees@eppingforestdc.gov.uk

Tel: 01992 564117

iii) Tree Team

Council-Owned Trees (General Enquiries), Tree Donation Scheme

Tel. 01992 564562

Tel. 01992 564000 (out of office hrs)

Trees@eppingforestdc.gov.uk

iv) Epping Forest

EFDC are not responsible for the Epping Forest, and all enquiries should be addressed directly to: -

The Conservators of Epping Forest

City of London Corporation

Tel: 020 8532 1010

Email: EppingForest@cityoflondon.gov.uk

v) Essex County Council

Potentially dangerous trees on private land adjacent to the highway, trees protected by ECC.

ECC, Area Highways

Tel. 01279 624500

Agenda Item 10



Report to Place Scrutiny Committee

Date of meeting: 27th February 2024

Portfolio: Place – Cllr N Bedford

Subject: Latton priory Strategic Design Code

Officer contact for further information: Krishma Shah

Service Director: Nigel Richardson: nrichardson@eppingforestdc.gov.uk

Democratic Services Officer:

L Kirman: DemocraticServices@eppingforestdc.gov.uk tel:01992 564243)

Recommendations/Decisions Required:

To consider and comment on the attached Draft Cabinet Report, Latton Priory Strategic Design Code

Report:

See attached Draft Cabinet Report

Please note that there are five appendices referenced in the draft Cabinet report. The status of these appendices is as follows:

Appendix A: Draft Latton Priory Strategic Design Code.

This is currently being updated to form a final draft prior to Cabinet. The draft version that was consulted on can be found at: <https://www.eppingforestdc.gov.uk/wp-content/uploads/2023/10/Latton-Priory-draft-design-code-Oct2023.pdf>

Appendix B: Consultation Report

This summarises feedback from public consultation events, surveys and correspondence. Attached for reference.

Appendix C: Consultee Response Report

This captures feedback from statutory consultees and stakeholders along with responses. This is in draft and will be updated further prior to Cabinet.

Appendix D: Design code testing report

This is not yet complete and is therefore not attached.

Appendix E: FAQ sheet

This is not yet complete and is therefore not attached.

Draft Report to the Cabinet

Report reference: C-nnn-2023/24

Date of meeting: 18 March 2024



**Epping Forest
District Council**

Portfolio: Place (Cllr Nigel Bedford)

Subject: Endorsement of the Latton Priory Strategic Design Code

Responsible Officer: Nigel Richardson / Krishma Shah
(kshah@eppingforestdc.gov.uk)

Democratic Services Officer: V Messenger (democraticservices@eppingforestdc.gov.uk)

Recommendations/Decisions Required:

- (1) To note the process undertaken and the outputs from the public consultation on the Draft Latton Priory Strategic Design Code undertaken between October 2023 and January 2024.
- (2) To agree that the Draft Latton Priory Strategic Design Code (Appendix A) be formally endorsed in order for it to be taken into account as an important material consideration in the determination of future planning applications, and to inform pre-application advice, assessing planning and any other development management and implementation related purposes relating to the site.
- (2) To agree that the Planning Services Director, in consultation with the Place Portfolio Holder, be authorised to make minor amendments to the Latton Priory Strategic Design Code prior to publication.

Executive Summary:

EFDC were awarded £120,000 by the Department of Levelling Up, Homes and Communities (DLUHC) to produce a design code for the Latton Priory Strategic Masterplan area; one of the three Harlow and Gilston Garden Town (HGGT) communities within, or part of, the District. The Council's adopted Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires '*Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans*' for Strategic Masterplan sites. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants and endorsed at Cabinet on 10.07.2023.

Building on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan (Policy SP4 Garden Communities), the strategic design code establishes site-wide strategies and requirements under key themes, including nature, movement, public spaces, built form, identity and resources. The design code focuses particularly on strategies to encourage sustainable movement and create a high-quality public realm with the aim of realising a vibrant and resilient new neighbourhood in line with the Garden Town Vision. As well as supporting Policies SP2 and SP3, The Latton Priory Strategic Design Code supports other policies within the adopted Local Plan, including those relating to green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

The formal public consultation on the design code comprised public events in Epping and Harlow, a digital platform and survey and the opportunity to email or discuss the scheme by phone. Hard copy surveys were made available and hard copies of the design code were placed at key locations in Epping and Harlow. Workshops were held with Epping Youth Council and Harlow Youth Council. A member briefing and workshop was held with HGGT and partner authority Members, local Ward and Parish Councillors, the local MP and North Weald Bassett Parish Council invited. Whilst the formal public consultation period ran for 6 weeks until 11th December 2023, the consultation remained open for contributions until 12th January 2024.

