## Scrutiny Standing Panel Agenda



## Safer, Cleaner, Greener Scrutiny Standing Panel Tuesday, 10th April, 2012

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

**Time:** 7.30 pm

**Democratic Services** Adrian Hendry, Office of the Chief Executive

**Officer:** email: democraticservices@eppingforestdc.gov.uk Tel:

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## Members:

Councillors Mrs M Sartin (Chairman), Mrs C Pond (Vice-Chairman), K Avey, W Breare-Hall, Mrs T Cochrane, Ms Y Knight, A Mitchell MBE, G Mohindra, P Spencer and Mrs E Webster

## SUBSTITUTE NOMINATION DEADLINE:

18:30

## 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. NOTES OF THE LAST MEETING (Pages 5 - 24)

To agree the notes of the last meeting held on 21st February 2012.

## 5. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 25 - 30)

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

## 6. ESSEX COUNTY COUNCIL FLOOD RISK MANAGEMENT STRATEGY - UPCOMING CONSULTATION

## Recommendation:

To note the upcoming consultation.

Essex County Council (ECC) was made a Lead Local Flood Authority (LLFA) by the Flood and Water Management Act 2010. This gave them a strategic role concerning local flooding i.e. flooding from surface water, groundwater and ordinary watercourses. They have recognised the importance of partnership in tackling these issues which has led to them setting up the Essex Partnership for Flood Management.

One of the key roles ECC has as a LLFA is to produce a Local Flood Risk Management Strategy. The strategy is a high-level document which explains the nature of flood risk, the roles of the different stakeholders involved, including householders and the county-wide actions that will be taken to improve knowledge, awareness and decision-making about flood risk in Essex. It does not identify actions for specific areas.

The focus of the document is on local flood risk i.e. flooding from surface water, groundwater and ordinary watercourses. It provides some information about coastal and fluvial flooding but this is mainly dealt with by the Environment Agency in its National Strategy which has already been published.

The document does however provide some information about those areas which have been identified as having significant levels of local flood risk by way of a map showing 'Prioritisation of Areas Above Flood Risk Threshold'. In Epping Forest District the map identifies Loughton, Theydon Bois and Roydon as the highest priority areas (or Tier 1), Waltham Abbey as mid-priority (or Tier 2) and other smaller communities, including North Weald, Nazeing and Abridge as low-priority (or Tier 3). This map cannot be used to identify individual properties and it is believed the map is not yet publicly available.

The strategy is due to go through a full public consultation in the near future (date not yet set) and the consultation will be presented to the Safer Cleaner Greener Scrutiny Panel at an appropriate time.

## 7. REVISED ARRANGEMENTS FOR LOCAL HIGHWAYS PANEL (Pages 31 - 36)

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

## 8. UPDATE ON OLYMPIC GAMES ACTIVITY

To receive a verbal update on the activity being undertaken in relation to the Olympic Games and Torch Relay.

## 9. NORTH ESSEX PARKING PARTNERSHIP

(Director Environment and Street Scene)To receive a verbal report on the North Essex Parking Partnership.

## 10. SAFER CLEANER GREENER ACTION PLAN 2012-13 (Pages 37 - 38)

To consider and comment on the attached action plan.

## 11. SAFER CLEANER GREENER STRATEGY - ENFORCEMENT ACTIVITIES (Pages 39 - 44)

To note the attached report on recent enforcement activities.

## 12. IAA MEMBER WORKING GROUP MINUTES OF 3 NOVEMBER 2011. (Pages 45 - 48)

To note the attached set of minutes.

## 13. WASTE MANAGEMENT PARTNERSHIP BOARD MEETING - MARCH 2012 (Pages 49 - 54)

To note the attached set of minutes.

## 14. BOBBINGWORTH TIP LIAISON MEETING MINUTES - 2 NOVEMBER 2011 (Pages 55 - 60)

To note the attached set of draft minutes.

## 15. GREEN INFRASTRUCTURE MEETING MINUTES - 25 JANUARY 2012 (Pages 61 - 64)

To note the attached set of minutes.

## 16. EFDC GREEN CORPORATE WORKING PARTY MINUTES FOR 6 FEBRUARY 2012 (Pages 65 - 66)

No note the attached set of minutes.

## 17. 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, 21 February 2012

Standing Panel

Place: Committee Room 1, Civic Offices, Time: 7.30 - 9.55 pm

High Street, Epping

Mrs C Pond Members Councillors Mrs M Sartin (Chairman), (Vice-Chairman),

W Breare-Hall, Mrs T Cochrane, A Mitchell MBE, G Mohindra, P Spencer Present:

and Mrs E Webster

Councillors D Jacobs and Mrs P Smith Other

Councillors:

**Apologies:** 

Officers J Gilbert (Director of Environment and Street Scene). J Nolan (Assistant Present:

Director (Environment & Neighbourhoods)), C Wiggins (Safer Communities

Manager) and A Hendry (Democratic Services Officer)

Also in County Cllr. A Jackson, Chief Super. O'Malley and Superintendant Coombs

attendance:

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

The Panel noted there were no substitute members.

## **42**. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

## 43. NOTES OF THE LAST MEETING

The notes from the 10 January 2012 meeting were agreed as a correct record.

## 44. **ESSEX POLICE BLUEPRINT**

The Panel welcomed Chief Superintendant C. O'Malley and Superintendant A. Coombs, from Essex Police. They were present to talk about the progress of the Essex Police reform programme resulting from the budget cuts which obliged the police to make £41million of savings over the next 4 years. A copy of their presentation is attached to these minutes.

Essex Police at present have 3,500 police officers; over 350 Police Community Support officers and will soon have 600 special constables. They also have 877 vehicles travelling 15.8 million miles per annum and 112 operational buildings (twice as many as Kent own). There were 1.7 million residents in 730,000 households with 25,000 emergency calls handled per month.

They were already improving productivity, reducing costs, increasing availability and at the same time reducing the size of the force.

They were moving away from their traditional model and to the concept of 'Borderless' policing, which in practice meant that the nearest vehicle would be sent to an incident and not as before, when it would be the nearest vehicle belonging to the area that the incident took place in. These would be co-ordinated by response hubs.

The Panel noted that they had reduced senior management by 25%, but were having difficulty in targeting middle management as they had legal obligations in that only certain ranks could authorise certain things. They had reduced the number of Chief Superintendents to five.

There was to be an increase in designated Neighbourhood Policing Officers and a focus on anti-social behaviour and non-emergency, no crime incidents as well as in depth public engagement. There would also be additional support from a larger Neighbourhood Team to deal with the demand. Every area will have a Community Safety and Partnership Unit to be led by a designated Inspector and Sergeant. The unit was to be based at Epping police Station with satellite offices at Brentwood, Ongar and Loughton. These units would bring Crime Reduction Officers, Essex Watch Administrators together with Local Licensing Officers making for multi-agency working.

In order to publicise the new arrangements they had spoken to several newspapers and all MPs in the county. They were getting around as much as they could over the county. However, it was noted that the local press did tend to play up the bad news such as the reduction of police officers over Essex. Members noted that it would be better to get information, not from the local press, but from the appropriate websites or local posters.

The remit of the new officers would change; the new 'Investigative Command' would handle the paperwork enabling the local PCs to stay longer out on patrol. With the new technology they could also work out how much time an officer was spending at their locations.

Essex Police were also reviewing and reforming their estate portfolio. The Panel noted that they had a lot of property and were actively selling surplus buildings, enabling them to reduce their annual revenue costs for maintenance of the Force Estate (currently £8 million). They were asked how members would know which were being kept, as a lot of community groups would like the use these buildings. They were told that a consultation document was sent out to local authorities; they would always consider a bid from a local partner organisation. But they had a financial responsibility to sell if possible to create capital. They would resend to EFDC as officers had not received this consultation document as yet.

Essex Police Force had 48 stations, including front counters and Neighbourhood Policing bases. There were also 44 other police buildings and 20 buildings within their HQ complex. There were 112 properties in total in addition to 12 partner bases. They were looking to close front counters but not necessarily the buildings they were in. In this district the front counter for Epping would be open from 12.00 to 6.00pm Monday to Saturday and the one in Loughton would be open at the same times. The ones in Waltham Abbey and Ongar were now closed. They had done a survey on public contact and found out that most people would phone and not visit a station. They were trying to future proof the selling of the buildings by looking at areas of expansion and keeping the building in those areas for future use. This would be reviewed in 2013/14.

The Waltham Abbey station had been assessed for partnership sharing opportunities; however there would be no future planning on this until post Olympics 2012, due to the specialist Airwave Mast provision from this site.

