

## Scrutiny Standing Panel Agenda



### **Safer, Cleaner, Greener Scrutiny Standing Panel** **Thursday, 7th April, 2011**

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

**Time:** 7.30 pm

**Democratic Services Officer:** Adrian Hendry, Office of the Chief Executive  
email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

#### **Members:**

Councillors Ms C Edwards (Chairman), Ms J Hedges (Vice-Chairman), W Breare-Hall, A Boyce, Mrs T Cochrane, D Jacobs, Mrs S Jones, B Judd, G Mohindra, Mrs C Pond and P Spencer

#### **1. APOLOGIES FOR ABSENCE**

#### **2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

#### **3. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive). 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. MINUTES OF THE LAST MEETING (Pages 3 - 6)**

To agree the notes of the last meeting held on 8 March 2011.

**5. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 7 - 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. POLICE AND CRIME COMMISSIONERS (Pages 13 - 14)**

(Director Environment and Street Scene) To consider the attached report.

**7. HOME OFFICE CONSULTATION - "MORE EFFECTIVE RESPONSE TO ANTI-SOCIAL BEHAVIOUR" (Pages 15 - 30)**

(Director Environment and Street Scene) To consider the attached report.

**7.1 Minutes from the Green Corporate Working Party and the Green Infrastructure Working Group (Pages 31 - 46)**

(Director of Planning and Economic Development) Attached are the minutes from the Green Corporate Working Party (GCWP) and the Green Infrastructure Working Group (GIWG) for the Panel's information:

GCWP Minutes for 17 August 2010; 1<sup>st</sup> October 2010; 21 December 2010 and 3<sup>rd</sup> February 2011.

GIWG Minutes for 30 July 2010 and 1<sup>st</sup> December 2010.

**8. 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.

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Safer, Cleaner, Greener Scrutiny **Date:** Tuesday, 8 March 2011  
Standing Panel

**Place:** St Mary's Church - 201 High Road, **Time:** 7.30 - 8.35 pm  
Lloughton

**Members Present:** Councillors Ms C Edwards (Chairman), W Breare-Hall, A Boyce,  
Mrs T Cochrane, D Jacobs, G Mohindra, Mrs C Pond and P Spencer

**Other Councillors:** Councillors Mrs P Smith, R Barrett and D Wixley

**Apologies:** - Ms J Hedges and B Judd

**Officers Present:** J Gilbert (Director of Environment and Street Scene), K Tuckey (Senior  
Licensing Officer), J Nolan (Assistant Director (Environment &  
Neighbourhoods)) and A Hendry (Democratic Services Officer)

**Also in attendance:** C Wiggins, A Petty, P Southgate, G Cootes, C Wheatherburn and  
Insp T Simons

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### **45. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

The Panel noted there were no substitute members.

### **46. DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **47. MINUTES OF THE LAST MEETING**

The notes from the 6 January 2011 meeting were agreed as a correct record.

### **48. LICENSING AND THE NIGHT TIME ECONOMY - MANAGING EXPECTATIONS**

The Chairman welcomed the various officers from the Safer Communities Partnership, Inspector Tom Simons, Essex Police and Kim Tuckey from the Council's licensing section. They were there to discuss the processes of monitoring and enforcement of the Licensing conditions in the various premises throughout the district and to answer any questions that may arise.

Inspector Tom Simons gave a short presentation on the role of the Police in the local night time economy. He noted that they have to keep the four licensing objectives, set out by the Licensing Act, in mind. The objectives were:

- The prevention of Crime and Disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

The Police were the most concerned about the first objective, prevention of crime and disorder for which they relied on a constructive relationship with the Council and the Safer Communities Partnership (SCP).

They used:

- Section 51 of the Licensing Act, 2003 which allowed interested parties or responsible authorities to apply for a review of a premises licence. This was a long term approach and not a quick fix.
- Section 53 of the Licensing Act which allowed chief officers at Superintendant level, to apply for an expedited review of a licensed premise. This must be heard within 28 days.
- Section 161 which allowed the Police to close a premise for up to 24 hours and the application must be made by an inspector or above. This power was not used very often.

The Police were currently running 'Operation Teutonic' which enabled them to put in extra resources, as it was partly funded by the Safer Communities Partnership, into policing licensed premises in Loughton. It allowed proactive measures to be deployed such as knife arches, drug dogs, PCSOs etc. where needed.

They have also launched 'Pub Link' where the licensed premises in Loughton High Road are linked by two way radio to each other and to the Police. This way, they can share information in real time about any problems or problem customers around that night.

Councillor Wixley asked how the recent announcement on the reduction of Police Officers, was affecting Police moral. Inspector Simons noted that about 14,000 frontline Police Officers nationwide, would be removed from their role, so there would be reductions in Essex but he was unsure how that would play out. It was concerning.

Councillor Barrett said that people were concerned about the noise disturbance created by customers of the Crystal Lounge and the Nu Bar when they leave the premises. They were pleased to have the police patrolling the area but wondered if this could be tightened up. Inspector Simons replied that there were other responsible bodies, such as Environmental Health who could help with disturbances like this. He noted that the Council had not received any complaints about noise from the public and they needed engagement from the public, the legislation was there to help in these matters. Councillor Barrett replied that he thought that it needed a responsible authority like to the Police to make the complaint for it to have any validity.

Councillor Spencer asked how many times the Police were called out to night time disturbances. Inspector Simons replied that they were called out to the main late night venues usually on Friday and Saturday nights, sometimes they were called to other venues and house parties as well. This was a big district and it was not especially the Loughton area that had problems.

A member of the public noted that although some residents had rung up about noise disruption they got no replies. Also, were bouncers or door staff as they are known now, part of the problem and do they have female door staff. Inspector Simons said that door staff were of great interest to the Police, they are all SIA accredited, the police monitor their behaviour and look for their co-operation as it was important to get information from them about any incident. There are female door staff that prove to be very valuable in defusing some situations and searching female clients.

Councillor Mrs Smith asked about the Loughton 'Pub Link' scheme. How would this be evaluated and would it be taken elsewhere? She was told that although it was a Police led scheme it was voluntary and any participants could pull out whenever they wanted to. This scheme was difficult to transfer to other areas, such as Epping, as the premises needed to be close to a transmitter, usually located at a Police station. Also it needed enough premises for it to be viable and Loughton seems to be the only place where there were enough premises sufficiently close together (10 were needed).

Councillor Mrs Smith then asked what the Police did behind the scenes; did they have a specialist Licensing Officer etc? Inspector Simons said that they tended to check problem premises every Friday and Saturdays. They have a Licensing Officer, based at Epping, who goes around checking various premises.

Jim Nolan, Assistant Director (Environment and Neighbourhood) informed the meeting that the Council had a 365 day, 24 hour service to handle any noise complaints. All the member of the public had to do was telephone the Council at any time and they would be referred to the 'on call officer'. If it was before midnight, then the complaint would be looked into within an hour. If it was after midnight, then the address of the premises in question would be checked against a list, if the address was on that list then they would be visited immediately, if they were not on the list then it would be investigated within a week.

Kim Tuckey, the Senior Licensing Officer for Epping Forest District Council explained that the Licensing Section sat as an administration section, ensuring that proper procedures were followed such as consultation with the responsible authorities.

The licensing officers offer advice and guidance to the public and applicants; they would also mediate between the public and an applicant. They must remain neutral when dealing with an application.

The Licensing section was separate from Environmental Health who investigates complaints and carries out random checks and reports back to the licensing section, who, in turn report back to the licensing sub-committee.

Any member of the public was classed as an interested party and could seek a review of a premises licence as long as they had appropriate grounds for doing so and they were not frivolous, vexatious or repetitious. They would need to keep a diary of any incidents that they wish to base their review on. Ward members could also be interested parties and / or represent their constituents.

Councillor Barrett asked if the Licensing Sub-committee was under any legal obligation to allow lawyers or solicitors to cross examine other people at the hearing. He was concerned at how lawyers treated residents and sometimes asked for their address, part of which was blacked out on the agenda. Ms Tuckey replied that in the interests of fairness, they were allowed to ask questions on behalf of their client. In ten years doing this job she had not heard of any repercussions. Residents did not have to give their house number when asked.

Mr Nolan said it was up to the Chairman to control the meetings, but they had to be seen to be fair to all parties. Residents could ask their local member to represent them at the meeting. In order to minimise the possibility of an appeal the sub-committee must make sure that they cover all necessary procedures.

Asked if there was a time limit to reviews, Ms Tuckey said that any application must be supported by evidence, but there was no set time scale. It was governed by the

concept of reasonableness, and it was up to the members of the sub-committee to define reasonableness for any application.

Councillor Pond asked how vicinity was interpreted in the Licensing Act. Ms Tuckey said that the Act did not define it; but it had to be compliant with reasonableness. Members would have to decide by their address what weight they would apply to any complaint.

