

Scrutiny Standing Panel Agenda



Environmental and Planning Services Standing Scrutiny Panel Tuesday, 16th January, 2007

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Z Folley - Research and Democratic Services
Tel: 01992 564532 Email: zfolley@eppingforestdc.gov.uk

Members:

Councillors Mrs P Smith (Chairman), D Kelly (Vice-Chairman), D Bateman, Mrs D Borton, Mrs A Cooper, D Jacobs, A Lee, G Mohindra, Mrs P Richardson, Mrs L Wagland and J Wyatt

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Head of Research and Democratic Services) To report the appointment of any substitute members for the meeting.

3. DECLARATION OF INTERESTS

(Head of Research and Democratic Services). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

4. NOTES OF LAST MEETING - 30 OCTOBER 2006 - ATTACHED (Pages 3 - 10)

5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 11 - 12)

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

6. DRAFT EAST OF ENGLAND PLAN - GOVERNMENT PROPOSALS (Pages 13 - 16)

Recommendation:

To consider and comment on the attached position statement

(Head of Planning and Economic Development). Members will be aware that on 19 December 2006, the Government published its proposed changes to the draft East of England Plan with a deadline for responses of 9 March 2007.

Officers are currently drafting a report to assist the formulation of the Councils response and are seeking the views of the Panel over the issues that need to be raised. The Panel are therefore asked to consider the attached summary and provide comments for inclusion in the report to be circulated on 9 February 2007 for the Member Briefing on 17 February 2007 and the Cabinet on 19 February 2007 which will provide further opportunities to shape the proposals.

Officers will be present to report the current position.

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

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

8. FUTURE MEETINGS

26 February, 26 April 2007 – 7.30pm CR1

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF ENVIRONMENTAL AND PLANNING SERVICES STANDING
SCRUTINY PANEL
HELD ON MONDAY, 30 OCTOBER 2006
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 10.20 PM**

Members Present:	Mrs P Smith (Chairman), D Kelly (Vice-Chairman), D Bateman, Mrs D Borton, Mrs A Cooper, D Jacobs, Mrs P Richardson, Mrs L Wagland and J Wyatt
Other members present:	Mrs A Grigg, Mrs M Sartin and Mrs J H Whitehouse
Apologies for Absence:	A Lee
Officers Present	J Gilbert (Head of Environmental Services), J Preston (Head of Planning and Economic Development) and Z Folley (Democratic Services Assistant)

Also in attendance:

21. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

No Substitute Members were reported.

22. DECLARATION OF INTERESTS

No declarations of interest were made pursuant to the Members Code of Conduct.

23. NOTES OF THE LAST MEETING - 29 AUGUST 2006

Noted.

24. TERMS OF REFERENCE / WORK PROGRAMME

The Panel considered their updated work programme.

(a) New Local Plan and Scheme

Noted that all Members had been sent a copy of the County consultation document on urban planning for comments.

(b) Reuse of Buildings in the Green Belt/ Traffic Issues in the Roydon and Nazeing Areas

The Head of Planning and Economic Development reported progress on the focus day agreed at the last meeting on the above issues. Difficulties were being experienced with finding an independent facilitator with the skills and local knowledge necessary for the event. This was partly due to changes at officer level at County. He advised that there was a need to consider more than one potential facilitator to

ensure that Best Value was achieved. He would continue to contact County to seek their assistance with this process.

Overall Members felt that the pace of work was too slow. In particular they felt that the difficulties in finding a facilitator was delaying progress and questioned whether a survey could be used to identify the issues instead.

A Member expressed concern at HGV activity in residential areas in Nazeing and the new lorry parks the area. She questioned how a focus day would solve these problems. A traffic count was undertaken by the Nazeing Action Group, officers had also attending meetings involving residents of the area to hear about the problems. It was questioned that this could provide sufficient information on the issues.

The Head of Environmental Services reported that the next meeting of the Highways Panel for West Essex was due to be held on 21 February 2007. He invited Member to forward any issues they might have to him for this meeting by January 2007. Attempts were being made to establish more localised arrangements for highways. The Head of Environmental Services invited Councillor Cooper to forward to him any of her answered e-mails to County and undertook to take these up with County Officers.

The Head of Planning and Economic Development reported that should a date for the focus event be found prior to the next meeting of the Panel, the details would be reported to Members via the Members Bulletin.