The force will be split into Operational Policing Commands with patrols being borderless rather than be geographically restricted. They would make the best use of new technology such as Mobile Data Tablets and the Automatic Resource Locations System. A new Tactical Support Group capable of rapidly responding to demands across the force, would also be setup.

Councillor Mohindra noted that they had got their Automatic Resource Location System from the Ambulance Service; are there things that other services do that the Police do not? He was told that they work closely with the other services and considered how they worked. New technology would entail major investments that would have to be made. The National Police Improvement Agency looked at all the new technology for the police across the country.

Councillor Smith commented that it was important for the Council that the analytical data post was kept and the data available for use. She was told that they still had funding for this post (Thurrock would part fund it), and it would be based at Chelmsford and were trying to fill it at present. They were attempting to centralise their analytical abilities. Undoubtedly the cut of £41million would create some problems and they would have to refocus their service provisions.

Councillor Jacobs noted that our main urban population was next to East London – how would the proposed changes affect their relationship with the Metropolitan Police. He was told that they have an effective working relationship with the Met. Police and there should be no change.

Councillor Webster asked if they were still recruiting and was told that they had recently had their first intake of new recruits. Recruitment had to continuous to keep their numbers level. They tended to have a lot of transfers, especially to the Met.

Councillor Webster said that part of Waltham Abbey came under the Met and this can cause confusion. She was told that there were no plans to change the boundaries.

Councillor Spencer asked if they were able to cut down on paperwork and was told that they had tried to reduce the bureaucracy over the last five years, but unfortunately they had to get rid of a large number of support staff. Hopefully, technology would help.

Councillor Sartin asked about the policing at Stansted Airport and was told that it was not affected as they were privately funded. Councillor Sartin then asked about their relationship with the British Transport Police. She was told that they meet regularly and have a good working relationship with them.

Councillor Anthony Jackson, the Chairman of the Essex Police Authority added that:

- The new blueprint was not entirely new, nor was borderless policing as they have it in Kent:
- This was a better way to organise the force and not just a way to save money;
- The force has a 'Pathfinder' programme to test out new systems especially in helping to contact officers;
- There was just enough Capital investment to invest in the things that they needed:

- The plan was based on a 2.5% increase on the Council Tax precept over the next four years; but they were told in November that they could have a grant of £2.5 million as long as they had no increases in the next two years; and
- The Police Authority had supported the 3.5% increase for this year.

The Chairman thanked Chief Superintendant O'Mally and Superintendant Coombs for their presentation and for answering the member's questions.

## 45. POLICE AND CRIME COMMISSIONER

Councillor Anthony Jackson, the Chairman of the Essex Police Authority, spoke about the upcoming Police and Crime Commissioner (PCC) elections. He noted that this had not really been publicised as much as it should have been, and that most people knew very little about what the new commissioner would do.

The time line would be that on 15 October 2012 the election for the PCC would be declared. On 15 November 2012 the elections would be held and on midnight plus one minute, of 22 November, the new PCC would take office.

In many ways the PCC would have the same role as the police authorities they replace. Their main responsibilities will be to secure an efficient and effective police force for their area; appoint a Chief Constable and hold them to account and if necessary dismiss them; set the Police and Crime Objectives for their area; set an annual force budget and police precept; produce an annual report; co-operate with the criminal justice system in their area; and work with partners and fund community safety activity to tackle crime and disorder.

A large organisation would then be put in the hands of one person, the new Commissioner, looking after 1.7 million people of Essex. The success of this would also depend on a lot of co-operation and good will from the forces. The Panel noted that:

- The PCC will be the budget holder;
- A PCC Transition Board will be put in place to hand over the baton so that the new PCC could hit the ground running;
- The PCC, in consultation with the Chief Constable will have to produce a five year Police and Crime Plan;
- The PCC would set the annual force budget and police precept, and produce and annual report setting out their progress against the objectives in the Police and Crime Plan;
- There was still a tangle of legal issues to sort out, such as who owned the property;
- The PCC will pursue collaboration to save money;
- Essex Police had already saved £8 million by collaborating with Kent Police;
   and
- A National Police Air Service was being formed.

Councillor Breare-Hall asked how important it was for a potential candidate to have a background in law and order. Councillor Jackson replied that what was more important was a keen intellect, energy and leadership. The policing aspects would soon be picked up.

The Director of Environment and Street Scene, John Gilbert, had attended a conference where it was established that the government were behind partnership working in a big way. It was also noted that the public were not very aware of what a PCC would be and what their responsibilities were and how important the job was. Home Office officials would try and ensure that the public are informed over the next

few months so that they can make an informed decision in November. Generally, this would be a powerful role with potentially the power to sack Chief Constables. They were hopeful that the PCC would be voted in with more than just a 20 or 25% voter turnout.

Councillor Smith commented that this was being taken seriously here. The Secretary of State was transferring a lot of powers and a lot of funding to this new post. She was also very concerned about the victims of crime, presently the budget for this was ring fenced, but it will be transferred to the PCC and the ring fencing taken away; funding will have to be bid for in the future. It was also important that we influenced the first policing plan for Essex. The Safer Communities Manager, Caroline Wiggins added that they were hoping persuade the Community Safety Partnership (CSP) to continue doing this work.

It was noted that unlike police authorities, Commissioners would not be classed as a 'responsible authority' under the Crime and Disorder Act 1998, and so would not be a statutory member of the Community Safety Partnership. However they will have a mutual duty to co-operate to reduce crime and disorder and re-offending.

The PCC will also be able to make crime and disorder reduction grants to any organisation or person in their force area. In order to give the PCC's a budget to make these grants the Home Office was looking to transfer various funds to the PCCs from 2012.

Councillor Sartin asked at what point the Police Authority would disappear. She was told that it would be on 22 November 2012.

John Gilbert added that at the conference he had attended the Minister had made the following points:

- that there was a positive commitment to partnership working;
- public health and mental health reforms were to be linked in to this reform;
- they were empathic to transfer powers to the lowest possible level –saying "it was up to you" to put any points across to the PCC;
- it was made clear this was about policing as a whole, not just community policing; and
- asked what success would look like he responded "less crime".

Councils would have a direct role in holding commissioners to account. A Police and Crime Panel (PCP) will have to be established for every police force area to scrutinise the PCC and support them in the effective exercise of their functions. Each council in the force area will appoint a councillor on to the Panel, with the Panel having a minimum of 10 Councillors and two co-opted members.

Councillor Mohindra asked if the Police and Crime Panel would have any teeth. Mr Jackson said they would have very little, almost none. They would have the power to:

- Require the Commissioner (or a member of his staff) to attend the Panel to answer questions:
- Request the Chief constable to attend to answer questions;
- Appoint an acting Commissioner from amongst the Commissioner's staff if the Commissioner has resigned;
- Veto the Commissioner's proposed precept if two-thirds of the members of the Panel vote in favour of doing so; and
- Veto the Commissioner's proposed appointment of a Chief Constable if twothirds of the members of the Panel votes in favour of doing so.

Mr Gilbert noted that on the Police and Crime Panel should have space for one person from each District Council (the total number on the Panel should not exceed 20). It should be a member with a Scrutiny background and would have to be an appointment made at the annual council meeting in May.

Councillor Smith noted that our Overview and Scrutiny Committee could not scrutinise the PCC, and we would have to liaise with the PCP. It was noted that the PCP would only scrutinise the Commissioner and not the Police; and that the PCP had only a limited role.

## 46. DEFRA CONSULTATION ON WASTE RELATED PENALTIES

The Panel noted that that the government wanted to review waste related law on the premise that too many local authorities were unnecessarily penalising residents for what was seen as trivial offences.

The government had now come forward with its proposals for changing the law. It presented two main options:

- (1) the creation of mainly civil sanctions, but with the retention of some criminal sanctions; and
- (2) the removal of all criminal sanctions.

The government's preference was to decriminalise, and the report suggested to members that this was the preferred way forward, but with some caveats.

This Council had always strived not to apply sanctions to householders but to educate and cajole them into behaving reasonably. The Council had also instituted weekly collection of food and garden waste to alleviate some of the more common complaints.

If option 2 was seen as the preferred way forward, then the questions were whether civil enforcement was sufficient to deal the problems which arose and whether it was practical and/or financially viable for councils to pursue civil debts.

It was thought important however, to ensure that the criminal powers which remain are fit for purpose and do enable councils to take action where appropriate.

