

EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF SAFER, CLEANER, GREENER SCRUTINY STANDING
PANEL
HELD ON TUESDAY, 10 APRIL 2012
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.04 PM

Members Present: Mrs M Sartin (Chairman), Mrs C Pond (Vice-Chairman), K Avey, W Breare-Hall, Mrs T Cochrane, A Mitchell MBE, G Mohindra (Finance and Economic Development Portfolio Holder) and P Spencer

Other members present: Mrs P Smith and Mrs J H Whitehouse

Apologies for Absence: Mrs E Webster

Officers Present J Gilbert (Director of Environment and Street Scene), J Nolan (Assistant Director (Environment & Neighbourhoods)) and A Hendry (Democratic Services Officer)

49. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Panel noted there were no substitute members.

50. DECLARATIONS OF INTEREST

No declarations of interest were made.

51. NOTES OF THE LAST MEETING

The notes of the 21 February 2012 meeting were agreed as a correct record.

52. TERMS OF REFERENCE AND WORK PROGRAMME

The Panel noted their Terms of Reference and Work Programme.

Under their Work Programme the Panel noted that:

- (i) Under item 7 on recycling in flats and HMOs that progress had been made on this and a report should be coming to the next meeting.
- (ii) Under item 8 on the use of Solar Panels on Council owned properties – this was probably not a practical proposition anymore and if this was proved to be the case then it should be taken off the work programme.

53. ESSEX COUNTY COUNCIL FLOOD RISK MANAGEMENT STRATEGY - UPCOMING CONSULTATION

The Panel noted the short report on the Essex County Council Flood Risk Management Strategy. The County as a Lead Local Flood Authority had to produce a Local Flood Risk Management Strategy explaining the nature of flood risks, the roles of the different stakeholders involved and the county wide actions that would be taken on flood risk in Essex. It did not specify actions for specific areas.

The strategy was due to go through a full public consultation in the near future and would be presented to this Panel at the appropriate time.

RESOLVED:

That the upcoming consultation on the Flood Risk Management Strategy was noted.

54. REVISED ARRANGEMENTS FOR LOCAL HIGHWAYS PANEL

The Panel noted the report on the revised arrangements for a Local Highways Panel (LHP). They noted that the county had set aside about 8.7% (or just under £700k) of their budget to be spent on local highway matters for this district. In addition there was also the allowance of £130,000 for the Highways Ranger Services to be added.

The LHP would comprise of 7 local County Division Members and an equal number District Members. There was to be no Town or Parish representation, however, the LHP's Terms of Reference did stipulate that they should be consulted. Appointment of the district members could be made either on a pro-rata basis or by a geographical basis; to be decided by the Appointments Panel.

It was agreed that the terms of reference for this Panel should be amended to enable it to monitor and review the LHP's work for the district.

It was noted that County officers would offer technical support to the LHP, but it was expected that the District would provide administrative support.

Councillor Avery raised the parking problems faced in Epping. It was noted that unfortunately the LHP was not set up to deal specifically with parking, although they may progress on to some aspects of parking once they were established.

The latest document received from County with further information on the LHP is attached to these minutes for information.

The Panel then considered if the LHP meetings should be held in public or in private and concluded that it should remain in public, enabling not only the public but the Town and Parish councils to attend.

RESOLVED:

- (1) That the proposals for the Essex County arrangements for Local Highway Panels be noted;
- (2) That the Panel recommend to the Overview and Scrutiny Committee that EFDC should join this new arrangement;
- (3) That it should be recommended to Overview and Scrutiny Committee that meetings of the Local Highways Panel be held in Public and that the allocation of the membership should be referred to the Appointments Panel; and
- (4) That the Terms of Reference for this Panel should be amended to enable it to monitor and review the Local Highway Panel's work for the district.

55. UPDATE ON OLYMPIC GAMES ACTIVITY

The Director of the Environment and Street Scene, John Gilbert, brought the Panel up to date on the latest activity in relation to the Olympic Games. We were getting close to the opening of the Games on 27 July and things were beginning to build up in preparation. The white water centre will be handed back to the London 2012 Organising Committee (LOCOG) over the coming weekend for them to build the stands ready for the Games.

Awareness of parking restrictions was beginning to be raised and the 'Look and Feel' preparations would start to happen by the end of June.