(c) East of England Plan (Item 5).

The recommendations of the Examination in Public for the plan were now with the Minister. It was anticipated that she would issue the proposed changes in December 2006. It was anticipated that this would be a lengthy document that would take some time to consider. Therefore it was agreed that the next meeting of the Panel programme for 19 December 2006 would be moved back to 16 Jan 2007 at 7.30 pm. In terms of the reporting route for the proposals, it was envisaged that as well as scrutiny consideration, a further Saturday morning briefing session would be held on the Minister proposal when made available.

25. COMMUNITY STREET WARDENS - SITE VISIT

It was noted that earlier on in the month, several Members visited Colchester Borough Council and Braintree Borough Council to hear about and observe their Community Street Wardens schemes.

Some of the Members present at the visit reported feedback on the visit to the Panel. (Cllr Spencers own notes are attached)

In discussing the issue, Members thought that the visit was very informative and useful. Surprise was expressed that the work of the wardens observed focused more on community engagement initiatives rather than tackling environmental crime. The scheme at Colchester cost £270,000 per year. Their wardens covered three wards and had a good leader which was seen as important. The team in Braintree appeared to play a 'social service' role and seemed to be performing good work in the areas of deprivation.

A Members suggested that should wardens be used in this District, they should operate between 4-11pm when most of the problems requiring attention occurred.

The scheme might work well for urban areas. Such an approach might not be suited to rural areas however which might require a style of service that recognised their needs. The task of recruiting to any full time positions might be difficult in view of the District's close proximity to London which offered comparatively higher pay rates.

The Head of Environmental Services drew attention to the Clean Neighbourhoods and Environment Act 2005. The act did not empower Community Wardens to detain suspects or give them any of the powers in relation to the prevention of crime. Some of the powers in the legislation did not necessarily need to be carried out by wardens.

The Panel noted the likely high costs of the scheme and the issues that they could /could not deal with. On the balance, they recommended that at this point in time, a Community Warden scheme should not be pursued to deliver the relevant powers in the Clean Neighbourhoods and Environmental Act (ie Fixed Penalty Notices). Instead they recommended that further consideration be given to alternative methods for delivering the legislation. This might include:

- Giving District CSPOs the power to issue Fixed Penalty notices;
- Funding more CSPOs to carry out the powers;
- Widening the number of officers currently able to issue FPN and enabling them to use the full range of new powers (to deal with litter, junk mail, graffiti, fly posting, fast food waste). Empowering Parish staff directly to issue FPNs
- Creation of new bye law to control pavement parking.

The powers in the act in relation to dealing with litter were quite strong and could be carried out by the existing waste team. Those given the responsibility of issuing FPN would needed to be properly trained and uniformed to ensure that the enforcement action was effective. Government guidance suggested that should FPNs be pursued, the scheme must be publicised and residents must be consulted to ascertain their views. Consideration and a policy decision on this would need to be made.

It was likely that the process for issuing FPN would generate a lot of work.

Attention was drawn to the changes that could be brought about by the new Traffic Management Act. The Act would widen the role of Parking Wardens. However, they would only be able to report on enforcement offences. It was noted that the Act did not deal with pavement parking. The Panel expressed disappointment at this and requested to submit a representation on this to government. The Head of Environmental Services undertook to ensure that this was undertaken.

A Member referred to a parking issue that she had been dealing in her own ward in Grange Farm Chigwell. The rules regarding the relationship between Traffic Orders and yellow lines had caused some frustration in this instance. She requested that this issue be brought to the attention of the County Council and this issues be put on the agenda for the next meeting of the Highways Panel for West Essex.

RESOLVED:

- (1) That, at this point in time, a Community Warden scheme not be pursued to deliver the relevant powers in the Clean Neighbourhoods and Environmental Act (ie Fixed Penalty Notices etc).**

(2) That the following be submitted to a future meeting:

(a) report on the provisions of the Clean Neighbourhoods and Environmental Act 2005 covering the powers already available to officers and options for empowering officers to carry out the new powers.

(b) brief summary of the number and remit of the District CSPOs jointly funded by EFDC

(3) That the Head of Environmental Services be authorised to submit a representation on behalf of the Panel expressing concern over the exclusion from the new Traffic Management Act of measures to deal with pavement parking

(4) That Democratic Services send thank you letters to Colchester Borough Council and Braintree Borough Council for hosting the fact finding visit.