The Panel considered the proposed response to the Defra consultation and made the following comments:

- This was an overreaction to what was printed in the newspapers;
- Officers were of the opinion that option 2 was preferable but were still to be convinced that harm to the local amenity was to be established. They gave examples of where failure to comply with recycling procedures could cause the load being rejected at the recycling plant. The council must maintain an ultimate sanction of a criminal offence where appropriate;
- The council at present permits a reasonably shut bin ( a smiley bin) and take a realistic view on this;
- Occasionally bins are rejected and a sticker is left explaining why it was not collected;
- It was noted that flats have problems recycling but officers were on the way to putting in a programme especially for flats;
- Members agreed that the harm to the local amenity test had not been properly thought through; and

• They noted that if needed officers could use other legislation to catch the prolific offender.

## **RESOLVED:**

That subject to the Safer Cleaner Greener Standing Panel's comments, they endorsed the draft response to the Defra consultation on waste related penalties.

## 47. TERMS OF REFERENCE AND WORK PROGRAMME

- (1) The Panel would consider their Work Programme at their next meeting.
- (2) Councillor Webster suggested that the Fire Services should be scrutinised after the Olympics. They would be having to institute new ways of working as the Police have. It would be a good idea to have them give this Panel a presentation.

However, it was noted that the main Overview and Scrutiny Committee had such an item already on their Work Programme (item 12 of the WP). They should be asked if they were content for this Panel to take on this piece of work in their stead.

## 48. FUTURE MEETINGS

The dates of future meetings of the Panel were noted.

**CHAIRMAN** 

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# Operational Policing Blueprint

## **Epping Scrutiny Committee**

21.02.2012





## Setting the scene

3,500 police officers

Over 350 Police Community Support Officers

600 Special Constables

877 vehicles travelling 15.8million mile per annum

112 operational buildings covering 97,000 m<sup>2</sup> Net revenue expenditure £262million

Cover 1400 sq. miles

1.7 million residents in 730,000 households

25,000 emergency calls handled per month



## Ambition for the 'Blueprint'

To reconfigure operational services across the force to:

Improve productivity

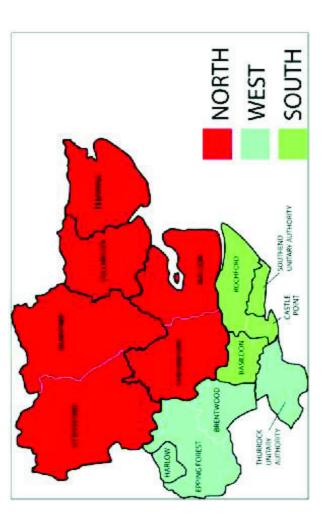
Increase availability

Reduce cost



## What will change?

"Borderless" policing concept:



Move away from traditional BCU model and geographical constraints on resources

Response hubs



## **Neighbourhood Policing**

An increase in designated Neighbourhood Policing officers

Epping Forest / Brentwood staffing numbers:

Rank	Current	Post-Blueprint
Chief Inspector	1/1	
Inspector	2/1	3
Sergeant	4/3	6/3
PC	21/11	27 / 16
TOTAL	44	25



## **Neighbourhood Policing**

- An increase in designated Neighbourhood Policing officers.
- incidents as well as in depth public engagement, long term problem solving Focus on anti-social behaviour and non emergency / priority, non crime and quality of life issues.
- Additional support from a larger Neighbourhood Team to deal with general demand
- Support from the Special Constabulary.
- Community Safety & Partnerships Unit, led by a designated Inspector and sergeant and comprising Essex Watch Administrators, Crime Reduction Officers and Licensing Staff. This unit is based at Epping Police station with satellite offices at Brentwood, Ongar and Loughton.



## **REFORM ESTATE REVIEW - OBJECTIVES**

## Rationalisation of existing estate to achieve:

- Capital receipts from sale of buildings surplus to requirements
- Subsequent reduction in annual revenue cost of maintaining Force Estate (currently £8 million)
- **Ensure that the Operational Blueprint is supported** by the right number of buildings in the right locations
- Maximise utilisation of retained accommodation (eg. Waltham Abbey)
- Work within the constraints of the existing estate
- Progress Partnership Sharing opportunities (eg. Wa)



## **FORCE ESTATE SUMMARY**

At commencement of review:

- 48 police stations (front counters and Neighbourhood Policing bases)
- 44 other police buildings
- 20 buildings within the HQ complex
- 112 properties in total in addition to 12 partner bases

## METHODOLOGY

- Assessed Blueprint accommodation requirements
- Identified buildings required for the foreseeable future
- Adopted 3 phased approach for remaining buildings (in close liaison with the Service Desk review)
- Phase 1: Buildings already approved as surplus but not sold yet
- Phase 2: Buildings recommended as surplus to requirement
- Phase 3: Post Blueprint review of retained Estate in 2013/14

(Re-assess utilisation and further Partnership sharing opportunities)



## **Epping District – Police Buildings**

Epping Police Station

Loughton Police Station

Waltham Abbey Police Station

Ongar Police Station

Front Counter Provision:

Epping (open 12.00 to 6.00 pm Mon – Sat)

Loughton (open 12.00 to 6.00 pm Mon - Sat)

Waltham Abbey (Front Counter ceased from Nov 2011)

Ongar (Front Counter ceased from Nov 2011)

## ESSEX POLICE



counter locations for two weeks during November Essex Police analysed the footfall at all of our front and December 2010.

Loughton: Averages 13 visits to the front counter per day, with 17% of these being after midnight. Waltham Abbey: Nearest alternative is Loughton @ 5.4 miles. Average 2.7 visits per day. Average 3 incoming telephone calls per day.

Ongar: Average 5.5 visitors per day and 5 incoming telephone calls. Epping: Average 7.5 visits per day and 7 telephone calls.



# **Epping District – Future of Police Buildings**

Epping, Loughton & Ongar police stations to be retained

assessed for Partnership Sharing opportunities as part of however there will be no further planning on this until post Olympics 2012, due to specialist Airwave Mast Waltham Abbey police station has previously been our ongoing relationship with ECFRS and ECC – provision from this site



## **Operational Policing Command**

- Response and Patrol will be borderless, rather than being restricted to geographical locations.
- Making best use of new technology, such as Mobile Data Tablets and Automatic Resource Location System.
- A new Tactical Support Group capable of rapidly responding to demand across the force.
- firearms, public order, CBRN, marine and Air Support. Building upon our established capabilities such as

## **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 Nature Reserve (former Landfill site) Liaison 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.

Chairman: Cllr. Mrs Sartin

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## Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12/13 Report Deadline / **Programme of Progress / Comments** ltem **Priority Future Meetings** (1) Safer, Cleaner, Greener 7 July 2011; Strategy 11 October 2011 (a) Enforcement activity - half (a) To January 2012 (a) Draft of new report format on agenda. meeting cancelled; yearly report meetina 17 October - Extra (b) To January 2012 (b) Half yearly report on Strategy (b) Report will be submitted to July 2012 meeting. meetina. Action Plan meeting 10 January 2012; 21 February 2012; (c) Agree action plan for 2012/13 (c) For April 2012 (c) Proposed action plan on agenda. 10 April 2012 meetina Crime & Disorder Community Safety Scrutiny meetings -(2) The 2 meeting (a) To January 2012 (a) Next report will go to July 2012 meeting. dates are October (a) CCTV action plan - half yearly meetings 2011 and February report 2012 (b) Receive reports from (b) To January 2012 (b) Verbal update to be given to meeting. Community Safety Scrutiny and April 2012 meeting meetings (c) To January 2012 (c) Progress report to go to July 2012 meeting. (c) Progress against strategic meetings assessment (d) A Presentation went to 21 February 2012 (d) Progress towards appointment (d) To report when meetina. of Police and Crime Commissioner. information available (e) Data not yet available and may not be made available because of security considerations. (e) Monitoring of Police resources (e) To report when relative to the Olympic Games information available

## Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12/13 Report Deadline / Programme of **Progress / Comments** Item **Priority Future Meetings** (3) Essex Waste Partnership Inter **Authority Agreement** (a) Receive notes/minutes of (a) To receive notes/ (a) on agenda. Member Partnership Board minutes when available. (b) Receive notes/minutes of Inter (b) To receive notes / (b) on agenda. **Authority Member Group** minutes when available. Waste Management (4) Partnership Board (a) To receive notes / (a) On agenda. Meetings for 2012 have been (a) Receive minutes of Partnership minutes when available scheduled for 1 March, 30 April, 2 July, 3 September and 5 November. Board (5) Green and Carbon Reduction Measures (a) Nottingham Declaration (a) January 2012 (a) Report went to January 2012 meeting Progress against pledges - half vearly reports (b) Carbon Reduction Strategy (b) January 2012 (a) Report went to January 2012 meeting update

## Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12/13 Report Deadline / Programme of **Progress / Comments** Item **Priority Future Meetings** (6) Bobbingworth Tip (a) Nature Reserve formally opened on 15 July 2011. (a) Receive reports on availability (a) for public access (b) To January 2012 (b) Receive notes/minutes of (b) On agenda. management/liaison group meeting (7) Ad hoc report asked for on **April 2012** Report proposed for 10 April meeting. improving recycling in flats and houses of multiple occupation. (8) Ad hoc report asked for on the **TBA** Under further consideration pending changes by use of Solar Panels on Council government to feed-in tariffs. Owned properties. **Completed** – Extra ordinary meeting to discuss the EA consultation on the Roding River. Previously (9) Roding River Catchment 17 October 2011 discussed by the Planning Services Standing Panel **Environment Agency Consultation** in September. To receive an updating report on the wider (10) Roding River Catchment implications, once known, of the EA strategy on flood **NEW TBA Environment Agency Consultation** management in the Roding catchment area.

