

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Development Framework Cabinet Committee **Date:** Wednesday, 15 April 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.45 pm

Members Present: Mrs A Grigg (Chairman), R Bassett, Mrs D Collins, Mrs M Sartin, D Stallan, Ms S Stavrou and C Whitbread

Other Councillors: B Rolfe, Mrs P Smith and J M Whitehouse

Apologies: -

Officers Present: I White (Forward Planning Manager), A Wintle (Principal Planning Officer) and G J Woodhall (Democratic Services Officer)

Also in attendance: A Lainton (External Consultant)

1. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation and was a member of North Weald Parish Council who had also responded. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Epping. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Theydon Garnon and was a member of Theydon Garnon Parish Council who had also responded. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Nazeing. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor's husband had responded to the consultation as a

resident of Roydon. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(f) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of North Weald and was a member of North Weald Parish Council who had also responded. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(g) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Stavrou declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Waltham Abbey and was a member of Waltham Abbey Town Council who had also responded. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(h) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Epping. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(i) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda item 6, Gypsy & Traveller Options - Consultation. The Councillor had responded to the consultation as a resident of Epping Green and was a member of Epping Upland Parish Council who had also responded. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

2. ANY OTHER BUSINESS

The Cabinet Committee noted its Terms of Reference.

3. REGIONAL SPATIAL STRATEGY SINGLE ISSUE REVIEW ON GYPSY & TRAVELLER ACCOMMODATION - PROPOSED RESPONSE

The Council's External Consultant presented a report upon the Council's proposed response to the Regional Spatial Strategy Single Issue Review on Gypsy & Traveller Accommodation.

The Cabinet Committee was informed that the East of England Regional Assembly (EERA) had published a proposed Single Issue Review to the East of England Plan (EEP) in 2008. The review had covered proposed district level pitch requirements for Gypsy and Traveller accommodation, and for Travelling Showmen. Following a period of public consultation, an Examination in Public (EiP) by an independent panel had taken place late in 2008. The EiP panel had published its report early in December 2008 and proposed lowering the additional pitch requirement for the Epping Forest District by ten from 49 to 39. In March 2009 the Secretary of State (SoS) had published her response and proposed changes for consultation. This had included lowering the Epping Forest District target by a further five to 34 because of what were described as "delivery problems" within the District. However, an assessment of local need based on current evidence had indicated that only a further 20 pitches were required within the District. Some minor amendments had been

made to the report following the publication of the agenda, of which the most prominent was the acknowledgement within the Gypsy & Traveller Accommodation Assessment (GTAA) that a provision of 30 pitches within the District would be more appropriate.

The Cabinet Committee was pleased with the reduction in the proposed number of pitches within the District to 34, supported the further reduction to 30, but felt that this was still too many and the Council should push for as low a figure as possible. It was clear that the Secretary of State had some sympathy for the problems within the District of providing such a high number of pitches. The Cabinet Committee praised the work of the local residents groups that had responded to the consultation and promoted the reduction in pitches for the District.

RECOMMENDED:

That, following the findings of the Examination in Public panel earlier this year, the response of the Council to the Secretary of State's consultation on her response to the draft East of England Plan Single Issue Review on Gypsy & Traveller Accommodation be agreed with the following amendment:

"Epping Forest District Council welcomes the reduction in pitches within the District to 34, from the original 49, but still considers this to be too high and will press for further reductions; a provision of no more than 20 pitches within the District would be considered by the Council to be more reasonable."

4. GYPSY & TRAVELLER OPTIONS - CONSULTATION

The Council's External Consultant presented a report upon the consultation exercise undertaken on the Gypsy & Traveller Development Plan Document.

The Cabinet Committee was informed that the consultation period had run from 4 November 2008 to 20 February 2009, and had been a wide ranging exercise incorporating seminars on how to respond plus a series of local exhibitions throughout the District. This had led to prominent local media coverage with some national media outlets showing an interest as well, and local residents groups had been set up to further raise awareness amongst their communities. Approximately 9,600 responses had been received, consisting of 640 online comments, 900 individual questionnaires, and group responses representing a further 8,100 residents. This was considered to be a high level of response from the public. These responses were currently undergoing data entry and analysis, and the results would be presented to a future meeting of the Cabinet Committee.