26. ESSEX COUNTY JOINT WASTE PROCUREMENT PROCESS - MINUTES OF THE LAST MEETING

The Panel consider the notes for the meeting held on 14 September 2006. In relation to minute 67 (Kerbside Analysis Tool (KAT) Modelling, it was noted that the new waste management contract would need to be able to accommodate these proposals. The Panel also noted the structure and timetable for the Commercial Partnership Arrangements.

27. PLANNING AND ECONOMIC DEVELOPMENT ENFORCEMENT STATISTICS

The Head of Planning and Economic Development presented a report recommending that for a trial period planning enforcement statistics be reported in the Members Bulletin.

The Panel asked that information be made available on the difficult protracted cases to identify the history and current position regarding enforcement action. It was suggested that a proactive approach should be taken to such cases and noted that the new planning data system should facilitate this.

It was agreed that an item be placed in the bulletin indicating that feedback on the trial be submitted sooner rather than later to identify the need to report the information on a permanent basis. It was agreed that a report be submitted to the Panel in six months time to give consideration to this question.

The Head of Planning and Economic Development undertook to e-mail Panel Members the start date for the trial.

RESOLVED:

(1) That for a trial period of six months a monthly report be provided in the Members Bulletin indicating:

(a) the numbers of enforcement investigations started, processed and "in hand" each month; and

(b) a brief progress report on cases where an enforcement notice had not been complied with including the date action commenced;

(2) That a report be submitted to the Panel in six months time reporting any responses received from Members on the trail and whether the statistics should be reported on a permanent basis.

(3) That Planning Services be thanked for providing this information so quickly in response to the desire to see greater reporting of planning enforcement statistics.

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

Chairman to make verbal report on discussions and recommendations made at tonight's meeting.

29. FUTURE MEETINGS

16 January 2006 at 7.30 pm.

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Community Street Wardens



Today I and other District councillors went on a fact finding mission to Colchester and Braintree.

Three or four years ago the government provided funding to enable Colchester to set up a community street warden scheme. Supervised by an ex-army regimental sergeant major, three men and three women working in pairs and dressed in blue patrol five wards in Colchester to show a friendly face to the residents and to act as the eyes and ears of the police by monitoring anti-social behaviour and encouraging youths to do other things. 10% of their work involves the issuing of fixed penalty fines. Dropping a cigarette end for example could cost you £75.

The wardens are accredited with the police. If other council officers attend the training they could also be accredited and provide intelligence to the police.

Their mission statement is to improve the quality of life for residents and those visiting or working in the scheme area and to reduce the fear of crime and disorder.

In Colchester the wardens have gone beyond their remit, the health and safety laws and PC and organised social activities such as tea dances for older residents, a BMX bike site for younger residents and trips away for socially excluded people.

In Braintree we found that this very week the council have launched a warden scheme which is jointly funded by the police and we saw seven new vehicles with council and police logos which are used to take wardens to their respective wards and can be used to take away fly tipped rubbish.

Cllr Peter Spencer
Buckhurst Hill East

5th October 2006

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<i>Environmental and Planning Services Standing Panel</i>			
(1) Essex County Joint Waste Procurement Process	Ongoing	Underway – Panel considers decisions of the West Essex Waste Joint Management Committee as and when they become available	16 January 2007 – 26 February, 26 April 2007.
(2) New Local Development Scheme	Ongoing		
(3) Re use of buildings in the Green Belt	Ongoing		
(4) Traffic Issues in the Roydon and Nazeing Areas.		Underway - Focus day agreed in principle to identify issues	
(5) East of England Plan – EFDC Response to Examination in Public		Underway: meeting on 16 January 2007 to consider government recommendations	
(6) Clean Neighbourhoods and Environment Act 2006 – Implementation of provisions	September 2006	Underway	
(7) Ongoing Traveller Issues	Ongoing	Report on future Gypsy and Traveller provision to be submitted to future meeting	
(8) Planning Performance – monitoring of enforcement figures/outcomes	Ongoing	Statistics and reporting arrangements considered by the Panel on 30 October 2006. To be reported on a regular basis in Members Bulletin and reviewed by the Panel following six month trial.	
(9) Waste Management – Size of Wheeled Bins	Ongoing	Completed	

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Summary of key points in the Secretary of State's Proposed Changes to the Draft East of England Plan