Alongside consultation with the public, statutory consultee feedback was sought, including ECC county and national authorities. Feedback from developers/ site promoters was sought via a design code workshop at a HGGT developer forum and through ongoing collaboration with the site promoters and their consultants. Usability and deliverability of the code was also tested through a testing exercise with an architectural practice and a testing workshop with Frame QRP panel members.

Since the consultation period ended, the design code has been reviewed and amended to incorporate and respond to the consultation responses, where appropriate. Key points raised during the consultation, and responses to these, are outlined in the report below and set out in more detail in the Consultation Report, which is appended (Appendix B). Statutory consultee responses are covered in more detail in the Consultee response report (Appendix C). Responses to wider issues are covered in the FAQ sheet (Appendix E).

Following this review and amendments to the design code, officers are of the view that meaningful public consultation has been undertaken, and the Strategic design code can now be formally endorsed to support high-quality development proposals to come forward.

Reasons for Proposed Decision:

- To ensure that future development proposals for Latton Priory meet the District and Garden Town ambitions for high-quality, sustainable development. The Strategic design code has undergone extensive development by EFDC officers and specialist consultants and changes have been undertaken where appropriate. This has included review of the emerging Strategic Masterplan by EFDC's Quality Review Panel (QRP) and following receipt of responses to formal public consultation. The Strategic design code is considered to be suitable for endorsement as an important material consideration in the determination of any planning applications and will be taken into account as such. It will also be used to inform the provision of pre-application advice and other development related purposes
- To ensure that members are kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.
- To comply with the Council's general obligations as a local planning authority and the requirements set out in national planning guidance.

Other Options for Action:

- Not to agree the Latton Priory Strategic Design Code can be endorsed, which would mean that there would be no authority-led design code to guide the delivery of development on the Latton Priory Masterplan Area and help to achieve the Garden Town ambitions and Local Plan objectives of high-quality and sustainable growth.

Report:

Introduction

1. Following a successful bid, EFDC were one of 25 authorities that were awarded funding to produce local design codes by the Department for Levelling Up, Homes and Communities (DLUHC) under the Pathfinder Pilot Programme. This followed the publication of the National Model Design Code (NMDC) and an update to the National planning Policy Framework (NPPF) in 2021 that requires that *'all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Model Design Code, and which reflect local character and design preferences'*.

2. The funding was used to produce a design code to set design standards for the Latton Priory Strategic masterplan area, allocated in the Local Plan as one of three new Harlow and Gilston Garden Town (HGGT) communities within, or part of, EFDC. The intention is for the strategic design code to be endorsed to have material weight as a planning consideration for future developments proposals within the Latton Priory masterplan area.

4. The draft strategic design code establishes site-wide strategies and requirements in line with the Garden Town Vision and Local Plan Policies including those relating to Strategic Masterplans and Garden Communities (Policies SP2, SP3 and SP4), green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

Context

5. The Latton Priory Masterplan Area is located to the south of Harlow immediately outside the urban area, within the administrative area of EFDC. It is located in Hastingwood, Matching and Sheering Village Ward and North Weald Bassett Parish.

6. The Local Plan Policy SP4 (Garden Town Communities) envisages that the Latton Priory site will deliver a minimum of 1,050 homes, 1ha of employment land, up to 5 traveller pitches and a range of infrastructure and facilities including, amongst others, a primary school, a secondary school (or an all-through school), sustainable drainage systems, suitable alternative natural greenspaces (SANGs), a local centre, and a sustainable transport corridor connecting the site to Harlow centre and beyond.

7. The Council's Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires *'Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans'* for Strategic Masterplan sites.

8. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants with input and scrutiny from EFDC officers and HGGT partners. The Latton Priory SMF was endorsed at Cabinet on 10.07.2023. The strategic design code has been produced by the EFDC Planning Implementation Team and builds on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan.