Caroline Wiggins, the Safer Communities Manager, said that the SCP was not classed as a responsible authority, although it can ensure that premises do work to a set standard and work with the anti-social behaviour officer to tackle any relevant issues.

Councillor Mohindra asked how the Council could stop licence holders changing the named licence holder and carrying on as before. He was told that the Council could not, but the law would be changing to help in this.

Councillor Barrett asked if the Nu Bar and the Crystal Lounge was under CCTV surveillance. He was told that they were; it was a new improved system that gave very detailed pictures that helped the Police in their investigations. The Council's CCTV officers also provided advice and guidance to premises on what CCTV they should have and how best to use it. There were six cameras along Loughton High Street and one or two at the back. These were not used for traffic enforcement.

The Chairman thanked all the attendees for coming to answer questions at this meeting and hoped that the public attendance could be increased the next time they hold such a meeting.

#### **49. FUTURE MEETINGS**

The date of the next meeting of the Panel was noted.

**CHAIRMAN**

## TERMS OF REFERENCE - STANDING PANEL

**Title: Safer, Cleaner, Greener**

**Status:** Standing Panel

**Terms of Reference:**

1. To approve and keep under review the “Safer, Cleaner, Greener” initiative development programme.

*(Note: this development programme will encompass the three main issues and will therefore include matters such as:*

- (i) environmental enforcement activity*
- (ii) safer communities activities*
- (iii) waste management activities (in addition to WMPB information))*

2. To keep under review the activity and decisions of the Waste Partnership Member Board and the Inter Authority Member Working Group.
3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Nottingham Declaration “action plan” and the Council’s progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council’s Climate Change Strategy from the Green Working Group
5. (Subject to Cabinet approval of the Group) to receive and review the reports of the Bobbingworth Tip Management Group.
6. To act as the Council’s Crime and Disorder Scrutiny Committee and to keep under review the activities of the Epping Forest Safer Communities Partnership as a whole or any of the individual partners which make up the partnership.  
(a) That at least two meeting a year be dedicated as Community Safety Committee meetings.

**Work from The Leisure Task and Finish Panel:**

7. Waltham Abbey Sports Centre/ Swimming Pool:
  - To assess the feasibility of providing a new sports hall at the Waltham Abbey Swimming Pool;
  - To conclude the assessment commenced in 2007/08 of evaluating the current and potential future management arrangements at Waltham Abbey Sports Centre.
8. The on-going monitoring of the Youth Initiatives Scheme and Play Strategy.

**Chairman: C Edwards**

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**Safer, Cleaner, Greener Standing Panel**  
**Work Programme 2010-11**

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
<p>(1) Safer, cleaner, greener strategy</p> <p>(a) Enforcement activity – half yearly report</p> <p>(b) Consideration of splitting strategy document and action plan</p> <p>(c) Agree action plan for 2011/12</p> <p>(d) Food Standards Agency Audit</p>	<p>(a) Data to January 2011 meeting</p> <p>(b) To January 2011 meeting</p> <p>(c) Agreed January 2011</p> <p>(d) Went to January 2011 meeting</p>	<p>Update report went to January 2011 meeting</p> <p>Splitting the documents will enable core strategy to be issued without need to reprint every time the action plan changes - considered at Jan 11 meeting</p> <p>Went to January 2011 meeting.</p> <p>Action plan, attached to agenda, referred to the Panel by the Audit &amp; Governance Committee</p>	<p>1 July 2010</p> <p><del>26 August 2010 (extra meeting)</del></p> <p><del>7 October 2010</del></p> <p>6 January 2011</p> <p><del>24 February 2011 cancelled</del>  <del>rearranged for 8 March 2011</del></p>
<p>(2) Community Safety</p> <p>(a) CCTV action plan – half yearly report</p> <p>(b) Receive reports from Community Safety Scrutiny meetings</p> <p>(c) Mediation arrangements</p>	<p>Went to January 2011 meeting</p> <p>Went to January 2011 meeting</p> <p>Went to January 2011 meeting</p>	<p>Update report considered</p> <p>Report considered at January 11 meeting</p> <p>Report considered at January 11 meeting</p>	<p>7 April 2011</p> <p>Crime &amp; Disorder Scrutiny meetings – The 2 meeting dates are October 2010 and February 2011</p>
<p>(3) Essex Waste procurement process and Joint Committee</p>			

**Safer, Cleaner, Greener Standing Panel**  
**Work Programme 2010-11**

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(a) Receive notes/minutes of Member Partnership Board  (b) Receive notes/minutes of Inter Authority Member Group	To be determined.  To be determined	First meeting now been held.  Report once initial meetings have taken place	
(4) Waste Management Partnership Board  (a) Receive minutes of Partnership Board  (b) Review of weather disruptions to services	Received Jan 2011  January 2011	(a) Minutes of Board meetings held on 4 <sup>th</sup> August and 20 October 2010 to January 11 meeting.  (b) Report following meeting of Officer Working Group established by Management Board. Report to, and minutes of, the Board meeting, went to January meeting.	
(5) Nottingham Declaration  (a) Progress against Declaration pledges – half yearly reports  (b) Climate change strategy action plan – half yearly reports	Went to January 2011 meeting  Went to January 2011 meeting	Next six monthly report due in June 2011.  Next six monthly report due in June 2011.	

**Safer, Cleaner, Greener Standing Panel**  
**Work Programme 2010-11**

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
<p>(6) Bobbingworth Tip</p> <p>(a) Receive reports on availability for public access</p> <p>(b) Receive notes/minutes of management/liaison group</p>	<p>For future meeting</p> <p>To be determined</p>	<p>(a)(b) Due to delays in overall completion and the state of the ground, pocket park not yet available for public access. Therefore, no progress as yet on establishment of local liaison group to oversee issues at the location</p>	
<p>(7) Leisure issues</p> <p>(a) Receive progress reports on new sports hall at WASP</p> <p>a. Receive progress reports on youth initiatives &amp; play strategy</p>	<p>Verbal progress report made to January 2011 meeting</p> <p>January 2011</p>	<p>Work still underway to take the project to the pre-planning application stage, at which point it will be shelved until such time as the revenue consequences of the operation can be nullified</p> <p>Confirmation has now been received in respect of £48,000 Play Builder funding for the District, which will be put towards the provision of a skate park in Town Mead, Waltham Abbey.</p> <p>In addition, £45,000 Big Lottery Fund "Aiming High for Disabled Children" funding has been secured by the Council that will see the installation of a hard path to improve access to play equipment at Larsen's Recreational Field Waltham Abbey and the installation of accessible play equipment at an existing playground in Loughton.</p>	<p>All other projects now completed</p>

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### **Report to Safer Cleaner Greener Scrutiny Panel**

**Date of meeting: 7<sup>th</sup> April 2011**

**Subject: Police and Crime Commissioners**

**Officer contact for further information: C Wiggins**

**Committee Secretary: A Hendry**

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#### **Recommendations/Decisions Required:**

- (1) To note the report; and**
- (2) Make any appropriate recommendations to the Overview & Scrutiny Committee.**

#### **Report:**

##### **Introduction**

1. This report is an account of the National Community Safety Network (NCSN) and Home Office Consultation Event held in Leeds on 3rd March 2011, 'Community Safety Priorities & the New World Through Consultation'. It covers the latest information on the changes currently taking place within community safety.

##### **KEY EVENT POINTS**

2. From May 2012, Police and Crime Commissioners (PCC) will be elected in all force areas other than the Metropolitan Police and the City of London, and that they will have the power to appoint, suspend or dismiss the Chief Constable. They will issue the Police and Crime Plan, setting out police and crime reduction objectives, set the force budget, issue precept and produce an Annual Report on progress against police and crime objectives.

3. The office of the PCC will have its own legal personality, distinct from that of the person holding it, and it is in this separate capacity that the PCC will own property, employ staff, make contracts and take part in legal proceedings. The assets of a police force will be owned by the PCC in the same way that they are currently owned by the police authority.

4. Each PCC will be assisted by a support team comprising of at least 2 staff paid for by public funds.

5. Elections will be held in 2012 and in each subsequent 4 years. Elections will be administered in the same way as local elections.

6. The PCC will appoint a Police and Crime Panel, each local authority in the Police area will be represented on the Panel. It is likely that that this member will be the portfolio holder for Safer Communities or equivalent, and should provide a clear line of communication to the Community Safety Partnership (CSP).

7. In a force area with more than one local authority, there will be a joint committee including Southend and Thurrock Unitary councils. It will consist of at least 10 members appointed from the local authorities in the police areas, and 2 co-opted members appointed by the panel itself.

8. The Panel will make its own rules of procedure, including making provision for there to be a chair of the panel. However, certain functions may only be exercised at a meeting of the panel as a whole, and not by a sub committee of the panel.

9. The Panel will have vital role in scrutinising the decisions made by the PCC and can use the power of veto over the appointment, suspension or dismissal of a Chief Constable and the policing budget. The Panel will also ensure that the PCC's Annual Report, Policing Plan, and any HMIC reports are shared with local authorities within the force area.