The arrangements for the torch relay were proceeding well, with a Community Task Force handling the background work to this and Julie Chandler working with our local partners.

Councillor Smith asked what would happen to the Olympic Working Group after the Olympics; Mr Gilbert said that the Council's internal working group would work right through to the end of the Paralympics. The bigger inter-authority group would be looking at legacy and community matters and encouragement for participating in sports would go on for some time after.

Councillor Breare-Hall asked if the Park and Ride service would be tested before hand. He was told that they would not as it would be trusted to work first time. It was noted that it would cost a lot to use this service, more than parking for a day in one of the Council owned car parks. Using the council's car parks would enable the visitors to linger in the towns and use our shops/pubs afterwards. The Park and Ride buses would be running all day but just for the white water events.

Councillor Janet Whitehouse asked if there would be special parking arrangements for the torch relay. She was told that there were no special arrangements other than officers were hoping to make Council car parks free for that morning. The torch would only be with us for half an hour at Waltham Abbey and they had no way of ascertaining how many people would attend the event. Officers also wanted to designate an area for disabled parking. They had a plan to publicise the event beforehand via a newsletter to every property on the route and also use our website and traditional press releases as well as telling the local parish and town councils for their local newsletters. The Public Relations team had drawn up a plan for this.

It was noted that the runners and their families would be looked after by LOCOG and not by this council.

56. NORTH ESSEX PARKING PARTNERSHIP

The Panel were updated by Councillor Smith, on the latest news from the North Essex Parking Partnership on resident parking permits. It was noted that the contract with the parking enforcement company would end in October 2012, when TUPE arrangements would come into force. From October this would all come under the North Essex Parking Partnership and before that in July the Local Council Liaison Committee would receive a presentation from the partnership manager.

A new leaflet on parking penalty charges would be published for public use and this was available online at www.patrol-uk.info

At the moment, charges for resident's permits across the various districts vary according to the local authority. The partnership was working on harmonisation of the charges across all areas, working up to having one price across the North Essex

Parking Partnership. They were looking at a 3 to 4 year period to standardize the costs of the parking permits; likely to be at around the £65 mark.

It was also noted that the partnership was looking to purchase CCTV cameras mounted on cars to monitor certain trouble spots such as clearways outside schools and issue penalty notices on the spot.

The Panel noted that this was a positive picture, with the partnership having gelled well. It was better to be in this structure than out of it so that we could influence outcomes.

57. SAFER CLEANER GREENER ACTION PLAN 2012-13

The Panel noted the Safer Cleaner Greener Action Plan for 2012-13 and the following amendments made to the plan.

Item 4 – *to deal with all police request for CCTV within 3 working days* – to add under target date – ‘to receive half yearly reports’.

Item 5 - *to ensure that all offensive and racist graffiti is removed within 48 hours of receipt of notification* - to add under target date – ‘to receive half yearly reports’.

Item 6 – *support the sanctuary scheme and work to increase awareness of domestic violence in the district* – to add under progress column ‘that the funding had stopped and that this would be ongoing subject to future funding’.

Item 9 – to alter the action column to read – ‘*Ensure that all necessary action is taken and that all related Olympic related activities are successfully carried out*’.

It was also noted that items 11 and 12 said to ‘see separate sheet’ which unfortunately was not attached.

58. SAFER CLEANER GREENER STRATEGY - ENFORCEMENT ACTIVITIES

The Panel noted the report on recent enforcement activities carried out by the Council. This contained comparison figures from 2010/11 and was also further broken down into figures for the winter and summer periods, as a lot of the enforcement work was seasonal. The figures were supplemented by brief case notes giving a flavour of the type of cases the officers dealt with; fleshing out the statistics.

It was noted that the Council did not have control over the level of the fines issued at the magistrate’s court but that the legal section did remind the magistrates of the maximum fines they could give. Officers also gave detailed cost breakdowns of the costs to the council, but had no influence over the costs awarded.

The Panel was also glad to see that taxi enforcement was happening and noted that a lot of inter agency work was also carried out in support of the various enforcement activities.

59. IAA MEMBER WORKING GROUP MINUTES OF 3 NOVEMBER 2011.

The Panel noted the minutes of the IAA Member working group meeting held on 3 November 2011.

Asked if the Memorandum of Understanding (MoU) would be coming back to council again, Mr Gilbert replied that there was now no MoU and that a "Side Letter" would take its place. In essence there was no change as we had already signed up to this.