9. Whilst it is intended that the strategic design code informs all future proposals, an outline application for most of the site area is expected to be submitted in the first half of 2024. Whilst the strategic design code may help to inform design discussions on the outline application, it will be used to guide future Reserved Matters Applications.

Design code aims and Objectives

10. Through the funding received and the opportunity to produce an authority-led design code, the primary aim is to embed high-quality, sustainable and coordinated design into the strategic development framework, consistent with the principles set out in the National Model Design Code (NMDC), National Design Guide (NDG), local and national policy and HGGT principles.

11. Within this is an objective to embed community and stakeholder aspirations into the development framework and provide clarity about design expectations for communities and stakeholders, which should help to smooth the planning process at later stages and accelerate housing delivery.

12. The design code is intended to be a clear and straightforward tool for those preparing future planning applications and for those assessing future planning applications. It is intended to put in place key strategic principles that are essential to meet the keys aims for the new Garden Community whilst also providing flexibility and inspiring creativity and innovation in future proposals.

13. By producing the design code predominantly in-house and through utilising best-practice in the design code process, it is envisaged that in-house design and engagement skills will be enhanced and that the learnings and outcomes will be used to improve the quality of processes and output on other Strategic Masterplan sites and Garden Communities.

Design Code Process

14. The design code process has largely followed the guidance set out in the 'National Model Design Code Part 1 – The Coding Process', which describes the stages of Analysis, Vision and then Code. In the context of the Latton Priory Strategic Masterplan Framework development by the site promoters' consultants, some of the stages were adapted to reflect the existing baseline information available and the opportunity to coordinate with the emerging masterplan framework.

15. Baseline analysis included a review of relevant policy and guidance documents for the District and the Garden Town as well as key national policy and guidance. The following documents helped to inform the vision, scope and content of the strategic design code:

- EFDC Local Plan
- HGGT Vision including 'principles for healthy growth'
- HGGT Design Guide
- EFDC Green Infrastructure Strategy
- EFDC Latton Priory landscape character assessment
- EFDC/ HGGT Sustainability Guidance
- HGGT Transport Strategy
- HGGT Healthy Garden Town Framework
- HGGT Latton Priory Access Study
- HGGT Measures to achieve mode share
- HGGT Transport Strategy
- HGGT Sustainable Transport Corridor placeshaping principles
- HGGT draft stewardship charter
- HGGT quality of life survey recommendations

16. Existing information on the site held by EFDC and gathered as part of the allocation and SMF process informed the understanding of the existing place. This was supplemented by officer site visits and helped to inform a site-specific vision and design code.

17. To avoid duplication of previous consultations, community views were incorporated at analysis stage through a review of the previous consultations undertaken as part of the Latton Priory SMF process. This included feedback from themed workshops held in 2019 on 'Sustainable movement and transport', 'nature, green and open spaces, landscape and water', 'community hub and stewardship' and 'homes and living'. Emerging Neighbourhood Plan' policy ideas for the 'North Weald Basset Neighbourhood Plan' were also reviewed to understand local priorities and aspirations.

18. Officers were engaged at the analysis through online workshops to help inform the project scope and priorities. These were attended by a variety of EFDC teams, such as Community and Wellbeing and Homes and Communities as well as officers from the Garden Town and partner authorities including Harlow, Essex and East Herts.

19. The baseline information analysis informed a set of design ambitions to be achieved at Latton Priory through the strategic design code work. The design ambitions are intended to be site-specific, concise and shaped to fit in with NMDC themes. For each design ambition, a set of objectives and strategies were established to describe how those ambitions can be achieved, and these inform the strategies and rules that follow in the code. Baseline analysis and resulting strategies and objectives are collated in a Stage 1 report.

20. Specialist transport consultants were appointed to reviewing the site-wide strategies and produce code for street and junction types to help support the Garden Town target for 60% of journeys starting in the new Community to be via active or sustainable modes.

21. In order to ensure that the emerging design code addressed the needs of residents who might be otherwise under-represented, a series of public-realm focused design workshops were held with primary and secondary school children in Epping and Harlow as well as Harlow Youth Council members. A workshop was also held with a group of older people through Voluntary Action Epping Forest. The workshops were organised by Rainbow Services and jointly facilitated by EFDC officers and Rainbow Services.