10. The PCC is not an alternative to the current statutory arrangements for Community Safety Partnerships (CSPs). CSPs will still need to continue to carry out a strategic assessment and produce a partnership plan and local authority crime and disorder scrutiny committees will continue to scrutinise the functioning of their local CSP. PCCs will be Responsible Authorities under S5 of the Crime and Disorder Act but only to work with the wider CJS – not to be a statutory partner on a CSP.

11. Although the PCC will not be a responsible authority on CSPs, they will have the following powers and duties relating to community safety:

- They will be able to bring together representatives from one or more CSPs at a force level, as well as have a power to require a report from a CSP where concerns arise.
- To support the PCC and local partners in tackling such issues, the PCC will be able to commission services from CSPs and other local providers.
- The PCC will be given control of the funding which previously was directed to CSPs.

12. PCCs will be able to compel CSPs to produce a strategy if they are not already doing so, and will be able to approve proposed mergers of CSPs, although they cannot force mergers through, all responsible authorities in each area to be merged would have to agree formally that this would be the best future outcome.

## **CONCLUSION**

13. A version of this report to go to Overview and Scrutiny for members to consider with this Panel's recommendations.

14. The Funding to CSPs in 2011-12 is to be significantly reduced current estimates are around 70% and Essex County Council are proposing that the Community Safety Fund available for 2012-13 will be held as a strategic pot for cross county work. The CSP will have to consider how the Partnership will function in view of these changes.



### **Report to Safer, Cleaner, Greener Scrutiny Panel**

**Date of meeting: 7<sup>th</sup> April 2011**

**Subject: Home Office Consultation – “More effective Responses to Anti-Social Behaviour”**

**Officer contact for further information: C Wiggins**

**Committee Secretary: A Hendry**

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#### **Recommendations/Decisions Required:**

- (1) To note the receipt of the Home Office consultation paper on more effective responses to Anti-social Behaviour;**
- (2) To consider responses to the questions set by the consultation document; and**
- (3) To make appropriate recommendations to the Overview & Scrutiny Committee.**

#### **Report:**

##### **Introduction**

1. On the 7<sup>th</sup> February 2011 the Home Secretary, Theresa May MP, launched a consultation document entitled “More Effective Responses to Anti-Social Behaviour”. This consultation follows the Government’s stated intention to review the way anti-social behaviour is dealt with by police and professionals and to ensure they have the tools and powers they need to deal with this type of behaviour providing the type of service that local communities wish to see.

2. The consultation runs until the 3<sup>rd</sup> May 2011, and this Panel’s responses will go forward to Overview and Scrutiny Committee on the 11<sup>th</sup> of April. The Community Safety Partnership may also choose to submit its own response as well as individual partners within the partnership, such as the police.

3. The consultation document is divided into six parts and the report which follows sets them out with a summary of the main issues. The full consultation document has been circulated with the agenda. The consultation document poses a number of questions which are set out in tabulated form towards the end of the report, with suggested responses for discussion and consideration. The Government proposes to streamline many of the varied statutory powers currently available to deal with all forms of ASB. The proposed powers are designed to cut bureaucracy and improve effectiveness and flexibility in dealing with complaints. They are designed to be used against persons who are above the age of criminal responsibility, that is 10 years and above.

##### **The Consultation**

###### Chapter 4.1 The Criminal Behaviour Order

This will be a civil order available on conviction for any criminal offence. It will include both prohibitions and support to stop ASB. It will be very similar to the ASBO with breaches dealt with in the same way. Maximum penalty for breach proposed is 5 years imprisonment.

## Chapter 4.2 The Crime Prevention Injunction

This will be a civil order with civil burden of proof (balance of probabilities), making it easier to obtain. It will contain prohibitions and support and there will be a number of civil sanctions for breach. This is intended for use when action are not of as criminal nature and would address the cumulative impact of ASB.

These two new powers are intended to replace the existing Anti-social Behaviour Orders, Anti-social Behaviour Injunctions, Individual Support Orders and intervention orders. The government is considering that a breach of either may also be grounds for eviction from social housing.

## Chapter 4.3 The Community Protection Order

### **Community Protection Order Level 2 (CPO)**

This power will be available to police and local authorities to restrict the use of a place or close premises linked to persistent ASB. Breaches would be a criminal offence.

This power replaces Dog Control Order, Gating Order, Designated Public Place Order, Premises Closure Order, Crack House Closure Order and Brothel Closure Order.

### **Community Protection Order Level 1 (CPO)**

This power will relate to council and housing association staff. It will take the form of a notice to stop persistent ASB affecting quality of life. It will carry a financial penalty for non-compliance together with other sanctions such as the power to seize noise making equipment.

This power will replace Litter Clearing Notice, Noise Abatement Notice and Graffiti/Defacement Removal Notice.

## Chapter 4.4 Police Direction Power

This power allows any police officer to direct any individual causing or likely to cause crime and disorder away from a particular place and confiscate relevant items, such as alcohol. It will be available to police and PCSOs. The power will exclude individuals from a defined geographic area for up to 48 hours. It would also include the power to return home youths under 16.

This power would replace the Direction to Leave (Section 27 Violent Crime Reduction Act 2006) and Groups Dispersal Order.

## Chapter 4.5 Informal tools and out-of-court disposals

Home Office and Ministry of Justice are exploring informal tools for dealing with ASB taking a more rehabilitative and restorative approach. This would require greater community engagement to make enhance the restorative approach. For example by introducing Acceptable Behaviour Contract (ABC) piloting panels chaired by trained local volunteers. Restorative solutions for low level ASB which would address community issues would take perpetrators outside the criminal justice system providing immediate and proportionate responses and saving time and money.

A Green paper proposes amending the Penalty Notice for Disorder (PND) scheme to allow suspects to pay to attend appropriate educational courses as an alternative to paying a financial penalty.



It is proposed to end the current system of automatic escalation of out of court disposals for young persons (under 18). It is proposed to return discretion to front line professionals which will slow the pace of young persons being put into the court and custody more rapidly than should be the case. Out of court disposals for young people will include restorative sanctions with consequences for non-compliance.

#### Chapter 4.6 The Community Trigger

This will be a new power given to local residents to ensure ASB is being dealt with by the relevant authorities in their area. It would apply when:-

- 5 different households in the same area complained about the same ASB and no action is taken; **or**
- The ASB has been reported to authorities on 3 separate occasions and no action has been taken; **and**
- A CSP could reject the complaint if it was deemed to be malicious.

Complaints meeting this criteria would trigger a collective duty on the statutory partners of the CSP to take action and address the problem. Any proposed planned responses would have to be sent to the Police and Crime Commissioner (PCC).

#### Consultation Responses

Each chapter of the consultation has within it a number of questions. These, with some suggested responses, are set out in following table. The responses have been put forward from a district council perspective and not from that of the Community Safety Partnership which may well have a different response in some areas.

**Reason for decision:**

**Options considered and rejected:**

**Consultation undertaken:**

**Resource implications:**

Budget provision:

Personnel:

Land:

Community Plan/BVPP reference:

Relevant statutory powers:

Background papers:

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)

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## More effective responses to anti-social behaviour – Home Office proposals on changes to legislation

### Section 4: Reforming the toolkit

Q1	<i>What do you think of our proposals for reform? In particular, do you think merging existing powers into the new orders proposed is a good idea?</i>	Legislation available currently has been around for some time and is well known. Some of the proposed legislation appears to be change for change sake. The Criminal Behaviour Order is an ASBO by another name. It has become more confused by trying to introduce positive conditions which all have to be resourced. In times of tight fiscal budgets this is unlikely to generate positive conditions as there will be no-one to monitor and manage them
Q2	<i>Are there other tools and powers for dealing with anti-social behaviour you think should be repealed? If so, why?</i>	No
Q3	<i>Do you think these proposals will reduce bureaucracy for front line professionals? Will they have other benefits as well?</i>	It is unlikely that these proposals will reduce bureaucracy particularly in the court environment.
Q4	<i>Do you think there are risks related to the introduction of any of the new orders?</i>	There needs to be consistent application of the new tools and powers nationally so as not to de-value their effectiveness by scatter-gun type use. This means some accurate guidelines on their use. When ASBOs were initially introduced they were subject to target quotas which were set by government. This quotas immediately devalued ASBOs as many applications were poorly thought through and were made to hit a target. This also produced negative publicity and an opportunity to restore public confidence was lost. Courts became more demanding on the standard of evidence that was required as a result.
Q5	<i>Do you think these proposals risk particular groups being disadvantaged in a disproportionate way? If so, how?</i>	No more than already exists, that is to say young people can be disadvantaged by ASB legislation and therefore any use of the powers would need to be closely monitored for justification and proportionality.