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Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin)  Work Programme 2011-12/13					
(11) Revised SITA Contract	April 2013	To scrutinise how the new SITA contract would be framed for 2014. Contact extension with Sits now completed and sealed. Contract now in place until 4 November 2014. A procurement exercise for a new contract will need to commence around 18 months in advance of the end date (i.e. May 2013). Review programme dates towards the end of the current calendar year.	NEW		
(12) Fire and Rescue Services	End of 2012	Fire and Rescue Services to address the meeting regarding the implications of their budget reductions. To be tabled for sometime after the Olympic Games	NEW		

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

## Date of meeting: 10 April 2012

Portfolio: Safer, Greener & Highways

**Subject: Revised arrangements for Local Highways** 

**Panel** 

Officer contact for further information: J Gilbert

**Committee Secretary: A Hendry** 



## **Recommendations/Decisions Required:**

- (1) To receive the proposals of the Essex County Cabinet Member for Highways in respect of new arrangements for Local Highway Panels;
- (2) To agree to join the new arrangements and to recommend to Overview and Scrutiny Committee accordingly; and
- (3) To recommend to Overview and Scrutiny Committee that meetings of the Local Highways Panel should be held in public and that allocation of membership seats should be referred to the Appointments Panel for discussion prior to the Annual Council meeting.

## Report:

- 1. When the highways agency reverted back to Essex County Council (the Highways Authority) in 2005, local Highways Panels were established by the County Council to enable liaison between the County and the districts in respect of local highways expenditure and setting priorities. Until May 2011 this process was supported by this Council and Members were appointed to the Panel.
- 2. During that period the constitution of the Highways Panel was amended from time to time, in the main to enable greater participation by the town and parish councils in the process, including the granting of voting rights. The Panel grew to a membership of 19 and this was perceived to cause difficulties from time to time, with the Panel often getting bogged down in detail and discussions in respect relevant priorities. This situation led in May 2011 to the then new Administration deciding to retain the Panel on the Council's committee structure, but not appointing any members.
- 3. Throughout 2011/12 the Council has had no formal means of liaison with the County Highways Service although relevant contacts have been maintained. However, this has caused some difficulties and has not enabled the prioritisation of local highways expenditure nor the prioritisation of minor traffic related schemes for consideration by the North Essex Parking Partnership.

## New County proposals

4. The County Council Cabinet Member for Highways has identified a block of money that she intends to devolve to County Members for local prioritisation, within refreshed Local Highways Panels (LHP). Each Panel will have allocated a minimum of £400,000 and a

maximum of £1 million. In addition, the current allowance of £130,000 for Ranger services needs to be added making between £530,000 and £1,130,000 per district.

- 5. The LHPs will comprise of the local County Division Members and an equal number of District Members. There is no town or parish representation although the terms of reference require Panels to liaise with local councils. Therefore, a LHP for this District would comprise of 7 County and 7 District Members, and would be chaired by a County Member. If the LHP were to be appointed on a pro rata basis the Panel would comprise 5 Conservatives, 1 LRA and 1 Lib Dem. The previous Panel' District Council membership was deemed to be an appointment by the Council rather than the Cabinet. The protocol regarding pro rata distribution of seats on outside organisations is suspended at present with the onus placed instead on the Appointments Panel (which deals with the detail of the Annual Council appointments) to agree a consensus regarding what goes forward to the Council.
- 6. As this Panel is designed to cover the entire District, there is an argument for distributing the 7 seats to achieve the widest geographical spread. If necessary this could be referred to the Appointments Panel for discussion.
- 7. The decision to exclude Parish Council representatives was criticised by representatives at the Local Council Liaison Committee meeting on 22.3.12.
- 8 The LHP would be able to discuss:
- traffic management
- tackling congestion
- safety including casualty reduction
- public rights of way
- cycling programmes
- passenger transport improvement programmes
- minor improvement schemes
- activities of the Ranger service
- 9. There appears to be no direct reference to traffic regulation orders and interaction with the newly formed parking partnerships.
- 10. A summary of the County proposals is attached as an appendix to this report.

## Suggested way forward

- 11. Whilst it is accepted that the previous LHP arrangements had their difficulties, the proposed arrangements do offer a different way forwards and the opportunity for the Council to be able to exert influence over a substantial sum of highways related budget. It is therefore suggested that the Council should opt in to the proposed arrangements and make appointments at the annual Council in May 2012.
- 12. Furthermore, if it is the County's intention that the LHPs should not become embroiled in general TRO issues, then the Council shall still require a mechanism for interacting with the North Essex Parking Partnership in respect of lower grade parking restrictions etc. It is therefore suggested that should the Council decide to participate in the LHP, the Members appointed should also form a Portfolio Holder's TRO Advisory Group, to establish TRO and related priorities. This will ensure that there is a mechanism for transparent local decision making on TRO priority recommendations to the NEPP and will also have the benefit of having Members who are engaged in highway matters across the district and who therefore will build expertise.

- 13. The County guidance suggests that meetings of the LHP could be in private or public. The previous LHP was open to the press and public. However, given that this is a County led panel, County may look for consistency in approach across the County. This Council's preference would normally be for meetings to be open to the press and public.
- 14. Technical support to the LHP will be provided by County officers. It is unclear from the paper in respect of the administrative support the County is to provide. If it is to be required from this Council, the Democratic Services Manager has indicated that resources would be available.

## Reason for decision:

To enable the Council to actively participate in setting budget priorities on local highway expenditure.

## Options considered and rejected:

The only option is to remain outside of the proposed LHP arrangements. This is not recommended given the difficulties that have arisen since May 2011 and the potential sum of money over which influence may be exerted. The note from County (attached) suggests that in any event the local budget will be devolved to local County Members, and without District involvement it appears that they would be able to make spending and priority decisions without District consideration.

## Consultation undertaken:

None

## **Resource implications:**

Budget provision: Core budget provided by Essex County Council

Democratic Services to provide LHP support if required

Personnel: Within existing resources

Land: Nil

Community Plan/BVPP reference: none

Relevant statutory powers: Highway Acts

Background papers: None

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

Ability to influence spending on highway related matters which are important to the District's residents

Key Decision reference: (if required): N/A

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## LOCAL HIGHWAYS PANELS

## Objectives

The Essex County Council Cabinet Member for Highways and Transportation has identified a block of money within that budget to be devolved to County Members for local prioritisation within refreshed Local Highways Panels (LHP).

Budget lines to be devolved are:

- Traffic Management Improvements
- Tackling Congestion
- Safer Roads (including Casualty Reduction)
- Public Rights of Way Improvement
- Cycling Programme
- Passenger Transport Improvement Programme
- Minor Improvements Schemes

For years 2012/13 and 2013/14, £10 million has been indentified to add to the above budget giving spend of £8 million per year for those two years. 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, the revenue budget that supports the Highways Ranger Service will be included within the remit of the LHP. This budget is c £130,000 per annum per district/borough and delivers the minor routine maintenance service.

A purpose made formula for allocating the budget for each LHP has been worked out based on road length, population and employment figures. The amount allocated to each district/borough area will have a floor of £400,000 and a ceiling of £1 million.

The Cabinet Member for Highways and Transportation will be minded to incorporate further budget lines into the LHP's for prioritisation as appropriate.

Key inter-urban routes will be excluded from the localism process. These routes are: A13, A127, A131, A414, A130 and the routes managed by the Highways Agency: A12, A120, M11, M25.

## Terms of Reference

All local County members and an equal number of district/borough members, where they wish to be engaged, will:

- a) Prioritise and make recommendations for projects/schemes to ECC Cabinet Member for Highways and Transportation within the allotted budget.
- b) Have regard to the advice from ECC officers on relevant statutory/duty of care requirements.