22. The draft strategic design code has been produced through partnership working in the context of its location and Garden Town status. Regular input has been provided by the HGGT Placeshaping and engagement workstream and there has been liaison with the HGGT quality of life monitoring and stewardship charter development teams. Regular workshops were held with officers from Essex County Council Highways and Harlow Council. Workshops were also held with the site promoters' consultants to facilitate coordination between the SMF and the emerging code.

23. The development of the design code has been supported and monitored throughout by DLUHC and the Office for Place. This has included two design reviews with specialist expertise at the Design Council. In line with EFDC requirements for strategic sites, the draft design code has also been reviewed twice by the EFDC/ HGGT Quality Review Panel to ensure that it is successfully addressing the key aims of the District and the Garden Town. The latest QRP report is attached as an appendix to this report.

24. A HGGT Member Briefing took place on Thursday 31st August, with invites to HGGT Board Members, EFDC and HDC Cabinet members and relevant local ward and parish councils in both Epping Forest and Harlow Districts. The Design Code Project team presented the draft Strategic Design Code and consultation plan. Members were then invited to ask questions or provide comments on the presentation. These included queries/ comments on:

- securing timely delivery of public assets and infrastructure,
- strategies for encouraging active travel and the use of car barns to reduce the impact of car parking on the public realm,

- accessibility of streets including shared surfaces and the design of open spaces,
- accessibility of the consultation including the use of digital and in-person engagement,
- provision of healthcare facilities,
- the use of modal filters to create quiet streets and a permeable street network for walking and cycling,
- legibility of the coding plans,
- EV charging,
- cycle parking,
- separation of cycle lanes and footpaths,
- wider road and transport infrastructure including potential closing of Rye Hill Rd south of the proposed access to cars and STC layout.

These have been addressed within consultation clarifications and amendments as noted in the Consultee Responses Report (Appendix C). Where applicable, these will also be addressed in the HGGT strategic transport work that is ongoing.

Formal public consultation

25. A formal public consultation on the draft Strategic design code took place between October 2023 and January 2024. This represented an extended 10-week period of consultation.

26. The consultation was promoted through EFDC and HGGT websites, press releases (e.g Epping Forest Guardian), newsletters and targeted social media campaigns to Harlow and Epping residents and stakeholders. Emails were sent to registered email addresses, EFDC and Harlow Councillors, the local MP and North Weald Parish Council. Posters were provided to the Civic offices and the Discover Harlow Community Hub as well as other community locations.

27. The formal consultation comprised public events in Epping (Thornwood Village Hall) and Harlow (Latton Bush Centre) at weekends and evenings, a digital platform and survey and the opportunity to email or discuss the scheme by phone. Hard copy surveys were made available and hard copies of the design code were placed at key locations in Epping and Harlow. Workshops were held with Epping Youth Council and Harlow Youth Council.

28. Alongside consultation with the public, statutory consultee feedback was formally sought, including ECC county and national authorities.

29. Feedback from developers/ site promoters was sought via a design code workshop at a HGGT developer forum on 5th December 2023 and through ongoing collaboration with the Latton Priory site promoters and their consultants. Usability and deliverability of the code was also tested through an exercise with an architectural practice and a testing workshop with Frame QRP panel members.

30. Feedback from developers/ site promoters was sought via a design code workshop at a HGGT developer forum on 5th December 2023 and through ongoing collaboration with the Latton Priory site promoters and their consultants. Usability and deliverability of the code was also tested through an exercise with an architectural practice and a testing workshop with Frame QRP panel members.

31. The following key themes emerged from the public consultation (See Appendix B for details) :

- Integration with surrounding area, including borders, connections and existing infrastructures. This ranges from area-wide considerations such as public transport networks, to treatment of borders and the continuation of landscaping from the new development into existing streets
- Ensuring high quality of design and construction of the new buildings

- Impact on views from existing homes on the edge of Harlow, which currently look out over fields, and the enjoyment of people who currently go for walks there. It was suggested by respondents that putting lower buildings on the Harlow boundary, or a green buffer might mitigate this.
- Concerns over the location of the travellers' site allocation, which was thought to be too central
- Maintenance of green and public spaces was a priority, with questions asked about who would be responsible for funding and managing this.
- Strong support for measures to address climate change, including using green streets
- Nature and green space – especially fields, hedgerows and woodland - is part of the local identity. Minimising impact on existing natural habitats while including greenery and green spaces in new streets and public spaces were therefore strongly supported.
- Safety and security in public spaces. Good lighting and surveillance are considered paramount on streets, cycle routes, car barns and other public spaces. However, people still favour cctv over natural surveillance provided by overlooking.
- Variety of built forms is important, with many people disliking what they see as characterless 'slabs'