1) Harlow as a major regional housing growth point with urban extensions

- Harlow is to be a Key Centre for Development and Change
- A stronger emphasis will be made on Harlow as a major growth location with a Green Belt review to its North
- Harlow's housing target is increased by 2,500 to 16,000 from the EiP Panel's figure
- Urban extensions are proposed to North and East, and on a smaller scale to the South and West
- Local Development Documents are to provide a total of 16,000 rather than 13,500 additional dwellings in 2001-2021, including urban extensions in Epping Forest District and East Hertfordshire. 16,000 is seen as an appropriately stretching figure, but an achievable scale of development given the Secretary of State's stronger emphasis on Harlow as a major regional growth point within the RSS
- There is potential to the North of Harlow for major development – this is seen as a rare opportunity so close to London – providing for the “eventual development of at least 10,000 dwellings and possibly significantly more”
- The growth of Harlow is to meet development needs of the London-Stansted-Cambridge-Peterborough growth area to 2021 and beyond, including employment activities relating to Stansted Airport
- The town centre, and employment land, is to be developed, helping to attract employment related to Stansted Airport growth
- Renewal and redevelopment of the existing town is proposed, including mixed use in the town centre
- Harlow's retail offer should be enhanced and its position within the hierarchy of town centres strengthened

2) Green Belt Review

- The Green Belt is to be reviewed to accommodate the proposed urban extensions
- New Green Belt boundaries should be drawn to maintain the integrity of the Gibberd Plan and the landscape setting of Harlow, and also the separation from smaller settlements to the West and North
- The review of land to the North of Harlow should provide for an eventual development of at least 10,000 dwellings, possibly significantly more. It should test the most sustainable scale of urban extension to 2031 and beyond, i.e. the scale of Green Belt releases should look to 2031, and to a continuing steady growth rate, without the need for a further review by 2031

- Local Development Documents are to provide for the creation of a network of multi-function greenspaces within and around Harlow
- Opportunities should be taken to maintain and use attractive environmental features within the green infrastructure provided in the urban extensions e.g. the Stort Valley
- The review should include a compensating strategic extension of the Green Belt to the North of Harlow, several miles wide

3) Deletion of the proposals for development at North Weald

- Compared with Harlow North, North Weald is seen as more distant, and thus less easily integrated with, the existing town, and would likely be dependent on an expensive public transport link to Harlow. It would also encourage more traffic onto the M25

4) Employment numbers proposed

- London Arc - Essex [Epping Forest / Brentwood] – 14,000 (an increase on the EiP Panel Report of 2,000)
- Central and North Essex [Harlow / Uttlesford / Chelmsford / Braintree / Maldon] – 42,000 (a substantial increase of 17,000 on the EiP Panel Report, for fewer districts)

5) Transport

- Access is to be enhanced between Harlow and London, Stansted and Cambridge
- Traffic congestion should be addressed without encouraging an increase in car use
- Access from key employment sites to the strategic highway network needs to be improved
- Options appraisal work should scope the transport issues and develop an implementation programme which complements the development strategy

6) A strong partnership approach

- Harlow, East Hertfordshire, EFDC, transport authorities, EERA, GO East and Harlow Renaissance (Local Delivery Vehicle) are to work together to undertake an appraisal of planning/transport options to inform the preparation of joint/co-ordinated Local Development Documents
- This work should establish a planning framework for Harlow and its future extensions
- Joint or co-ordinated Local Development Documents will determine the appropriate distribution between the urban extensions, the objective being to create a development strategy which promotes Harlow's

regeneration, which is as sustainable as possible, and which can be implemented at the required pace

- Key issues in the Local Development Documents should include ensuring that new areas have a strong orientation to Harlow and its town centre, supporting its regeneration, and planning to minimise the impact of noise from aircraft landing at Stansted Airport

Key sections / Policy in text of the Government's Proposed Changes	Part	Section	Page number(s)
R5.10: Stansted M11 Sub-Region – deletion of policies ST1-7 and replacement with a policy for Harlow as a Key Centre for Development and Change	1	--	24-30
Policy HA1: Harlow Key Centre for Development and Change	2	13	223-229
Policy E1: Job Growth 2001-2021 Employment numbers (London Arc and Central)	2	4	103
Meg Munn's letter to Sue Sida-Lockett (Chair of EERA)	--	--	8

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