It was also noted that we were not part of the street sweeping tendering exercise as yet.

60. WASTE MANAGEMENT PARTNERSHIP BOARD MEETING - MARCH 2012

The Panel noted the Waste Management Partnership Board Minutes, dated 5 March 2012.

61. BOBBINGWORTH TIP LIAISON MEETING MINUTES - 2 NOVEMBER 2011

The Bobbingworth Former Landfill Site Local Liaison Group minutes, dated 2 November 2011, were noted.

62. GREEN INFRASTRUCTURE MEETING MINUTES - 25 JANUARY 2012

The Panel noted the minutes of the Green Infrastructure Meeting , held on 25 January 2012.

63. EFDC GREEN CORPORATE WORKING PARTY MINUTES FOR 6 FEBRUARY 2012

The EFDC Green Corporate Working Party Minutes dated 6 February 2012 were noted by the Panel.

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

The item on the revised arrangements for the Local Highways Panel was to be reported to the next Overview and Scrutiny Committee meeting.

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Essex Local Highway Panels (LHP): A Members' Guide

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April 2012

Local Highway Panels – contents

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1. Foreword from the Cabinet Member for Highways and Transportation

As elected members, we all know that highways issues are of critical importance to our residents and communities. Local highways panels are a new way of better connecting the local area with the Highways Authority.

Local Highways Panels (LHPs) will be a new forum for county and district/borough members to come together to jointly consider and prioritise elements of highways spend within their local district or borough boundaries. They are being formed in recognition of the local role and knowledge of elected members and to promote greater partnership working between county and district/boroughs. LHPs will be an important mechanism for ensuring there is proper engagement with local bodies and representative groups.

We believe that members at county and district level have an important role to play in representing their communities, defining and prioritising the schemes for investment, and in engaging with local bodies such as parish and town councils. LHPs will increase the voice of members at both county and district level and we believe this is a positive step forward for partnership working.

This document sets out how certain important services delivered by the County Council (as Highways Authority) can increasingly be programmed and prioritised through the governance and oversight of the new Local Highway Panels. This guide highlights key areas that will be relevant to LHP members. Through the operation of the panels it is foreseen that many elements of the Highways Improvements capital programme will be influenced and steered by the new localism agenda. This is intended as a live document that will evolve over time.

It should be noted that there is not a one size fits all solution for every part of the Highways Service. The individual characteristics surrounding service delivery, operation and procurement of Highways Services must be understood in order to appreciate the range of implications associated with operating at a community level.

I hope you find this guide useful.

Cllr Tracey Chapman
Cabinet Member for Highways and Transportation
Essex County Council

2. About Local Highways Panels

Local Highways Panels (LHPs) will be a new forum for county and district / borough members to come together to consider and prioritise elements of highways spend in their local district / borough areas.

The scope of works that can be prioritised by the Panel is broad and will include the following areas of capital spend:-

- Traffic Management improvements
- Tackling congestion
- Safer Roads (including casualty reduction)
- Public Rights of Way improvements
- Cycling schemes
- Passenger Transport improvements
- Minor improvement schemes

In summary, the approach is:

- There will be 12 Local Highway Panels, one for each district / borough.
- Each Panel will consist of the local County Councillors and the equivalent number of district/borough councillors, unless it is agreed otherwise.
- Each panel will be able to recommend schemes to be completed in their local area.
- The schemes will be submitted to the County Council Cabinet Member for Highways & Transportation for approval.
- Once agreed, the schemes will come out of the budget set aside for that local panel.

In setting priorities for local scheme selection, LHP Members will need to have due regard to the responsibilities of the Highways Authority. These will include, amongst other things: its statutory duties, standing orders and financial regulations.

The Panels will need to determine the frequency of meetings to maintain momentum between formal meetings. Where possible, the Panel will need to approve design alternatives and they may choose, for example, to empower the Chairman to comment on behalf of the Panel where decisions are needed between formal meetings.

Responsibility for parking schemes has been delegated by ECC to the two Parking Partnerships and the Panels will not therefore be able to promote parking restrictions unless they are intended to address a serious safety or congestion issue the Panels can however make suggestions for the Parking Partnerships to consider.