32. The following key themes emerged from the stakeholder consultation and design code testing (See Appendix C and D for details):

- Clarifications on servicing or technical requirements e.g. for waste or SANG
- Comments about suitability of streets for adoption. Further work commissioned in response, to address these concerns, particularly around street widths and corner radii.
- Alignment with County standards such as Essex Design Guide or draft Essex Parking standards.
- Suggestions to improve usability, including graphics and editing to reduce text.
- General support for principles, particularly around green infrastructure, active travel and sustainability.
- Suggestion to review extents of coding on building typologies and building line to ensure sufficient flexibility.
- Suggestion to review the number of rules to ensure priorities are clear
- Suggestion to provide a compliance tracker to aid enforcement of the code.
- Suggestion to further explore the identity of Harlow, Epping and Thornwood.
- Security is a key concern and opportunities to address it in the code should be taken.
- Ensuring public spaces and streets are truly accessible, including for those with mobility or sight issues.

34. Across the public consultation and some stakeholder consultation, strong concerns were raised about the impact of development beyond the scope of the Design Code, which are to be addressed through the wider planning process. These included:

- The impact of increased traffic on local roads, in particular Rye Hill Road and the B1393. Respondents said roads were already congested and that more households moving into the area would exacerbate the problem.
- Pressures on social infrastructure, particularly healthcare and schools, and the provision of these facilities at the same time as homes, rather than later.
- Pressures on water – reservoirs and sewage – as well as increased risk of flooding
- Local disruption during construction.

34. Since the consultation period ended, the design code has been reviewed and amended to incorporate and respond to the consultation responses, where appropriate. Details on the points raised during the consultation, and responses to these, are described in the following documents:

- Appendix B - Consultation Report
- Appendix C – Consultee Response Report
- Appendix D – Design code testing report
- Appendix E - FAQ sheet

33. A member briefing and workshop was held on 11th January 2024. Invitees included HGGT Board and partner authority Members, local Ward and Parish Councillors, the local MP and North Weald Bassett Parish Council. EFDC officers presented the design code including a recap of the context of the Latton Priory Masterplan Area site and relationship between the strategic design code, the endorsed Strategic Masterplan Framework and how these two documents will inform future planning applications. This was followed by an overview of the way the code is structured and the section headings of 'nature', 'movement', 'public space', 'built form', 'identity' and 'resources'. The presentation included an anticipated timeline to endorsement and a summary of the public and stakeholder consultation that was undertaken as well as feedback from the HGGT developer forum and how the design code has been tested by to help refine usability and deliverability.

34. Following the presentation, Members recognised the efforts of the design code team and wider HGGT partnership in delivering the code and the potential for positively influencing placemaking in the District and the Garden Town. It was requested that the design code should be presented at EFDC Place Scrutiny Committee to ensure that a wider range of Members were given the opportunity to feedback prior to Cabinet.

35. The design code was presented at EFDC Place Scrutiny Committee on 27th February 2024. Comments at this Committee included.. **to be updated following committee.**

Latton Priory Strategic Design Code

36. The final draft Latton Priory strategic design code proposed for endorsement is enclosed at Appendix A and is summarised as follows:

37. The strategic design code addresses the public-realm and the structure of the development at Latton Priory to help deliver a place that is high-quality, coordinated and integrated in its context. By focusing on strategic infrastructure, opportunities of the site and best practice design principles for promoting health, community and social vibrancy and sustainability, the design code seeks to embed foundations of a place where people and nature can thrive, whilst leaving scope for innovation, creativity and variety in future applications and detailed design codes.

38. The scope focuses on those key aspects of the NMDC that strongly relate to the public realm and the design ambitions of the code including 'nature', 'public spaces', 'movement', 'built form', 'identity' and 'resources'. There is a particular emphasis on design that encourages sustainable movement to help meet the modal shift target of 60%. The movement section explores strategies to build in a culture of active and sustainable travel at every scale of design. This is supported by the other sections with the objective of realising a vibrant and resilient new neighbourhood in line with the Local Plan and the Garden Town vision.