The External Consultant reported that no guidance had been received from the Government Office for the East of England (GO-East) in respect of the sustainability issues to be considered. No responses to the consultation had been rejected due to not being on the appropriate form, and a low level of responses had been rejected due to the use of inappropriate language; these responders had been requested to amend their responses accordingly. The Cabinet Committee was advised however that the Government and the Planning Inspectorate had stipulated that the specified form would have to be used for the next stage of the consultation, and that a potential site could only be objected to on particular grounds. The supporting evidence base would include a summary of residents' representations from the recent consultation exercise, which would be available within the next four to six weeks, but residents would need to make further representations at the next stage of the process.

The Cabinet Committee expressed concern at residents being compelled to repeat their representations for the next stage of the process, as this would inevitably be frustrating for all concerned. There was also some exasperation expressed by the Cabinet Committee about the need for residents to use a particular type of form. It was felt that a seminar, with follow-up drop-in sessions, should be organised at the earliest possible opportunity to explain the correct process for submitting a further representation, and that the standard form to be used should be disseminated to Members and Residents Groups as soon as possible, as well as considered at the next meeting of the Cabinet Committee. Consideration was given as to whether GO-East should be requested to extend the September deadline for the submission of the draft Development Plan Document, but it was felt that any request should be delayed for the time being.

RESOLVED:

- (1) That the report on the consultation undertaken on the Gypsy and Traveller Development Plan Document be noted;
- (2) That the following be acknowledged:
 - (a) the responses were currently undergoing data entry and analysis; and
 - (b) the results would be presented to a future meeting;
- (3) That the form for submission for the next stage of the consultation be circulated to Residents Groups and considered at the next meeting of the Sub-Committee;
- (4) That a seminar on the filling out and submission of the form as part of the next stage of consultation be organised for Members and Residents Groups at the earliest possible opportunity; and
- (5) That a request by the Council to the Government Office of the East of England to extend the September deadline for the submission of the draft Development Plan Document be deferred for the time being.

5. ANALYSIS OF GYPSY & TRAVELLER OPTIONS CONSULTATION

The Forward Planning Manager presented a report to be considered by the Cabinet at its next meeting on 20 April 2009 on the consultation for the analysis of Gypsy & Traveller Options. A new version of the detailed flowchart was tabled at the meeting following some minor amendments after the agenda had been published.

The Cabinet Committee was informed that it was intended to use a "filtering" process to narrow down the final selection of potentially suitable sites for pitches for Gypsies and Travellers. The process would place sites in one of three categories A, B or C. Those in A were where significant problems had been identified which could not be mitigated, and therefore no further analysis of these sites would take place. The sites in B also had problems but more research would be undertaken to assess the importance of these issues, and the final decision would place these sites in either A or C. Those in C had no significant problems identified by the consultation, but this simply meant they would not be eliminated at this stage. A comprehensive flowchart and a simpler version for the website had been prepared for the benefit of the residents within the District.

The Forward Planning Manager added that the Sustainability Appraisal (SA) prepared by the County Council would be published on the Council's website next week for a six-week public consultation period. The Council's External Consultant added that the County Council had been late in compiling the SA and that it was anticipated to be published on the Council's website before the election period commenced. The SA would examine all the sites and analyse them on the basis of technical issues. This could strongly indicate those sites that would most likely be categorised as a C before the decision had been made by Members, however the Council was obliged to publish this information under a European Union directive. The final decision on the categorisation of each site would be based primarily upon this Council's analysis of the sites and the responses from the public consultation.

The Cabinet Committee was concerned at the impact which the publication of the SA could have on those landowners whose sites were identified as being potentially suitable, and that the public consultation was beginning before Members had had an opportunity to consider the document. It was felt that more clarification was also needed on the alternative sites identified as part of the first round of public consultation. The Cabinet Committee generally felt that the process being stipulated by the Government was unsatisfactory. The report and the necessity to make a decision at the Cabinet scheduled for 20 April 2009 was noted.