- c) Oversee and set priorities for schemes funded through the localism process and the work of the Highways Ranger Service.
- d) Monitor the delivery of the agreed programme and raise issues and concerns through agreed procedures.
- e) Consider any other Highways and Transportation matter referred to the panel from time to time by other council constituted bodies, panels or groups.
- f) 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.
- g) Take a lead role in liaison with town/parish councils.

## Governance

- 1. The LHP will be chaired by a County Member.
- 2. Decision making to be agreed by LHP and clearly minuted to be actioned.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. In the event of any disputes within the LHP, the Cabinet Member for Highways and Transportation will arbitrate and resolve conflict.
- 7. Frequency and location of meetings to be determined by the LHP but should be fit for purpose and encourage partnership working.

## Support

ECC Highway Liaison Officers (HLO) will be the key point of contact for the LHP. HLO will be supported by ECC for monitoring/progress reporting and other information required to deliver the work of the LHP. Other specialist technical support officers will be drawn into support/advise where necessary.

### Safer, Cleaner, Greener Action Plan 2012-13

Action	Target date	Progress
Report on the Penalty charge notice scheme.	July 2012	
All vulnerable victims of artifice burglary, high risk burglary and high risk domestic violence to be visited by the safer communities team and offered advice aimed at preventing a recurrence.	Update reports to go to July 2012 and January 2013 meetings	
To organise and stage a crucial crew event each year.  To investigate the possibility of staging an alternative to the reality road show event.	August 2012 July 2012	
To deal with all police requests for CCTV within 3 working days	On going	
To ensure that all offensive and racist graffiti is removed within 48 hours of receipt of notification.	On going	
Support the sanctuary scheme and work to increase awareness of domestic violence in the district.	March 2013	
To monitor and engage in the transition to the Police and Crime Commissioner	Update report to go to July 2012 meeting	
To monitor and review the implementation of the Essex Police Blueprint	Update report to go to July 2012 meeting	
Ensure that all necessary action are taken to that all Olympic related activities	Verbal update to be given to April 2012 meeting	
To introduce the Food Hygiene Rating Scheme to the District	July 2012	
To implement and monitor the actions in the Council's draft Climate Change Strategy.		See separate sheet.
To implement and monitor the actions in the Local Biodiversity Action Plan.		See separate sheet.

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### Safer Cleaner Greener Strategy - Enforcement Activities

Winter period 2011/12 - 1<sup>st</sup> October 2011 to 31 March 2012 (6 months) (data as of 23/03/12).

Activity recorded by Environment & Neighbourhood Officers (ENO)	Winter 2011/12	Summer 2011	Winter 2010/11	Summer 2010
	01/10/11 to 31/03/12	01/04/11 to 30/9/11	01/10/10 to 31/03/11	01/04/10 to 30/09/10
Fly-tipping incidents – Reactive work in response to a fly-tip				
All fly-tipping incidents reported to the Council (codes 01FP & 01SC)	498	630	729	812
Incidents investigated (01FP with code EF01)	349	382	375	408
Warning/Enforcement letter sent (01FP with code EF03)	73	62	35	74
Statutory notice (01FP with code EF02)	4	6	3	3
Prosecution (01FP with code EF05)	3	4	4	3
Pro-active waste enforcement work not related to a specific fly tip (code EN	=O)			•
Investigation (EF01)	116	181	189	58
Warning/Enforcement letter (EF03)	94	77	65	14
Statutory notice (EF02)	53	6	15	3
Stop and Search (EF08)	31	6	31	3
Prosecution not related to a specific fly-tip (EF05)	0	1	0	0
General enforcement work dealt with by ENO (not including fly-tipping detail	led above)			
Total enquiries/complaints dealt with by ENO team	706	945	637	1022
1. Noise (total)	555	794	476	733
1.1 Out of hours noise service complaints included in above total	215	320	230	335
2. Bonfires (domestic and commercial)	64	103	46	98
3. Street Trading	24	39	45	42
4. Licensing consultation	18	15	16	17
Fixed Penalty Notices (FPN) (Dog Fouling, Litter, Waste receptacle offences)	7	28	8	0
FPN income (£)	360	1575	170	0

#### Commentary on Winter period 2011/12

#### Fly-tipping incidents

All incidents of fly-tipping reported to the Council are recorded (498). Incidents that may have some evidence to trace the source of the waste or fly-tipper are passed to the Environment and Neighbourhoods Team (ENO) to investigate. The incidents passed to the ENO team are then prioritised and investigated if possible (349), prior to clearance.

Most incidents were on the highway (258) including verges that form part of the highway. The second largest land type was on Council land (160), predominantly Housing land, often due to householders poor waste management rather than fly-tipping by somebody unrelated to the area. These two land types accounted for 83% of the reported incidents.

#### Fixed penalty notices (FPN)

Pre-arranged operations to target littering offenders were carried out at North Weald Parade and to the rear of the Village Hall, High Road North Weald, High Street Ongar, Sun Street Waltham Abbey and The Broadway Debden.

5 fixed penalty notices were offered and paid for littering offences resulting in an income of £250. Another 5 fixed penalty notices for littering are due to be offered after a recent operation in the Broadway, Loughton.

1 fixed penalty notice was offered and paid in relation to a breach of a notice served under s.47 Environmental Protection 1990 requiring the correct waste receptacles to be used, resulting in an income of £60.

1 fixed penalty notice was offered and paid in relation to a dog fouling offence, resulting in an income of £50.

#### **Taxi Licensing Enforcement**

On the Friday 2 December 2011 Officers visited Loughton Station to check on EFDC licensed vehicles between 5pm and 7pm and on Friday 9th December between 10pm and midnight in High Road, Loughton. Some minor issue were identified that were dealt with informally.

On the 9<sup>th</sup> March 2012 Environment & Neighbourhood Officers visited the High Rd, Loughton and Club 195, High St, Epping in the early hours of the morning from 11.30pm to 02.45am. 21 EFDC licensed taxis were inspected and a number of private hire vehicles from other authorities checked to ensure they were pre-booked. Some minor issue were identified regarding stickers on licensed vehicles and potentially one driver operating without authority.

#### **Unauthorised encampment enforcement work**

In this period (November/December 2011), the Environment & Neighbourhood Officers dealt with three unauthorised encampments (UE) on EFDC land in Waltham Abbey, carried out by one group with approximately 5 caravans and associated vehicles.

The UE first arrived on land owned by Epping Forest District Council in Old Shire Lane. Waltham Abbey. The caravans arrived on the evening of 21 November. Environment & Neighbourhood Officers visited on 22 November and asked the occupiers to vacate the site forthwith after considering the code for Travellers in Essex (the code). The council immediately instigated possession proceedings and applied to the court for a hearing on the first available date, 8 December 2011.

The Council asked the police to consider the use of their discretionary powers to evict the occupiers under s.61 of the Criminal Justice and Public Order Act 1994. The police reviewed the situation and decided that s.61 action was not warranted at that time, but the situation would be kept under review.

Although there were many calls from concerned residents, the police reported that there had been no increase in crime related to the site or evidence of other behaviour that would warrant s.61 action being taken. The Council also had no increase in fly-tipping or any other issues specifically associated with the site, other than the trespass and preventing the site being used.

On the 8<sup>th</sup> December the Council successfully obtained a possession order requiring the occupiers to vacate the site forthwith. The Council then employed a private bailiff company to enforce the order as the Court bailiff's were not likely to be available until early January 2012.

The unauthorised occupiers then moved off the site onto Cornmill car park, Quaker Lane, Waltham Abbey and then onto the Council Car park to the rear on Darby Drive. The Council's Environment & Neighbourhood Officers instigated possession proceedings immediately after considering the code and balancing the rights of the occupiers and residents. On both occasions the police used s.61 powers to evict the occupiers. The occupiers then moved to the car park of Lidls in Sewardstone Road and were then evicted again by the police. They then left the area.

The Environment & Neighbourhood Officers responded to many calls from concerned residents (some with very strong views on the correct course of action), helped collate evidence for the police to pursue s.61 action and spent considerable time attending the sites and court.

#### **Prosecution details**

Three prosecutions for fly-tipping incidents were concluded in this period

#### 1. Homecroft Gardens, Loughton

A small fly-tip (4 bags of waste) was dealt with as a littering offence. A fixed penalty notice (FPN) for littering was offered. The FPN was not paid and the case taken to court, resulting a fine of £120 and costs of £150.