Q6	<i>Because community safety is a nondevolved matter in Wales, are there any specific issues there that should be recognised</i>	N/A
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## 4.1: Criminal Behaviour Order

Q 1	<i>What do you think of the proposal to create a Criminal Behaviour Order?</i>	This is very similar to an ASBO on conviction. The ASB is proved to the criminal standard on the guilty finding of committing a crime and therefore negates the need to provide witness testimony from those who may have been intimidated or threatened by the actions of the perpetrator. The difference seems to be the introduction of positive conditions into the CBO. This would require resources to oversee and monitor. In times of strict budget control positive conditions are only likely to succeed if there is provision to oversee and manage them.
Q2	<i>Thinking of existing civil orders on conviction, are there ways that you think the application process for a Criminal Behaviour Order could be streamlined?</i>	There does not seem to be a provision for applying for ex-parte urgent interim orders to provide a degree of immediate control on serious cases of ASB, particularly when involving vulnerable victims. Urgent interims although not streamlining the process do provide an opportunity for immediate action.
Q3	<i>What are your views on the proposal to include a report on the person's family circumstances when applying for an order for someone under 16?</i>	This would appear to be similar to pre-sentence reports that are ordered by a court. It is not clear who would carry out the writing of such a report and whether they would be independent to the partner organisations applying for the order. This may cause undue delay and also a conflict with the reasons for the application. There may be some professional conflicts of interest.
Q4	<i>Are there other civil orders currently available on conviction you think should be incorporated in the Criminal Behaviour Order? (for example the Drinking Banning Order)</i>	Drinking Banning Orders are part of a large amount of specific legislation which would be easy to incorporate into a CBO. This is particularly the case if there are to be positive conditions. DBOs are not widely used as they cannot be obtained against alcohol dependant individuals.

Q5	<i>Should there be minimum and maximum terms for Criminal Behaviour Orders, either for under 18s or for over 18s? If so, what should they be, and should they be different for over or under 18s?</i>	There needs to be minimum terms for CBOs, both for under 18 and over 18 particularly when there is a support plan concerning positive conditions. This will allow support agencies to engage with the individual and a sanction that can be applied should there be a lack of co-operation on the perpetrator's part. The CBO is there to convince a perpetrator to moderate his or her behaviour and therefore should be in place until that behaviour is moderated to the satisfaction of the court.
Q6	<i>Should the legislation include examples of possible positive requirements, to guide applicant authorities and the courts?</i>	This would provide guidelines to applicants and also identify a consistency nationally in the type of positive requirements required. Many support orders are not applied for now as there are insufficient resources to manage them.
Q7	<i>Are there examples of positive requirements (other than formal support provided by the local authority) which could be incorporated in the order?</i>	
Q8	<i>Do you think the sanctions for breach of the prohibitive elements of the order should be different to those for breach of the positive elements?</i>	Sanctions applied to any breach should be the same this will provide a consistent standard and unnecessary complication of the legislation. It will also be easier for the perpetrator to understand.
Q9	<i>In comparison to current orders on conviction, what impact do you think the addition of positive requirements to a Criminal Behaviour Order will have on the breach rate?</i>	If the positive aspects of the order are properly resourced this may have an effect of reducing the breach rate. Positive requirements will only have a positive effect if they are properly resourced. Most orders on conviction are used as a last resort when all other interventions have failed and therefore are needed to provide some degree of public protection, this normally means that the individual is highly likely to breach. The CBO would not require the proof of other interventions being tried and failed and this may address behaviour quicker. However, this may create a practice of applying for a CBO before trying less intrusive but just as effective interventions. It is not the intention to unnecessarily criminalise members of the community by not taking a proportionate response. Members of some organisations could

		abuse this process which would eventually lead to a de-valuation of the effectiveness of the order through misuse and therefore additional requirements from the court before the order was granted generating more bureaucracy.
Q10	<i>In comparison to current orders on conviction, what do you think the impact would be of the Criminal Behaviour Order on i) costs and ii) offending outcomes?</i>	Costs may increase, particularly where positive conditions need to be resourced. Offending outcomes may reduce should positive conditions be resourced and this in turn would reduce costs, so overall there may be cost neutral.
Q11	<i>In comparison to current orders on conviction, how many hours, on average, of police and practitioner time do you think it would take to prepare and apply for a Criminal Behaviour Order?</i>	Each order is different and it is impossible to give any quantitative response.

## 4.2: Crime Prevention Injunction

Q1	<i>What do you think of our proposals to replace the ASBO on application and a range of other court orders for dealing with anti-social individuals with the Crime Prevention Injunction?</i>	This would provide a more consistent and streamlined application
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Q2	<i>Which test should the court apply when deciding whether to impose a Crime Prevention Injunction – that the individual’s behaviour caused ‘harassment, alarm or distress’ or the lower threshold of ‘nuisance or annoyance’?</i>	The lower threshold of nuisance or annoyance would be easier to prove in court and would be understood by other departments such as housing and legal services who currently apply for injunctions.
Q3	<i>Do you think the Crime Prevention Injunction should be heard in the County Court or the Magistrates Court?</i>	The ability to hear the injunction at either venue would then allow for more high risk applications to be heard at Magistrates Court (sitting in their civil capacity) who have security arrangements already in place. Simple applications could be heard in County Court.
Q4	<i>If you think that the injunction should be heard in the Magistrates’ Court, do you think the Crime Prevention Injunction for those under the age of 18 should be heard in the Youth Court?</i>	If the court is sitting in it’s civil capacity it should make no difference.
Q5	<i>Should the Crime Prevention Injunction carry a minimum and/or maximum term. If so, how long should these be, and should they be different for over or under 18s?</i>	There needs to be minimum terms for CPIs, both for under 18 and over 18 particularly when there is a support plan concerning positive conditions. This will allow support agencies to engage with the individual and a sanction that can be applied should there be a lack of co-operation on the perpetrator’s part. The CPI is there to convince a perpetrator to moderate his or her behaviour and therefore should be in place until that behaviour is moderated to the satisfaction of the court.
Q6	<i>Should there be a list of possible positive requirements in the primary legislation to provide guidance to judges?</i>	This would provide guidelines to applicants and also identify a consistency nationally in the type of positive requirements required. Many support orders are not applied for now as there are insufficient resources to manage them.

Q7	<i>Are there examples of positive requirements (other than formal support provided by the local authority) which could be incorporated in the order?</i>	
Q8	<i>What are your views on the proposed breach sanctions for over 18s and for under 18s for the Crime Prevention Injunction?</i>	If the breach of a CPI occurred and was serious the circumstances of the breach may also include criminal offences which would need to be dealt with separately. Breach sanctions appear logical.
Q9	<i>In comparison to current tools, what do you think the impact would be of the Crime Prevention Injunction on i) costs and ii) offending outcomes?</i>	(i) No change. (ii) Unable to say
Q10	<i>What impact do you think the inclusion of positive requirements would have on the Crime Prevention Injunction breach rate?</i>	Unable to say at this stage.
Q11	<i>Thinking of other civil injunctions available, how many hours, on average, of police and practitioner time do you think it would take to prepare and apply for a Crime Prevention Injunction?</i>	Unable to answer.



#### 4.3: Community Protection Order

Q1	<i>What do you think of the proposal to bring existing tools for dealing with persistent place-related anti-social behaviour together into a single Community Protection Order?</i>	Orders will be easier to secure as a considerable amount of diverse legislation dealing with individual situations can be confusing. This will definitely streamline the process and provide more consistency of approach when obtaining necessary evidence and presenting it to a court.
Q2	<i>Are there problems with the existing tools you think should be addressed in the Community Protection Order?</i>	
Q3	<i>Are there other existing tools you think should be included, such as a Special Interim Management Order?</i>	
Q4	<i>Who should be given the power to use a Level 1 Community Protection Order?</i>	Police, local authority, extended policing/local authority accredited officers
Q5	<i>In comparison to current tools, what do you think the impact of the Community Protection Order would be on (i) costs and (ii) offending outcomes?</i>	Not known
Q6	<i>In your area, is there any duplication of current orders issued to deal with the problems tackled by either level of the Community Protection Order? If so, could you indicate the extent of duplication.</i>	Not known

Q7	<i>What impact do you think the introduction of the proposed Community Protection Order would have on the number of orders issued?</i>	Not known
Q8	<i>Thinking of current orders to tackle environmental disorder, how many hours do you think it would take to prepare and issue a Level 1 Community Protection Order? Is this more or less than the time taken to issue current notices aimed at tackling the same problems?</i>	
Q9	<i>Thinking of the place-related orders that it would replace, how many hours do you think it will take, on average, to prepare, issue, and implement a Level 2 Community Protection Order?</i>	Not known