3. Terms of Reference

Each Panel will consist of the local County Councillors and the equivalent number of district/borough councillors, unless it is agreed otherwise.

A Local Highways Panel will:

- Prioritise and make recommendations for projects/schemes to ECC Cabinet Member for Highways and Transportation within their allotted budget.
- Have regard to the advice from ECC officers on relevant statutory/duty of care requirements.
- Oversee and set priorities for schemes funded through the localism process and the work of the Highways Ranger Service.
- Monitor the delivery of the agreed programme and raise issues and concerns through agreed procedures.
- Consider any other Highways and Transportation matter referred to the panel from time to time by other council constituted bodies, panels or groups.
- Make recommendations to ECC Cabinet Member for Highways and Transportation to amend targets or discretionary policies and/or amend budget allocations between programmes if necessary to meet local priorities.
- Take a lead role in liaison with town/parish councils

4. Governance

- The LHP will elect a Chairman, which will ordinarily be a county member unless it is agreed otherwise.
- Decision making to be agreed by LHP and clearly minuted to be actioned.
- Meetings may be in public or private but reports of each meeting must be presented to the Locality Board (or other standing locality arrangement) in that district/borough and recommendations reported to the ECC Cabinet Member for Highways.
- ECC Cabinet Member for Highways and Transportation will be minded to accept the advice and prioritisation agreed by the LHP subject to the Highways Authority's Statutory Duties/Duty of Care Obligations consistent with current legislative requirements and regulations.

- ECC Cabinet Member for Highways and Transportation reserves the right to reject any scheme promoted by the LHP that falls outside of ECC policies and standards.
- In the event of any disputes within the LHP, the Cabinet Member for Highways and Transportation will take the final decision based on advice from officers and existing Highways Policy.
- Frequency and location of meetings to be determined by the LHP but should be fit for purpose and encourage partnership working. It is suggested that meetings should be quarterly and linked to the budget planning cycle.

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5. Funding and Budgets

The ECC Cabinet Member for Highways and Transportation has identified budget lines and funding streams that can be devolved to LHPs for prioritisation, covering the following capital budget lines:

- Traffic Management improvements
- Tackling congestion
- Safer Roads (including casualty reduction)
- Public Rights or Way improvements
- Cycling schemes
- Passenger Transport improvements
- Minor improvement schemes

These budgets total £8M in 2012/13 and 2013/14. A formula has been used to divide the funding in such a way that it takes account of a number of influences including road length, population and employment statistics. The amount allocated to each district/borough area will have a floor of £400,000 and a ceiling of £1 million.

The budgets available for 2012/13 are shown below:

Proposed allocation of Integrated Transport (Improvement) budget to the Highways Panel – 2012/13

	Percentage split (%)	Allocation per district (£)
Basildon	12.50%	£ 1,000,000
Braintree	10.19%	£ 815,578
Brentwood	5.62%	£ 449,876
Castle Point	5.72%	£ 457,351
Chelmsford	12.50%	£ 1,000,000
Colchester	12.50%	£ 1,000,000
Epping Forest	8.74%	£ 699,550
Harlow	6.09%	£ 487,315
Maldon	5.00%	£ 400,000
Rochford	5.35%	£ 427,808
Tendring	9.88%	£ 790,481
Uttlesford	5.90%	£ 472,041
Total	100%	£ 8,000,000

All capitalised costs pertaining to schemes prioritised by LHP (including feasibility, design, construction, supervision and safety audit) will fall within the budget allocated to each LHP for prioritisation.

In addition to the above, a revenue element that supports the Highway Rangers service (covered later) will be included within the Highways Panel prioritisation remit. For 2012/13 this equates to £130k per annum for each District/Borough area (c£1.56M County-wide).

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6. Relationship between local highway panels and the Local Transport Plan (LTP)

The highways capital improvement scheme, which is prioritised and overseen by the LHP, forms part of the County Council's overall strategy as defined by the Local Transport Plan (LTP).

The LTP3 was approved by Essex County Council Cabinet in June 2011 and contains the aims and objectives for transport in Essex. The LTP is submitted to government as required by the Transport Act 2000. In return the government makes capital funding available to local authorities for maintenance and integrated transport. There is no set way in which the County Council is expected to spend the funding but it is expected to produce local implementation programmes which reflect countywide and localist agendas. The Local Highway Panel is one way of ensuring a strategic approach with regard to local priorities and acceptability.