#### 2. The Broadway, Loughton

At a hearing on 20<sup>th</sup> December 2011, Epping Forest District Council prosecuted Dean Allen of Chigwell Road Woodford for for fly-tipping (depositing controlled waste without a permit authorising the deposit), on land at the rear of the shops in The Broadway Loughton on or about 17<sup>th</sup> December 2010.

At about the same time as the Council's prosecution, Mr Allen was also being prosecuted for similar offences by London Borough of Redbridge and London Borough of Waltham Forest. He pleaded guilty to all offences. As a result, all the matters were committed to the Snaresbrook Crown Court for sentence. On 29th February 2012, Mr Allen was sentenced to carry out 40 hours unpaid work (to be added to the existing 45 hours outstanding for other unconnected previous offences). The van which he used to carry out the fly-tipping activities was also made subject to a forfeiture order.

#### 3. St Marys Way, Chigwell

At a hearing on 16<sup>th</sup> March 2012, Epping Forest District Council prosecuted Kevin Sharpington of North Weald for fly-tipping (depositing controlled waste without a permit authorising the deposit), on private land at St. Marys Way Chigwell on or about 28th October 2010. Mr. Sharpington pleaded guilty.

The Magistrates at Chelmsford Magistrates Court sentenced Mr. Sharpington to pay a fine of £100 and a victim surcharge of £15 both of which were deemed paid as he had been in custody since 4.00am that day. He was also required to pay a contribution towards the Council's prosecution costs of £100 and compensation towards the clear up costs of £120.

The Council's prosecution arose from reports received of a quantity of waste building materials having been deposited on land at St. Marvs Way Chiqwell. Some of the materials were identified as originating from an address in Abridge. The occupier of that address was interviewed by Council Environment & Neighbourhood Officers. The officers were told that the occupier had lent his van to a friend (Mr Sharpington) on the understanding that he took the waste materials in it to the civic amenity site for disposal. This had clearly not happened. Mr Sharpington then contacted the Council and admitted that he was responsible for the fly tipping.

Mr. Sharpington failed to attend an earlier hearing and a warrant for his arrest was issued by the court. He was arrested at his mother's house in North Weald in the early hours of the morning on 16<sup>th</sup> March 2012 and taken to Chelmsford Magistrates Court.

#### Other prosecutions:

#### 4. Prosecution for breach of a noise abatement notice and unlicensed events at Mulberry House, **High Ongar**

At a hearing on 13th March 2012, Epping Forest District Council prosecuted Mulberry Retreat and Leisure Limited of Mulberry House Chelmsford Road High Ongar for a breach of a noise abatement notice on 4<sup>th</sup> August 2011. The Council also prosecuted the company for carrying out licensable activity on both 4<sup>th</sup> and 25<sup>th</sup> August without a license. The Company pleaded guilty to all three offences.

The Magistrates fined the company: £2,500 for breach of the noise abatement notice, £1,500 for the unlicensed activity held on 4<sup>th</sup> August 2011 and £2,000 for the unlicensed activity held on 25<sup>th</sup> August 2011. The company was also ordered to pay £683.39 towards the Council's costs.

The director of the Company, Mr Ray George was unable to attend at the hearing and the company was represented by its solicitor. He told the Magistrates that he understood that the location of the marquee would be changed when it is re-erected later this year and he had given the company advice about applying for the necessary licences.

The original noise abatement Notice was served by Epping Forest District Council on 12<sup>th</sup> July 2011. The requirements of the notice are that the volume of music and amplified sound is maintained at a level that will not cause a statutory nuisance to the occupiers of noise sensitive premises.

On 4th August 2011 Environmental and Neighbourhood Officers responded to a complaint received via the Council's out of hour's noise service. An officer witnessed music coming from the property sufficient to be in breach of the noise abatement notice. The music and amplified sound was coming from a marguee within the grounds of Mulberry House and was from an activity that requires a licence. The marquee was not within the area covered by the Premises Licence held by Mulberry Retreat and Leisure Limited and was therefore unlicensed. Council officers were also asked to attend in respect of a noise complaint received on 25<sup>th</sup> August. They did not verify that a breach of the noise abatement notice was taking place, but were able to confirm that the music and amplified sound was coming from the marquee and was again an unlicensed activity.

#### 5. Katrina Davis of Crossways Loughton prosecuted for breaches of a noise abatement notice

At a hearing on 31 January 2012 Epping Forest District Council prosecuted Katrina Davis of Crossways Loughton for breaches of a noise abatement notice on 1st & 22nd November 2011. Ms Davis pleaded guilty to both offences. The Magistrates fined Ms Davis £100 in respect of the first offence and £150 in respect of the second. She was also ordered to pay a contribution towards the Council's prosecution and investigation costs of £200.

The original noise abatement Notice was served by Epping Forest District Council on 12<sup>th</sup> October 2011. The requirements of the notice are that the volume of music and amplified sound is maintained at a level that will not cause a statutory nuisance to the occupiers of noise sensitive premises.

In spite of written warnings to Ms Davis, Environmental and Neighbourhood Officers continued to receive complaints and on 1<sup>st</sup> & 22<sup>nd</sup> November 2011 the duty noise officer responded to complaints made via the Council's out of hour's noise service and witnessed music coming from the property sufficient to be in breach of the noise abatement notice.

#### 6. Prosecution for illegal street trading

Following a number of previous warnings between 2006 and 2010, Mr Ian Hoye of Jessell Drive Loughton ignored those warnings and continued to park cars on the public highway with adverts for sale in their windows. This was contrary to the Epping Forest District Council designation in 2003 of all streets within its District as "consent streets" which require the prior consent of the Council to selling or exposing or offering for sale any article in a street. The definition of a street includes any road, footway, beach or other area to which the public have access without payment.

At Harlow Magistrates Court on 6<sup>th</sup> December 2011, Mr Hoye pleaded guilty to advertising a Range Rover for sale at Barrington Green Loughton. Mr Hoye asked that six other offences be taken into account.

The Magistrates fined him £200 and ordered him to pay a contribution towards the Council's costs of £100.

# 7. Mr Lee Corner of Parndon House Valley Hill Loughton prosecuted for breach of a noise abatement notice on 7 July 2011.

Epping Forest District Council prosecuted Mr Lee Corner of Parndon House Valley Hill Loughton for breach of a noise abatement notice on 7 July 2011. At a hearing on 1<sup>st</sup> November 2011 in Harlow Magistrates Court Mr Corner pleaded guilty. The Magistrates fined him £100 and ordered that he pays £175 towards the Council's prosecution costs.

Noise abatement notices were served by Epping Forest District Council on the on 25<sup>th</sup> October 2010 to control the volume of music and amplified sound. In spite of subsequent written warnings following the service of the notice and a successful prosecution against him on 5<sup>th</sup> April 2011 for a breach on 4<sup>th</sup> February 2011 Environmental and Neighbourhood officers received complaints and witnessed amplified noise (the playing of an electric guitar) coming from the property sufficient to be in breach of the noise abatement notice.

### 8. Mr Barry Thompson of Felstead Road, Loughton prosecuted for a breach of a noise abatement notice on 23 March 2011

At a hearing on 4<sup>th</sup> October 2011 Epping Forest District Council prosecuted. Mr Thompson failed to attend the hearing. The Council proved the offences to the Magistrates in his absence. The Magistrates fined Mr Thompson £200 and ordered that he pay £150 towards the Council's costs. The Magistrates also ordered the forfeiture of amplified music equipment seized from the property by the Council on 27<sup>th</sup> March 2011 with the benefit of a Magistrates warrant.

The original noise abatement Notice was served by Epping Forest District Council in June 2007. The requirements of the notice are that the volume of music and amplified sound is maintained at a level that will not cause a statutory nuisance to the occupiers of noise sensitive premises.

In spite of subsequent written warnings to Mr Thompson since 2007, seizure of equipment from his premises and a successful prosecution on 4<sup>th</sup> February 2010, Environmental and Neighbourhood Officers continued to receive complaints and on 23<sup>rd</sup> March 2011witnessed music coming from the property sufficient to be in breach of the noise abatement notice.

#### 9. Prosecution for littering in Loughton

On 19th April 2011 officers from the Council's Environment and Street Scene Directorate carried out a patrol in Loughton to catch litter offenders. Officers witnessed a man now known to be James Glen -Murdoch of Leytonstone drop a cigarette butt outside Loughton Station.

Mr Glen - Murdoch failed to pay a Fixed Penalty Notice subsequently issued and Epping Forest District Council commenced prosecution proceedings against him for littering. He failed to attend at Harlow Magistrates Court on 4th October 2011 and was found guilty in his absence. The Magistrates imposed a fine of £120 and ordered that he pay a contribution towards the Council's prosecution costs of £150.