#### 4.4: The Direction Power

Q1	<i>What do you think of the proposal to combine these existing police powers for dealing with anti-social behaviour into a single Directions power?</i>	These are likely to be more operationally effective and specifically targeted to a identified problem. There would be no consultation requirements as with the current Groups Dispersal Order due to the fact that the power would only be exercised when there was a specific problem.
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Q2	<i>Do you think the power should be available to PCSOs as well as police officers?</i>	PCSOs can currently seize alcohol but cannot carry out arrests. If PCSOs are to exercise this power they must have the ability and means to enforce it. This would mean a fundamental review of PCSO powers.
Q3	<i>What safeguards could be put in place to ensure that this power is used proportionately and does not discriminate against certain groups, particularly young people?</i>	Police to complete paperwork with the individuals details and reasons why they are being directed to leave. They should also be able to specify what areas are covered in the direction which would allow breaches to be proved. This should include a description of the action witnessed to issue the direction.
Q4	<i>What do you think would be the most appropriate sanction for breach of the new Direction power?</i>	Arrest. PND fine, prison
Q5	<i>Thinking of existing powers to leave a locality, how much police and local authority time do you think would be saved by removing the requirement of having a designated area from which to move individuals or groups from?</i>	Considerable amount of time would be saved particularly when instigating a Sec 30 Groups Dispersal application. Responses would be immediate and targeted and therefore proportionate to what they seek to achieve.
Q6	<i>What do you think the impact would be of removing the need for a pre-designated area on the volume of Directions issued?</i>	The benefit of a pre-designated area is that the public are notified through various newspapers, notice boards and web sites as to the intention to disperse, the reason to disperse, the locality the power will be exercised, the start date of the order and the consequences of non-compliance. The power is quite draconian and not particularly targeted. This will now be carried out by individual officers responding to events. However because the power is exercised as required it may reduce the number of directions issued.

Q7	<i>Do you expect there to be a change in the use of the Direction power (compared to the use of existing tools)? If so, what do you estimate the change would be and what proportion of the Direction powers used will be aimed at those under 18?</i>	The direction power is likely to be exercised more when needed and in a specifically targeted way making it more proportional to Human Rights issues.
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#### 4.5: Informal Tools and Out-of-court disposals

Q1	<i>How do you think more restorative and rehabilitative informal tools and out-of-court disposals could help reduce antisocial behaviour?</i>	Informal tools when used in conjunction with housing powers and anti-social behaviour enforcement legislation can be compelling and persuasive. They can also make perpetrators face up to the consequences of their actions.
Q2	<i>What are the barriers to communities getting involved in the way agencies use informal and out-of-court disposals in their area?</i>	For communities to get involved this requires strong guidance and leadership from partner agencies to set structures. Community engagement could identify Neighbourhood agreements and priorities which communities could agree to manage. This may involve litter clearance, graffiti removal or grass cutting. Community pay-back schemes could be used to help this also engagement in Final Warning Clinics by those Neighbourhood Groups could set local restorative justice punishment for low level offending. This would engage communities in the problem setting objectives and problem solving outcomes.
Q3	<i>Are there any other changes to the informal and out-of-court disposals that you think could help in tackling anti-social behaviour?</i>	Far more involvement in reprimands and warnings with some form of community payback punishment as a condition of receiving the reprimand or warning.

#### 4.6: The Community Trigger

Q1	<i>What do you think of the proposal to introduce a duty on Community Safety Partnerships to deal with complaints of persistent anti-social behaviour?</i>	CSPs can deal when they have the ability. If the complaint involved a lack of action from a registered social landlord this would allow the RSL to stand back and let the local authority, under their statutory responsibility, deal with the issues that should have been resolved by the RSL. There would also need to be the ability to filter out malicious complaints without committing too many resources to investigate.
Q2	<i>Do you think the criteria for the Community Trigger are the right ones? Are there other criteria you think should be added?</i>	No other criteria.
Q3	<i>Do you think this proposal risks particular groups being disadvantaged in a disproportionate way? If so, what measures could be put in place to prevent this?</i>	No.

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## EFDC GREEN CORPORATE WORKING PARTY MINUTES

**DATE:** August 17 2010  
**TIME:** 2.30pm  
**VENUE:** The Conference Room, Civic Offices

**Chair:** Sarah Creitzman (SC)  
**Attending:** Mike Tipping (MT), Mike Warr (MW), Dawn Jolley (DJ), Ann Kossick (AK), Cllr Penny Smith (PS) Tom Carne (TC), Chris Overend (CO), Kassandra Polyzoides (KP)

**Minutes:** Elizabeth M Thomas (EMT)

<b>Apologies for absence</b>	<b>Action</b>
<p><b>Lewis McGann (LMG), Ian White (IGW), John de Wilton Preston (JP), Brian Bassington (BB), Jim Nolan (JN),</b></p> <p>Noted that Paul Hewitt, Countrycare Manager, has left to take up a position with the National Trust.</p>	
<p><b>Matters arising from last meeting</b></p> <p>Minutes agreed..</p>	
<p><b>KIoE 3.1 Use of Natural Resources</b></p> <ul style="list-style-type: none"> <li>• <b>KIoE 3.1</b> : EFDC has attained Level 2. Audit Commission is being abolished – more at a later date.</li> </ul>	
<p><b>Climate Change Strategy</b></p> <ul style="list-style-type: none"> <li>• <b>CCS:</b> SC to get a focus group together before next GCWP meeting.</li> <li>• <b>Terms of Reference:</b> SC has been studying these. Recommendation to revamp them as they were very specific in the early days. Key aims – to rewrite the climate strategy and monitor and update it.</li> </ul> <p>Comments:            MT: if the strategy is right, so will the projects that spin off it.            KP: asked for strategy to be recirculated with minutes, to help review it. Also we must be sure that it is up to date with new legislation. JP &amp; SC to discuss.            Acknowledged that fulfilling statutory obligations and crystallising what we as a council want to achieve are initial objectives.            The plan will encompass carbon reduction as well as climate change.            MT: Members will ultimately decide strategies.            SC: Open to suggestions of what we need to strive towards our goals.            KP: We could do benchmarking with other councils to ascertain progress.            SC: Compiling a benchmark list and this will be circulated.            TC: Suggested we include what we want to encourage the wider community to do in the terms of reference –consult members and senior managers on this.            MT: Let's promote Green Days as Lisa used to do, and give talks to as many local groups as possible to spread the word.            KP: Let's flag up what we have achieved and things people can do: with incentives.            TC: We can make more of grants and benefits for green-friendly activity too.            SC: We should also involve Waste &amp; Recycling department in this.</p>	<p style="text-align: center;"><b>JP SC</b></p> <p style="text-align: center;"><b>SC</b></p>

<p>MT: Schools too: Essex County Council have a School Awareness green scheme, it's really popular and it introduces kids to the issues at a young age. We could do something that would link to the National Curriculum.</p> <p>MW: Maybe we shouldn't try to be too specific: just say we welcome discussion and action on all green issues.</p> <p>TC: Audit Commission is to be disbanded: let's see what kind of targets their replacement has. Local targets set by ourselves might go well with the Government.</p> <p>CO: Definitely we should be more outward-looking in the community, not just reacting to what central Government says.</p> <p>TC: Look at local issues – water usage, traffic, low rainfall – for a localist approach.</p> <p>KP: Local Enterprise Partnerships might help us- see what their procedures are.</p>	
<p><b>Travel Plans: Update</b></p>	
<p>Covered since introduction in September 2009:</p> <ul style="list-style-type: none"> <li>• Staff car parking policy</li> <li>• Cycle racks</li> <li>• Showers</li> <li>• Home working</li> <li>• Business travel plans</li> <li>• More public transport for staff concessions.</li> </ul> <p>Car park arrangements will be finalised when the last accommodation changes take place (Oct-Nov 2010).</p> <ul style="list-style-type: none"> <li>• On-site parking for essential/ designated users will still exist</li> <li>• Car sharers, cyclists, bikers will have priority parking</li> <li>• All staff living in Epping (within 20 minutes of Civic Offices) will not be eligible for a parking stall</li> <li>• Reserved parking spaces will be abolished</li> <li>• Blue Badge Holder spaces will be kept</li> <li>• Hemnall Street Staff will be accommodated for</li> <li>• Parking stall waiting list to be abolished</li> </ul> <p>Comments</p> <p>MT: We can't accommodate all staff – e have more officers than spaces! So a policy was worked out around all those who need a car to do their job.</p> <p>PS: It will take some time to bed in, as it's such a car-based culture.</p> <p>TC: Existing staff will retain existing rights and new staff won't expect anything more.</p> <p>CO: Funds for the cycling facilities and showers will come from the O2 staff welfare fund. Works are approved and will tie in with the staff rec room revamp. The travel plan will be reported on an ongoing basis.</p> <p>PS: Cycle pumps will be introduced too outside the Civic Offices, if we get a mayor.</p>	
<p><b>Green Fleet Review</b></p>	
<p>SC: I'm meeting Paul Spencer: there is funding for 50 greener driving lessons for staff who need them (ie those who clock up the most business miles).</p> <p>PS: It should be first come first served, the course is excellent and demand should be high.</p> <p>SC: I will raise awareness and look for volunteers.</p> <p>MT: All the fleet drivers should do the course.</p> <p>DJ: If they do, that fact could be keyed into the carbon strategy as a requirement.</p>	<p><b>SC</b></p> <p><b>SC</b></p>
<p><b>Renewable training for planning officers</b></p>	
<p>More next time.</p>	



<b>Renewable energy &amp; feed-in tariff</b>	
<ul style="list-style-type: none"> <li>• SC has information sheets for this.</li> <li>• Councils could get involved in feed-in tariffs for renewable energy</li> <li>• Carbon Action Network (CAN) has studied this issue; SC liaised with them.</li> <li>• CAN could give a presentation next time and pool ideas and opinions.</li> <li>• CAN do NI187 surveys, so this would be very beneficial to us.</li> </ul> <p>Comments:</p> <p>MT: We could aim for a feed-in scheme this time next year and prepare the budgeting now. There is plenty of study to do – we should see who it could apply to in the wider area.</p> <p>AK: This could be packaged for our housing stock, depending on the refurbishments.</p> <p>DJ: People wouldn't lose the energy they make, they would just feed it into the Grid.</p>	
<b>Any other business</b>	
None	
<b>Date of next meeting</b>	
Next meeting scheduled for September 28 2010, at 2.30pm in Conference Room.	