RESOLVED:

That the report be noted for decision at the Cabinet meeting scheduled for 20 April 2009.

6. ESSEX COUNTY COUNCIL STRATEGIC ENVIRONMENTAL ASSESSMENT

This had been discussed at length as part of the consideration of the Analysis of Gypsy & Traveller Options Consultation, and the Cabinet Committee felt that there was nothing further to add.

7. OTHER LOCAL DEVELOPMENT FRAMEWORK MATTERS

The Cabinet Committee was given an oral update on other matters concerned with the Local Development Framework that had not been already considered during the meeting.

The Cabinet Committee was reminded that the East of England Plan (Policy HA1) required an "Options Appraisal" around Harlow to inform the preparation of the Core Strategy for Epping Forest, East Herts & Harlow District Councils; Scott Wilson had been appointed in January 2009 to undertake this work. A map was tabled at the meeting to show how the areas in and around Harlow would be divided into manageable areas for appraisal. It was further explained that this piece of work was technical in nature, and although it would eventually form a key part of the evidence in preparing the Core Strategy, no decisions would be taken by the consultants. There would be opportunities later in the programme for Members to be involved in the study, and invitations would be sent out at the appropriate time.

A revised Local Development Scheme (LDS) would be required to set out the programme of document preparation, which accurately reflected the requirements of the East of England Plan and the resources available within the Forward Planning team. Following a recent discussion between Epping Forest, Harlow and East Herts

District Councils and the Government Office of the East of England (GO East), it had been agreed that a revised LDS would be prepared and submitted by each authority to GO East by January 2010. However, due to the need to ensure that the LDS was accurate prior to submission of any Development Plan Document (DPD), the Council needed to submit a revised LDS in the autumn. There was general acceptance from GO East of the proposed timetables put forward by the three authorities, which would mean that the Issues & Options for the Core Strategy would take place in February/March 2010.

No further work had yet been undertaken on the Call for Sites, as all attention had been focused on the Gypsy & Traveller DPD. However, this would be addressed shortly in connection with the Strategic Housing Land Availability Assessment. The first step would be to pursue more comprehensive responses from public bodies.

The Strategic Housing Land Availability Assessment (SHLAA) was a key part of the evidence base for the LDF which would identify and consider the availability and suitability of land for future residential purposes. A major piece of information required to complete this Assessment would be provided by the Call for Sites returns. The first step was to draw up and consult on a methodology, which would be presented to a future meeting of the Cabinet Committee.

The Strategic Housing Market Assessment would replace and expand upon the existing Housing Needs Survey. The final report was awaited, and Members would receive a presentation of the key findings in due course.

The Employment Land Study would be undertaken jointly with Brentwood Borough Council, and would consider the amount of employment land currently available, as well as the likely future needs. Officers would ensure that the assumptions made in the study were robust, and would not entail the study becoming quickly dated if the national economic situation changed.

Chris Blandford Associates had recently been appointed to undertake a Landscape Character Assessment of the entire District, and more detailed Landscape Sensitivity Studies of all the major settlements within the District. Together this work would inform the decisions that would be required in the Core Strategy when considering locations for new development.

Roger Tym & Partners had been appointed in March 2009 to undertake the Town Centres Study. For the first time a complete study of all of the major town centres would be undertaken and was due to be complete by the end of August 2009.

The Level 1 Strategic Flood Risk Assessment across the entire District was almost complete.

8. CALENDAR OF MEETINGS FOR 2009/10

The Cabinet Committee considered a schedule of proposed dates for its meetings in 2009/10. It was felt that a further meeting might be required prior to the first listed date of 2 July 2009, but this would be confirmed at the next meeting of the Cabinet on Monday 20 April 2009, along with the subsequent dates listed on the agenda.

RESOLVED:

That the following dates for meetings of the Cabinet Committee in 2009/10 be confirmed at the next meeting of the Cabinet on 20 April 2009:

- (i) Thursday 2 July 2009;
- (ii) Thursday 10 September 2009;
- (iii) Thursday 5 November 2009;
- (iv) Thursday 7 January 2010; and
- (v) Thursday 11 March 2010.

CHAIRMAN