#### 10. Council fly-tipping prosecution thwarted by offender returning to prison for 10 year sentence

Environment & Neighbourhood Officers witnessed Scott Bishop fly-tipping bags of rubbish in Gutteridge Lane, Stapleford Abbotts. They followed his vehicle and managed to speak to Mr Bishop when he stopped his vehicle. Mr Bishop provided false identification but was later traced by officers and identified via a video identification parade. The Council commenced prosecution proceedings after interviewing Mr Bishop.

In the interim period Scott Bishop was returned to prison at HM Prison Wayland. He is serving a 10 year sentence for robbery. He came out on licence but following a breach of the licence conditions he was returned to prison and the earliest date for release will be 2 July 2013.

The Court require that Mr Bishops attends the hearing to make his plea as fly-tipping is a serious indictable offence. The Court's Legal Advisor considered that if he pleads guilty it is unlikely he would get a custodial sentence but if he did it would no doubt run concurrently, but it was more likely to be a fine - which he would not be able to pay as he in prison and the same applies if a community order was to be considered. If he pleaded not quilty the matter would then proceed in the Crown Court and all that this would entail.

HM Prison Wayland informed the Court that they have intelligence of a possible prison escape linked to a visit to court. HM Prison Wayland have concerns that Scott Bishops refusal to take part in a video link hearing previously arranged, is in some way connected to this and taking everything into account they were not happy about producing him at Court in April.

The Court questioned the Council, if in all the circumstances it is now really in the public Interest to pursue the prosecution in the light of the likely court outcome, balanced again the possibility of an escape?

Reluctantly the Council agreed that on balance the case could be dropped. This case highlights some of the difficulties that can arise when prosecuting offenders, despite the considerable amount of committed work and time take by the Environment & Neighbourhood officers involved, resulting in no record of a prosecution despite the officers best efforts.

### **IAA Member Working Group**

# MINUTES OF MEETING HELD ON 3 NOVEMBER 2011 AT 2:00PM IN COMMITTEE ROOM 1, COUNTY HALL, CHELMSFORD.

#### \*Present:

*	Basildon District Council	Councillor Malcolm Buckley
*	Braintree District Council	Councillor Wendy Schmitt
*	Brentwood Borough Council	Councillor Roger Hirst
*	Castle Point Borough Council	Councillor Ray Howard
*	Chelmsford Borough Council	Councillor Janette Potter
*	Colchester Borough Council	Councillor Ann Turrell
*	Epping Forest District Council	Councillor John Knapman
*	Essex County Council	Councillor Kevin Bentley
*	Harlow District Council	Councillor Tony Hall
*	Maldon District Council	Councillor Brenda Harker
*	Rochford District Council	Councillor Mike Steptoe
*	Tendring District Council	Councillor Nick Turner
	Uttlesford District Council	Councillor Susan Barker

#### 1. Welcome and Introductions

The Committee Officer welcomed everyone to the meeting.

#### 2. Apologies for Absence

Apologies were received from Cllr Susan Barker, Uttlesford District Council and Dipti Patel, Southend Borough Council.

#### 3. Minutes of Previous Meeting

The minutes of the meeting held on 30 August 2011 were agreed, subject to an amendment to Inter Authority Agreement Working, (minute 5) were signed by the Chairman.

#### 4. Matters Arising

There were no other matters arising

#### 5. Waste Strategy Programme Update

Members noted there was little more to add to what had been reported to the Member Partnership Board held immediately prior to this meeting.

Phil Butler reported that additional and improved public information is being provided on waste transfer stations.

Councillor Bentley reported he had requested Member and MP briefing sessions be arranged on the waste strategy which will take place prior to Christmas.

# 6. Progress on Development of Memorandum of Understanding (MOU)

It was reported that following the last Member Working Group, Officers were requested to draft a MOU. The first draft was shared with Districts/Borough Officers in October with feedback requested. The revised MOU would require Member endorsement.

Work is progressing in incorporating comments concerning the efficiency clause and the need for the MOU to be more explicit. Feedback from annual reviews will help to develop the MOU further.

It was agreed that a draft of the MOU will be brought to the next meeting of this group for further discussion. The draft document will be circulated prior to the meeting. The meeting will also be preceded by a political meeting.

Members received an update on progress from Trudie Bragg

#### 7. IAA Ad-Hoc Reviews

Members noted the report that gave details of the ad-hoc reviews undertaken as part of the IAA that have taken place this year.

Members agreed to discuss the issues further at the next meeting of this group.

### 8. Collaborative Working Updates

Members received the paper giving an update on collaborative work being undertaken between Essex Districts and Boroughs. Paul Partridge gave specific details of the three projects underway:

#### Vehicle procurement and maintenance

Three WCA's participating in an OJEU Competitive Dialogue. The project covers:

- Procurement and maintenance of refuse, recycling and other vehicles and plant.
- Design, build and equipping of vehicle workshops
- Management of workshops
- MOT bays
- Testing of taxis

Following competitive dialogue, three companies were shortlisted to submit a final tender and progress to date has been:

- Bids have been moderated.
- Final specification and schedules have been agreed
- Final dialogue is due to commence early December with final evaluation taking place mid December
- Award of contract 31 January 2012.

#### Street Sweeping

Ten WCA's have expressed an interest. Competitive tendering exercise underway managed by Essex Procurement Hub to let a framework contract from 1 April 2012. A sub group has been formed that is leading project, drafting the specification and working with the Hub.

#### Fuel procurement

Looking at opportunity to improve procurement, cost and delivery of fuel for seven WCA's who, at present, procure fuel through Eastern Shires Purchasing Organisation but with individual arrangements in place. Project exploring if improved co-ordination will secure lower prices.

# 9. Feedback from Dorset Waste Partnership Experience of Joint Working

Peter Kelsbie presented to Members details from the Dorset Waste Partnership.

Members noted in particular:

- Current waste management arrangements in Dorset.
- What Dorset is trying to achieve.
- The details behind the organisation of the Dorset Waste Partnership.
- How they are going about achieving objectives.
- The arrangements for waste collection.
- How the Partnership got this far.

#### 10. Waste Briefing Sessions for Members

It was agreed the presentation be circulated to Members for comment.

#### 11. Any Other Business

Members noted the news that Rochford District Council had been placed top of the national re-cycling league table with diversion rates of 65.8%

Members agreed that Rochford be invited to make a short presentation at a future meeting outlining how their waste collection and re-cycling activities are organised.

### 12. Dates and locations for future meetings

It was agreed that dates for future meetings be agreed and circulated to Members as quickly as possible.

There being no further business the meeting closed at 3.40pm

## WASTE MANAGEMENT PARTNERSHIP BOARD MINUTES

**Date of Meeting:** 05 March 2012

**Location:** Cabinet Office, Civic Offices, Epping

**Time:** 2.00 pm

Attending: Cllr John Knapman – Env. Portfolio Holder & Board Chairman (JK)

Cllr Gary Waller (GW)
John Gilbert - Director, Environment & Street Scene (JG)

John Gilbert - Director, Environment & Street Scene (JG)
Josie Falco, Waste Services Development Officer (JF)
Steve Holgate, SITA UK (SH)
Melvin Dhorasoo, SITA UK (MD)

Also present: Stella Forster (Minutes)

		Action
1.	Introductions SH introduced Melvin Dhorasoo, VV's replacement contract manager, who has been transferred from Rochford. Originally from the RB of Kensington & Chelsea, MD is experienced in trade services.	
2.	Apologies for Absence - Kim Durrani, David Marsh, Vlad Velikosels <mark>kis</mark>	
3.	Declarations of Interest - None	
4.	Draft minutes of the meeting held on 10 October 2011 - Agreed	
5.	Matters arising - None	
6.	Review of current contract performance (operational & financial) SH: The accounting report is in a new format, with two sections (i) open book accounting and (ii) KPIs. SH asked the Board to let him know if the format needs changing or any other information is required for future meetings.	
	P4 Q2 & Q3 2011/12 profit margins. The Q3 figure is artificially high due to an accounting error but this will be compensated for in Q4. However the contract continues to be a good one, and is almost at break even point at EBIT.	
	P5 Operating margins are now up to 14%. This will change significantly now the extended contract has been amended.	
	P6 Monthly cost split. The biggest cost is always wages. Some accruals are put aside for accidents, which are put back in if not paid out. This would account for some of the figures below the line. DD (deductable damage) figures remain fairly static. Drivers appear to be more accident prone in Epping, and repairs are more expensive when not carried out in SITA's workshops. The variation in fuel costs occurs because diesel remaining in the trucks is not included. Diesel currently costs SITA approx. £1.18 per litre.	
	The first SITA plastics to diesel operation is to be sited in Dublin and work will commence in June, with completion at the end of the year. There is a commitment for the company to build 6 of these plants. It involves melting plastic at high temperatures. Each ton of plastic yields 1,000 litres of fuel, and it is hoped to produce 10m litres per year, working out to around 65p per litre, plus	

taxes etc. Mixed plastics work better than bottles, so no recycling credits are lost

by taking them out of the recycling stream.