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## EFDC GREEN CORPORATE WORKING PARTY MINUTES

**DATE:** October 1 2010  
**TIME:** 2.30pm  
**VENUE:** Committee Room 1, Civic Offices

Chair: John de Wilton Preston (JP)

Attending: Ian White (IGW), Sarah Creitzman (SC), Mike Tipping (MT), Mike Warr (MW), Dawn Jolley (DJ), Cllr Penny Smith (PS), Kassandra Polyzoides (KP),  
Minutes: Elizabeth M Thomas (EMT) Dominique Pharoah (DP)

Welcome to: Bruce Pittingale of Carbon Special Reserve, giving a presentation today on Feed-In Tariffs (notes attached)

Apologies for absence

Lewis McGann (LMG), Brian Bassington (BB), Jim Nolan (JN), Tom Carne (TC), Ann Kossick (AK), Chris Overend (CO)

### **Matters arising from last meeting**

- Minutes agreed.
- Climate Change Strategy to be recirculated.
- SC & JP have discussed the sub-group that will take the strategy forward.
- Sub-group will consist of 4 people: SC, TC, MW, DJ
- A benchmarking list of other councils is available.

**Action**

### **Climate Change Strategy**

- Sub-group to meet on November 2<sup>nd</sup>.

Sub-group

### **Green Champions**

- Discussed what Green Champions (GCs) can do: SC has resources to hand.
- Samples of posters and stickers circulated.
- Sharon Lekha has suggested teaching GCs about smart print & paper techniques.
- GCs to be picked from all Directorates.
- JP to discuss Green issues & GCs with other Directors & Management Board.
- KIoE indicates that we should have GCs.

Sub-group

### **Comments:**

- KP: GCs should be linked to Climate Change & Carbon Reduction strategies.
- JP: I'll take our soundings to Management Board in 4 weeks time.
- DJ: The sub-group could give Management Board a list of priorities and they can feed back on the ones they need us to action first.
- MT: Good idea, working from the bottom up often helps! The 5 year plan for maintenance was primarily about finance but it had a knock-on effect for the environment. The sub-group and Green CWP must get through normal Council processes especially if finance is involved, including Scrutiny.
- DJ: can the sub group please have policies generated by other authorities, to study so we can discuss options.
- JP: As a Council we are thinking greener and are more conscious of carbon, efficiency etc than 10 years ago.
- DJ: materials and practices are geared to be more efficient now any way.
- IW: Sustainability is more commonplace, the WWF recently did a freedom of information request regarding sustainable sources of wood in the offices.

- KP: We do lots of small things too, like using our own cups at vending machines.
- PS: Strategies should be seen by businesses and households across the district, and then they'll educate people.
- IW: Directorates appointing GCs will make this corporate.
- KP: Each directorate should appoint before we do the strategies, so they can be a part of the processes.
- MW: Can people nominate themselves?
- DJ: We should start aspects of the strategy small.

### **Presentation: Feed-In Tariffs**

By Bruce Pittingale

#### **Green Fleet Review update**

- E-mail has been circulated by SC re driving training – 22 responses received. **SC**  
The course will run over 2 days in December 2010 to be arranged by SC.

#### **Renewable training for planning officers**

- Progress being made with essential car users, and we are looking at various training issues.
- Anglia Ruskin University has been working on this over the last 3 years, recent topics being renewability and green working issues.
- EPOA are running some free courses soon, information has been circulated and can be redistributed to GCWP, please see Sarah King in Planning.

#### **Any other business**

- 10/10/10/: are we doing anything to mark this? 10:10 campaign for Carbon Reduction, we could choose a single effective action for this. Suggested sweep of monitors/ PCs to make sure they are switched off.
- It would be a good day to launch GCs, but the scheme is not ready yet.
- Agreed to see 10/10 website for information.
- Need to see how to take feed-in tariffs forward to EFDC decision-makers.
- Weigh up what Carbon Special Reserve offers, SC budget, and the 5-year plan and budget for improving facilities at Civic Offices.
- IW: we should investigate the potential of PV (solar cells?) on buildings and present that to Members.
- DJ: start with our own building first to show the public we're committed – and how it works – before rolling out. What other sites can we use?
- MT: Langston Road Depot will have internal relocation, so we could build renewable energy into that.
- PS: I'd prefer to see all the costs and figures first before doing anything, plus the first 5 years are the most expensive: having said that Carbon Special Reserve has a portfolio of good clients.
- DJ: we could approach an authority that has already embarked on it.
- Agreed to study what we have heard today and produce reports – and to include findings in forthcoming drafts of the strategy.

#### **Date of next meeting**

Next meeting scheduled for November 9 2010, at 2.30pm in Conference Room.

## EFDC GREEN CORPORATE WORKING PARTY MINUTES

**DATE:** December 21 2010  
**TIME:** 2.30pm  
**VENUE:** Conference Room, Civic Offices

**Chair:** John de Wilton Preston (JP)

**Attending:** Tom Carne(TC), Sarah Creitzman (SC), Mike Tipping (MT), Janet Twin (JT), Mike Warr (MW), Gary Woodhall (GW)

**Minutes:** Dominique Pharoah (DP)

<b>Apologies for absence</b>	<b>Action</b>
<b>Lewis McGann (LMG), Brian Bassington (BB), Jim Nolan (JN), Penny Smith (PS)</b>	
<b>Matters arising from last meeting</b>	
<ul style="list-style-type: none"> <li>• Minutes agreed.</li> <li>• Climate Change Strategy Sub Group met on 2 November.</li> <li>• SC arranged Smarter Driving; including JP. Suggested others on the Group should also take part, so that they can take the lead..</li> </ul>	
<b>Climate Change Strategy</b>	
<ul style="list-style-type: none"> <li>• Sub-group.</li> <li>• Future of various National Indicators is unclear.</li> </ul>	<b>Sub-group continuing to work.</b>
<b>Green Champions</b>	
<ul style="list-style-type: none"> <li>• Management Board had discussed what Green Champions (GCs) can do: in essence it is those on the GCWP who are now the Champions.</li> </ul>	<b>Sub-group to discuss</b>
<b><u>Porters</u></b>	
<ul style="list-style-type: none"> <li>• The various members of the Party had a substantial discussion about some of the information which had been gleaned from the Environment Agency's website concerning the amounts being recycled by Porters, the degree to which compacted material could then be split into different types of recyclables, and the PR considerations.</li> <li>• MT was still trying to secure a visit to Porters at Waltham Cross, and it was agreed that a sub group actually seeing and photographing what happened would be very helpful.</li> </ul>	<b>MT</b>
<b>Green Fleet Review update</b>	
<ul style="list-style-type: none"> <li>• The Smarter Driving training course had successfully run over 2 days in December 2010 and a filmed example of the training had been created. There were clearly far more staff who would benefit from the training.</li> </ul>	<b>SC</b>
<b>Renewable training for planning officers</b>	
<ul style="list-style-type: none"> <li>• EPOA/ Anglia Ruskin University are running some free courses soon, information has been circulated and can be redistributed to GCWP, but one needs to register with Sarah King in Planning.</li> </ul>	<b>SK</b>
<b>Any other business</b>	
<ul style="list-style-type: none"> <li>• Councillors were due to consider budgets, and cuts, but also reports concerning the Feed in Tariff, the work plan for Facilities Management</li> </ul>	

and the Area based Climate Change grant shortly.	
<b>Date of next meeting</b>	
Next meeting scheduled for February3 2011, at 2.30pm in the Conference Room.	