The LTP3 sets out a number of high level outcomes for transport as follows:

- Connectivity – Provide reliable connectivity for Essex communities and international gateways to support sustainable economic growth, regeneration and wellbeing.
- Lifestyle – reduce carbon dioxide emissions and improve air quality through lifestyle changes, innovation and technology
- Safety - Improve safety on the transport network & enhance & promote a safe travelling environment
- Assets - Secure and Maintain all transport assets to an appropriate standard ensuring the network is available for use
- Sustainable Communities - Provide sustainable access & travel choices for Essex residents to help support strong & sustainable communities

7. Scheme Selection

A list of historical requests has been compiled for each district. The majority of these proposals have arisen from requests from Members (County and District), Parish/Town Councils, residents and local resident or action groups.

In most cases, there is some degree of justification for the request (e.g. to improve safety or facilities for road users) but in some cases the danger may be perceived rather than real. Highways Liaison Officers can provide the Panel with information to aid the decision making process including up to date collision history and speed data.

In prioritising schemes for progression, the Panel will need to have due regard to a number of factors, including:-

- How does the scheme improve safety?
- Will the scheme reduce congestion?
- Will the scheme improve air quality (reduce CO₂ emissions)?
- Does the scheme represent good value for money?

- How does the scheme improve travel choice and travel by sustainable means?

This list is not exhaustive and expert Highways Officers will provide more detailed guidance and advice for each scheme. A scoring matrix is being developed for this purpose to assist with the scheme selection process.

Once a scheme has been selected by the Panel, Officers will need to carry out a 'high level' validation to make sure that it is achievable. This will include things such as checking the highway boundary details and compliance with design guidance.

If a scheme passes the validation stage and there is budget available, the scheme will then be passed to the design team for progression and approval from the Cabinet Member. The Panel will then receive regular and realistic updates regarding progress and timescales.

Inevitably, it is the case with some proposals that there will be unforeseen circumstances that only come to light as detailed design progresses and the Panel will be notified as soon as possible where this occurs as it may impact on the design, timescales and overall cost. Similarly, schemes involving consultation will inevitably attract objections and, in some cases, it will not be possible to resolve these or they may delay delivery of the scheme.

8. Highway Rangers roles and responsibilities

Each LHP will receive a revenue allocation of £130,000 per annum to support the Highways Ranger service.

Typically, the Highway Rangers will consist of 2 trained highway operatives, a van/truck and a small selection of materials and hand tools for repairs. The Rangers can be directed by the Panel to carry out minor works (described below).

The works are normally batched up so that they can work more efficiently in one particular area or Parish at a time, rather than travel extensive distances between jobs.

Works included in the Highway Rangers duties include:

- Cleaning & minor repairs (non electrical road signs and bollards)
- Reinstatement of posts & bollards where no excavation is required
- Small repairs to concrete surfaces
- Trimming of vegetation
- Ad hoc grass cutting & strimming
- Repairs to roadside verges
- Drainage repairs
- Removal of graffiti from road signs
- Painting of street furniture (posts, bollards & benches etc)
- Removal of weeds
- Removal of small non hazardous fly tips from highway land
- Removal of illegal signs & fly-posting

9. Secretariat and support

The frequency and location of meetings is to be determined by the LHP but it is anticipated they will be held 4 times a year linked to the budget planning cycle.

- Meetings may be in public or private but the LHP must present periodic reports to the Locality Board (or other standing Locality arrangement) for each District/Borough area.
- Notes will be produced together with recommendations for the Cabinet Member for Highways and Transportation.
- It is proposed that district councils will provide the secretariat and arrange meetings for LHPs, unless they have agreed that ECC should act as the lead.
- LHPs will also be supported by 4 Local Highways Liaison Officers from ECC. These are:
 - Natalie Szpigelman Basildon, Rochford & Castle Point, natalie.szpigelman@essex.gov.uk
 - Jon Simmons Chelmsford, Maldon & Epping, jon.simmons@essex.gov.uk
 - Rob Macdonald Colchester, Tendring & Braintree, rob.macdonald@essex.gov.uk
 - Rissa Long Brentwood, Harlow & Uttlesford, rissa.long@essex.gov.uk

10. Terms of Reference Review

This document will be periodically reviewed and approved by the Cabinet Member for Highways and Transportation.