39. Each section starts with a site wide strategy diagram or set of site wide strategies setting out the key components of that strategy and accompanied by principles and rules. The components are then described or illustrated. Wording includes general principles followed by a series of 'must', 'must not', and 'should', 'should not' rules and recommendations. The intention is that 'musts' are always followed and 'shoulds' followed unless deviation is justified through technical reasoning or because an alternative approach better achieves the design ambitions. The format is intended to be legible, straightforward to understand and enforceable.

40. The design code addresses the following strategic topics:

- i. Strategic framework. Includes stewardship strategy building on draft HGGT stewardship charter and sets out requirements for the process of planning, designing and maintaining

community assets.

- ii. Nature. Sets out the overall green and blue infrastructure strategy and requirements such as minimum 'urban greening factor' score. Also sets out key design principles of various components of the green infrastructure such as the greenway and street trees.
- iii. Movement. Sets out site-wide strategies that help to achieve the objectives of a high-quality, safe and healthy place where active travel is encouraged. This includes strategies for an active travel network, vehicular movement and a street type hierarchy as well as approaches to parking design, but not parking numbers.
- iv. Public space. Sets out the key requirements for streets and spaces forming the public realm. This includes typical sections and key requirements for different types of streets and key open spaces, such as the community plaza.
- v. Built form. Sets out an approach to typologies and locations for density as well as rules around the building line along various streets to support street hierarchy and character.
- vi. Identity. Sets out requirements for achieving variety in frontages that support wayfinding and local distinctiveness by drawing on aspects of the built form of Harlow and Epping.
- vii. Resources. Sets out key site-specific requirements for climate resilience, mitigation and futureproofing at the masterplan stage such as the need for blocks that work with solar orientation for energy efficiency in use.

Conclusion

41. As part of the HGGT partnership agreement the development of the Latton Priory Strategic Design Code has been developed by EFDC officers in consultation with ECC and HDC. Officers consider that the Strategic Masterplan Framework fulfils the intentions of the EFDC Local Plan in enabling meaningful public consultation, and will lead to high quality development, supporting national policy and the following EFDC Local Plan strategic and transport and development management policies:

- Policy SP1 – Spatial Development Strategy 2011 – 2033
- Policy SP2 – Place Shaping
- Policy SP3 – Development and delivery of Garden Communities in the Harlow and Gilston Garden Town
- Policy SP4 – Garden Communities
- Policy SP5 - Green Belt and Local Greenspace
- Policy SP6 – The Natural Environment, Landscape Character and Green and Blue Infrastructure
- Policy T1 – Sustainable Transport Choices
- Policy DM5 – Green and Blue Infrastructure
- Policy DM9 – High Quality Design
- Policy DM10 – Housing Design and Quality
- Policy DM11 – Waste Recycling Facilities in New Development

Resource Implications:

As set out in the 18 October 2018 Cabinet Report, the successful delivery of the Garden Town and the other strategic sites within Epping Forest District will require considerable commitment of officer time from EFDC. The noting of the contents of this report do not give rise to additional resource implications.

Legal and Governance Implications:

The work on design codes has been developed in accordance with Government policy (NPPF and NPPG) and Planning Law.

Safer, Cleaner and Greener Implications:

The design code builds on policies in the Local Plan and principles of the HGGT Sustainability Guidance that support sustainable development, to help deliver a place that mitigates contribution to climate change and is designed to withstand a changing climate. Key measures include well considered blue and green infrastructure, strategies to promote and encourage a shift to sustainable modes of travel, site layout principles in line with passive solar design for reduced energy use. Safety is also addressed in public realm design, with the promotion of compact walkable neighbourhoods, maximising natural surveillance and minimising potential clashes between different road users, particularly around play spaces.

Consultation / Scrutiny Undertaken:

Presented at Place Scrutiny Committee on 27th January 2024.

- Appendix B - Consultation Report
- Appendix C – Consultee Response Report
- Appendix D – Design code testing report
- Appendix E - FAQ sheet

Background Papers:

N/A

Risk Management:

The production and use of a design code as a material planning consideration will support the Council's objectives of achieving high quality and sustainable design at Latton Priory and reduce the risk of design that fails to meet the objectives.

Equality:

An Equality Impact Assessment was carried out and there was no significant impact.