## EFDC GREEN CORPORATE WORKING PARTY MINUTES

**DATE:** 3<sup>rd</sup> February 2011  
**TIME:** 2.30pm  
**VENUE:** Committee Room 2, Civic Offices

Chair: Sarah Creitzman (SC)

Attending: Janet Twinn (JT), Tom Carne (TC), Ann Kossick (AK), Dominique Pharoah (DP), Gary Woodhall (GW), Cllr Penny Smith (PS), Ian White (IW)

### **Apologies**

#### **Matters arising from last meeting**

Porters update – Mike Tipping has managed to get in touch with Porters and they have given permission for 6 people to attend a tour of the Waltham Cross site. Ian Almond, Mike Tipping, Cllr Penny Smith, Tom Carne, Sarah Creitzman and Cassandra Polyzoides will be taking the spaces, with a possible further visit being arranged for others that want to go. SC to put forward possible dates to Mike Tipping. Members asked if 3<sup>rd</sup> week of Feb could be avoided and the issue of whether a camera can be used at the site was raised. This will need to be checked with MT

**Action  
SC**

### **Agenda**

#### **Green Champions**

Members were happy to take on the responsibility of Green Champions. AK and GW took some posters and stickers to put up in their rooms. It was agreed that all would monitor the equipment in their sections to ensure it was not being left on standby, also that double sided printing was carried out wherever possible.

**All**

#### **Climate Change Strategy**

Still awaiting steer from government on the direction of the new indicator set. So far a new way of displaying Council energy data is being consulted on by DECC. When more is known, SC will continue work on the new Climate Change Strategy.

#### **Renewable Training for Planning Officers**

No interest in the courses, except for SC and maybe AK. SC will circulate amongst the Planners in DC again, just in case any of them change their minds.

**SC**

#### **Environmental Training for Staff and Councillors**

Cardinus training available on free evaluation basis, which allows 5% of workforce to take the training for free, provided that they agree to evaluate the course afterwards by email. Suggestions made for who should take the training were: All GCWP, Facilities Management, Janet Twin's staff, TC also mentioned Tony O'Connor and Jackie Close. SC to forward email addresses of those taking part to Cardinus.

**SC**

#### **Date of next meeting**

Next meeting scheduled for 29<sup>th</sup> March 2011 at 2.30pm in Committee Room 2.

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## Management of Green Infrastructure Working Group

Minutes of the meeting held on 30<sup>th</sup> July 2010 in Training Room at Hemnall Street

**Present:** Laura MacNeill Jo Ellis Phil Hawkins George Haley Chris Neilan  
Paul Hewitt

**Absent:**

**Copy to:** John Preston, Planning - for information Abigail Oldham

<p><b>1. Apologies for Absence</b> – Ben Meuli K Durrani S Stranders (Melinda Barham &amp; Robin Hellier to attend alternate, Abigail Oldham will attend for Countrycare)</p> <p><b>2. Minutes of Last Meeting</b> Minutes of last meeting, held 3<sup>rd</sup> March 2010, were read and agreed.</p> <p><b>3. Matters Arising</b></p> <p><b>3.1 Use of Natural Resources</b> PH reported auditors had said little of evidence of what we said. Management of open spaces and nature reserves came out good though. PH felt it would still need to be all completed (won't go away) but any future information required needs evidence.</p> <p><b>3.2 Bobbingworth Tip</b> Shared tractor didn't happen, now not enough money as needed for remedial work. Twice a year cut – PHaw asked to quote but equipment not big enough. Contractor has done it now but wasn't much to cut. As PHew going it may fall on CN and AO to advise KD. AO/Nicola will liaise with volunteers, managing it will be SS (350 per hectre x 6 or 7).</p> <p><b>3.3 Lindersfield</b> Fence is ours, so we should repair (which has been done). Featherboarding – keep stock.</p> <p><b>3.4 Theydon Grove Pond</b> PH got AGA report, report circulating desilting etc - £28,000 – no go on this. SS sent out a further report telling us to be careful what we do. Need to know what this is for – no money – land drainage will need to monitor for the future, PHaw has put up warning signs around pond. Meeting with drainage (include CN), LM to discuss further. Tree work done by TF in conjunction with RH (PHaw says thanks for that). Poplars (we reduced one) may need looking at.</p> <p><b>3.5 Longfields</b> Was discussed at Drainage Meeting, BM will be monitoring.</p> <p><b>3.6 Centric Parade</b> Trees now in, being watered, four planted (Ginko) looking good.</p> <p><b>3.7 Chigwell Row Pipe</b> Pipe went in, so hopefully will now be ok.</p> <p><b>3.8 Broadway TCE</b> GH had given details (one tree snapped) removed. Lee is aware of dead ones.</p> <p><b>3.9 TPO's</b> Pro printer layer – Rob to speak to Chris N.</p> <p><b>3.10 Buckhurst Hill – Tree Wardens Arboretum</b> Tom F to ring him (Tree Warden) as they want to be introduced, we have got some planned works down there. GH will speak to Tom. Job spec to give to them so know what to do. Possibly move boundary line to include area just outside the arboretum. Re draw line on agt.</p>	<p><b>CN/AO</b></p> <p><b>GH/PH</b></p> <p><b>JE/RP</b></p> <p><b>GH/TF</b></p>
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<p><b>3.11 Commuted Sum</b></p>	<p>Discussion concerns as to what happens when funding runs out – budget implications.</p>	
<p><b>3.12 High Street Epping</b></p>	<p>Spoke to TB at Highways meeting and he was happy re tree pruning. CN looking at pleaching – TB was concerned about funding pleaching ongoing maintenance? CN felt it would cost less as less maintenance – CN has paid for initial pleaching from his fund. Dispute is what work was done this was done on word of mouth, quoted works on verbal. If we redo, where is funding coming from? £800-£1200 (London Plane) (Highways meeting 9<sup>th</sup> September). Discuss with Highways before meeting (work needs to be done on a Sunday). Need a spec and photos indicating what needs to be done. CN will do spec (Chris can be available on the day if needed), agreed that they thought that future maintenance would be cheaper. Would need doing every 2/3 years?? Idea to keep off properties, would need to be quoted works each time (may not then need to do them on a Sunday).</p>	<p>PH/GH GH/CN</p>
<p><b>3.13 Section 106 Ongar</b></p>	<p>LM just monitoring.</p>	<p>LM</p>
<p><b>3.14 Green Corporate Working Party Minutes</b></p>	<p>Noted</p>	
<p><b>4. Drainage Chigwell Row Rec</b></p>	<p>Step the ditch ? in future and agreed programme.</p>	
<p><b>5. Biodiversity Action Plan</b></p>	<p>PH has produced plan (attachment – PH will send JE PDF) – attachment not received check with AO.</p>	<p>AO</p>
<p><b>6. Tree Policy Document</b></p>	<p>Went to safer, greener, cleaner. Need to add Veteran Tree Project. Felt not so many printed copies would be needed (as it's on website), draft document to go back to panel. Need to be written up by November/December – people to write up their bits (LM had sent out on 18/6 to all). CN will liase with Abbie Oldham, policy from planning – put in a link to other planning. Come back to LM re if can meet November deadline.</p>	<p>ALL</p>
<p><b>7. Open Space and LNR's</b></p>	<p>PH to send through list of spend to JE (then can OK and do journal). Grange Farm gone quiet from our point of view. Management Grange Fund Trust. The building being constructed at moment. EWT not sure if they will be based there. CN involved from planning aspect.</p>	<p>PHew/JE</p>
<p><b>8. Chigwell Row Wood</b></p>	<p>Motorbikes; smashing down fences, gates. Meeting needs to be held with Countrycare and Tom or Phil. Michael Richardson to try to discuss action.</p>	<p>PHew/PHaw</p>
<p><b>9. Roding Valley</b></p>	<p><b>9.1 Lake</b> Funding from E.A. £20k may get further £10k – installation of 2 reed beds to filter the run off from the houses/pipes. Bank reinstatement have used reed beds so looks more natural. Got predator netting to stop geese eating it. E.A. gave some fish, good small fish. Further scheme PH drawing up to be submitted to E.A. Letters gave out to various clubs to see if anyone is interested to run fishing club.</p>	<p>PHew</p>
<p><b>9.2 BHPC Agt</b></p>	<p>Options 1) We take it back, 2) Take it back and get funding or 3) Do nothing (not really option). Cllrs meeting with BHPC: Cllrs – awaiting outcome – can't do emergency works as didn't agree to give us money.</p>	

<p><b>9.3 Nature Reserve and Essex W Trust</b> On final draft (taken 4 years) waiting for final comments from Grange Farm Centre Trust. P/hew thanked LM for her help. Problems with professional dog walkers – re dog faeces.</p>	
<p><b>10. Section 106 Agts</b> Revamp of section 106 affects projects report LM had sent to J Preston, LM to resend and copy CN in.</p>	LM
<p><b>11. Tree Warden Scheme</b> PHew thanked TF for going to meetings. Tree Wardens appreciate him being there.</p>	
<p><b>12. Any Other Business</b></p>	
<p><b>12.1 Roughtalleys wood and TPO</b> Properties at r/o Pike Way – Management Plan, Abbie to send it to CN – single application include in the management plan – then got OK for 5 years. Abbie to liaise with CN and also send plan to GH. CN reported he goes to corporate groups (he reps planning).</p>	AO
<p><b>12.2 Green Infrastructure Steering Group for Harlow Area</b> (Has statutory groups with Natural England) focus on North of Harlow – project group for the Stort Valley – open space funding/tow path etc. Working group for Epping Forest District (but north of EFDC) may be opportunities to pull in funding projects (AO) to go? Rep from us – needs terms of reference – funding will be more difficult to get. CN can circulate details of next Steering Group, Oct and Working Group in Sept.</p>	AO/CN
<p><b>12.3 Green Arc Steering Group – Natural England</b> May become more practical, possibility to pull money in for district – corporately. CN could circulate minutes, If PHaw wanted to come along (next meeting at Middleton House, Lea Valley). Essex Wildlife Trust – analysing parts of Essex/Living Landscape). EWT don't sit on Green Arc Group.</p>	CN
<p><b>12.4 Countrycare</b> Who to liaise with when Phew goes – anything we should know so it gets picked up? Charity report Phew to send us. Lead Officer will be Abbie Oldham. PHew to list areas of work for our info. PHaw to do the same.</p>	PHew/AO/ PHaw
<p><b>12.5 External funding bids</b> PHew does. Volunteers – work they do (money they saved). The group appreciated Paul's help and all the work etc over the years, wish PH well in his new post.</p>	
<p><b>13. Date of Next Meeting</b>  Wednesday 24<sup>th</sup> November at 10.00am</p>	

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## Management of Green Infrastructure Working Group

Minutes of the meeting held on 01<sup>st</sup> December 2010 in Training Room at Hemnall Street

**Present:** Laura MacNeill    Jo Ellis    Chris Neilan    Abigail Oldham  
Phil Hawkins

**Copy to:** John Preston, Planning - for information  
(discussion of whether we are working group – LM to query)

<p>1. <b>Apologies for Absence</b> – George Haley    Sue Stranders    Ben Meuli    Melinda Barham    Robin Hellier</p>	
<p>2. <b>Minutes of Last Meeting</b> Minutes of last meeting, held 30th July 2010.</p>	
<p>3. <b>Matters Arising</b></p>	
<p>3.1 <b>Bobbingworth Tip</b> Now on hold tractor not being bought. Maintenance is with Veolia 7 yr further agt? Under discussion re some sort of mower AO reported. <b>Lindersfield</b> – completed.</p>	
<p>3.2 <b>TPO Maps</b> – Rob – Darius Varee (JE to spk to RP) (More TPO's than when ECC had them).</p>	JE
<p>3.3 <b>B/Hill Tree Wardens Arboretum</b> Confusion as to arboretum boundary, this still needs to be dealt with but will await as to see what BHPC decide then redraw, the boundary line.</p>	PH/LM
<p>3.4 <b>High Street, Epping</b> Chris is to do spec and liaise with George for trees.</p>	CN/GH
<p>3.5 <b>Open Space/woodland</b> – spend done.</p>	
<p>3.6 <b>Chigwell Row Wood</b> – gates were reinstalled and problems had quietened down now.</p>	
<p>3.7 <b>Roughtalleys Wood</b> – properties Pike Way – believe its subsidence claim as GH met with insurance person. Wood has been covered by TPO. AO to forward to PH/JE copy of updated Management Plan (believe we need to have the subsidence/insurance issue to be fed in to the Plan). Application over next 5 years is going to sub planning tonight GH needs to liaise with CN/AO. Most of work will be done by volunteers or if any other contractors area. Used money already journalled to CC.</p>	GH/CN/AO
<p>3.8 <b>Harlow Area Green Infrastructure Steering GP</b> – CN to send copies of areas to PH and LM.</p>	CN
<p>3.9 <b>Green Arc Steering GP</b> – not sure of how this will continue. Will be another meeting soon. CN will get LM added to mins circulation.</p>	CN
<p>4. <b>Drainage Issues</b> – none at present – Bradwell Road are done (drainage paid for this).</p>	
<p>5. <b>Biodiversity Action Plan</b> – BDAP Steering Group – AO attend this LM queried which group doesthis feed into? Could discuss issues here, then attach to our mins and go to the Green GP. (Also a website) document expires (June 11).</p>	
<p>6. <b>Tree Policy Document</b> – did go to committee want it leaning more to safer greener cleaner. What do we want the doc to be? Members wanted it expanded. Local Planning – CN advised that planning are doing revised development framework, the tree doc could be the basis of this. Inc open space and street and LNRS trees.</p>	CN
<p>Could pull money from Planning. Trees in headline of doc – so for local plan CN to look at. CN volunteered to write the strategy for local plan to include the tree doc. (wasn't sure had all the evidence need a strength weakness analysis). Audits of 2009 re open space done by</p>	CN

<p>Lewin McGann. East Herts have offered to provide base data (nominal fee 2000). It was agreed that we probably have this on our own records. Timescale – intending to start but would need to set a proper timetable.</p>	
<p><b>7. Open Space and LNR's Update</b> <b>Theydon Grove</b> – another meeting was needed we won't get any money unless its danger. SS/LS involved. Meeting is for 9<sup>th</sup> December to decide next course of action. Did some work on site with budget we've got. <b>Ongar Campus O/Space</b> – Section 106 the storm cell was put in by dev. EFDC are not prepared to take over land until Thames Water take over responsibility for the storm cell. 11-11 Legal spoke to Taylor Wimpey, he said he felt it would be adopted by Thames Water. Planning needs to ensure work done (once TW have taken on the STC) CN would meet on site with the dev and someone from Phil's side. <b>Chigwell Row Wood</b> – work being done as result of survey (Jim Curry doing work). <b>Norton Heath</b> – Andy Vaughan said it had been designated as Nature Res – not done. Local Wildlife site this needs management plan written. Parish Council liaison. The boundary issues have been looked at. Tim Gardiner has done the previous survey. Abigail would like him to do a further plan to satisfy the requirements 5 year plan. AO is to advise LM/JE re change in the proposed spend sheet for Countrycare from the £5K to JE. <b>Homemead – Englands Lane</b> – AO has this on inspection. Fence at back (check legal plan and send to AO). Also AO to liaise with GH. <b>Open Space Society</b> – They are creating new designation similar to SSI's –they are launching a campaign. CN will find out and forward on info. <b>Roding Valley Update – Lake</b> – Reed beds/storm drains the 2 reed beds filter, so they help storm drains. Now installed had funding from EA. Fishing platform also in so we trying to get an angling club on board. EA gave a list of 36 and PH wrote to these but only got 1 back saying he is interested but most want something a bit more closed off. PH thinks the angling club is now backing off. So still trying to come up with solution. <b>BHPC</b> – Meeting PHPC Members/one of our members and J Gilbert – re future. The only maint being done is grass cutting funded by BHPC. <b>Grange Farm</b> – management agt verbally agreed still need the boundaries sorted out (RP dealing with legal). Grange Farm (top area) – left hand side pavilion and playing fields under legal agt – developers money Section 106. Pavilion nearly completed playing fields not quite to standard (now under planning process). Below the house the big o/space is a wet area (flood relief) areas scrub, areas of trees these will go to Grange Farm. Trust or EWT. Road from roundabout also needs to be upgraded but may be a lot later as the lorries would cause damage. EWT still liaise with CC via AO. <b>Section 106 Agreements</b> – from budget there will be a point of time when some of the money will disappear as the 10 year period will expire. (Commuted sums). Perhaps planning could put in LDF for 25 years?</p>	<p>CN/PH  AO JE/AO CN PH/LM RP CN</p>
<p><b>10. Tree Warden Scheme</b> – AGM held a couple weeks ago. Discussed hedgerow surveys, guided walks and visits to tree nurseries. Loughton: There is a small amount of money for tree strategy for Loughton. Patricia Moxey doing this spk to Phil. Will be public consultation brief. AO to forward copies of tree warden mins of meeting, to group.</p>	<p>PH AO</p>
<p><b>11. AOB</b> <b>Dog Walkers (Professional)</b> - EWT were going to put up notices regarding controlling dogs. <b>Blunts Farm</b> – reshaping of land completed holes filled in and piles spread. Footpaths should be usable what is outstanding is what it's going to be used for. They have come up with scheme at top end (car parking) planning application. (Dev Control Protect Trees Misc Legislation / High Hedges etc) put an agenda under planning items). <b>Future of Countrycare</b> – The job des. is being evaluated and adverts out in January (CCM and CCA and trainee (asst) (funded)). <b>Budgets</b> – Need breakdown for next years money AO will do.</p>	<p>AO</p>
<p><b>Next Meeting: 10:00 June 2<sup>nd</sup> 10:00 November 29<sup>th</sup></b></p>	