P7 cost split by quarter. There are some additional costs in Q3 for agency staff but generally wages are fairly static. Other figures will vary depending in which accounting period bills are paid. There will be a difference in revenue in the fourth quarter.

KPIs - P9 waste flows. Hopefully these figures match EFDC's. There was a marked increase in dry recyclables in January. Recycling remains high at around 60%, and JG confirmed the target will increase from 58% to 60% next year.

P10 Missed bins - although the figures are still exceptionally low, they are beginning to creep up a little. This is a trend to watch and will be monitored by MD

P11 Accidents. This is a key issue. Apart from an accident in November, it was a good year and Riddors were reduced by 10%. Total accidents average one per month. The amount of lost time due to accidents has significantly reduced as a result of managing it on a monthly basis and staff training.

JK: Although there were few problems in the snow this year, there will always be a few accident hot spots in the district. The four wheel drive machines fitted with snow brushes used in Chigwell could clear the snow from those areas in a few days. The district is very hilly and ECC are protective of their salt but the machines could be used to clear stretches of the longer hills to give vehicles some traction. They are relatively small and can also be used on pavements. If ECC can be persuaded to provide the labour costs, the machinery costs (around £3k) should easily be found. SH: V V and JF have already compiled a list of the most hazardous roads. The crampons issued to staff are not suitable for anything other than snow covered ground.

P12 Overtime, agency staff & sickness. The overtime in January was due to catching up after the bank holiday. SITA avoids relying on agency staff wherever possible, but they are often necessary at peak times. The permanent staff are now better trained.

#### 7. Contractual issues to include extension

JG thanked everyone for their hard work in putting the new contract extension in place until Nov 2014. Consideration of the tender for the next contract will begin later this year. Meanwhile there is still pressure to save on expenditure. This will be helped by the work of JF and DM on street cleansing arisings, The recycling message must be constantly reinforced to residents so that recycling tonnages do not drop.

JK: Waste officers have been asked to come up with bespoke schemes for flats that are not currently on the collection round, although as there is already a large volume of recycling collected from flats this will not result in much of an increase. Those flats which have opted out in the past will be asked to reconsider, particularly where storage facilities are available.

JF: DM had asked to raise the matter of a possible insurance claim relating to Hereward Green. It was established following a site survey that a privately owned portion of the land is subsiding. It was decided to avoid the area until the issue has been settled, but an agency driver was not aware of this and drove over it. SH: MD is dealing with this matter and the message of avoiding the area has been reinforced to all the crews

#### 8. Government announcements on weekly collections

JG: JF has been tasked with preparing a bid for some of the Government's £250m fund which is being made available for local authorities to retain or

reinstate weekly residual waste and recycling services. As EFDC already offer a weekly service and a bid cannot be made retrospectively, all it can expect to bid for is for the service to be enhanced. An expression of interest must be received by 16 March, with supporting documentation. The issue to be considered is that the funding is limited to either 2 or 3 years, but as councils have to commit to 5 there will be at least 2 self-financing years. If councils decide to withdraw within that timeframe, the funding would have to be returned. If the decision is made to discontinue the service after 5 years, it would be politically and financially damaging to the authority.

JF: three options have been worked up:

- (i) a weekly dry recycling collection;
- (ii) a nappy collection; and
- (iii) food collection from flats.

Option 1: There appears to be little to gain, as there will be a limited increase in recycling, and with annual costs of £595k and providing two additional vehicles, there is nothing to offset the uptake costs.

SH: For some authorities where recycling targets are at 30-40%, there may be a 3-5% increase in recycling as some currently non-participating residents would be more inclined to become involved. However, as Epping has a 60% recycling rate, the increase is unlikely to amount to more than 1-2%.

Option 2: Whilst new technology exists at a plant in Birmingham, the cost of disposing of AHPs (absorbent hygiene products) is still very expensive. As more plants are built the process will become cheaper in time, but currently there are estimated to be 6,000 properties requiring an AHP collection, which would equate to £3.4m. At present, after food waste, AHPs represent the largest percentage of waste in residual bins.

SH: A less expensive option would be to dispose of nappies etc at a waste transfer station. Alternatively, they could be collected weekly but taken to landfill if less than 5% of the load, thus taking out disposal costs. Residents could be supplied with a separate bin. Rochford are investigating making a charge to each household, and using recycling credit to subsidise the service.

JK: The scheme at Harlow where only half the residents receive a collection would not be acceptable. Also, it would not be possible financially to provide a nappy service if a Government grant were not available. It was agreed not to put a funding bid in for this service, but to monitor the processing costs for possible use in the future.

Option 3. Probably the best option since Epping have already made a commitment to provide a food collection service from flats. Although 450-500L bins had been discussed, SH confirmed that any bin over a 240L capacity would be too difficult to move. There is a quantity of 240L bins in stock, which could be adapted by changing the lids and using them would not require any additional costs. There are estimated to be 52,000 properties involved.

Bin washing - Rochford do not offer a cleaning service as some other districts do, but use managing agents to arrange for the bins to be washed. SH: The system being used in Kensington is on an exchange basis; two bins are left to be filled and when emptied they are replaced every six months by a further two. They are then taken back to the depot for cleaning. However, this is an expensive operation. There are also dedicated vehicles available for bin washing. Another alternative is to supply bin liner bags. However, this may raise objections from residents who are not offered this service. JF: The system being considered is to

JG

supply flats with caddies, which would be emptied into the 240L bulk bins for collection. Liners for the larger bins are approx. £2 each.

SH: Residents using communal areas tend to dispose of their waste in the nearest container, and contamination is a big risk as if a full load is rejected it could result in 8 tons (£8-900) of recycling credit being lost and the recycling percentage being affected. Some authorities have a 'three strikes and you're out' policy. It is generally felt that innovation schemes where incentives are given for participating in recycling is flawed, and residents should be rewarded for not contaminating their recycling, or for reducing their residual waste.

JF: The first trial is to commence shortly, which will give an indication of how a full service would work. A door stepping exercise is also being carried out, asking residents their views on how contamination can be avoided.

It was agreed to submit an expression of interest on Option 3. This is non-committal on both sides.

JG: There are some changes in regulations going through Parliament concerning the separation of comingled recyclables. There are two ways of avoiding them, (i) if it can be demonstrated that separation is not practicable, and (ii) if the MRF is happy to accept comingled. This may have some effect on the next contract as changes would have to be made to the collection service. JG to respond to the consultation.

#### 9. Olympic Games update

JG: The plans SITA and the waste team have made for waste collections and street cleansing are now well advanced. The areas that the torch relay passes through on 7 July and the five days of the White Water event are key areas and will be cleansed at Grade A. Extra resources will not be available and schedules for other parts of the district will have to be shuffled. LOCOG have arranged for a cleansing team to follow the relay, which will help, but litter pickers will also be working early in the morning before visitors arrive, and again in the evening when they have left. Litter and dog bins will not be more than two-thirds full at any time and no bins or recycling containers are to be visible. Broxbourne are working closely with EFDC, and an agreement has been reached for both crews to extend street cleaning across the border, with no increase in expenditure. There will be a Monday refuse collection in W/A, but it will take place before 9am. A run through is planned for April.

There are a few problem areas. The Crooked Mile is a dangerous road for litter pickers, and it will be a challenge to keep the areas around Central Line tube stations clean for the entire duration of the Games.

#### 10. Health & Safety issues

JG: The HSE inspection was completed, and the outcome was generally better than expected. Their major criticism for both EFDC and SITA was a lack of documentation for inspections etc., and the way it is presented. They also asked that a more robust system of assessing the health & safety credentials of contractors is put in place particularly as part of procurement exercises. They will return at the end of the year, but meanwhile both organisations have produced action plans to address the issues raised, which have been agreed by the inspector.

There is still an issue with the lack of a dedicated management resource at the depot, and this has been raised at corporate level. For example, SITA was issued with an insurance claim for an accident involving a manhole that was lacking a cover, because there is no-one to take responsibility for such matters.

There are questions over who is liable for signage, and maintenance of shared areas.

#### 11. Depot relocation

JG: No significant progress has been made on selecting a suitable site for the new depot. The planning application for the retail site at Langston Road has gone through, and planning consent will follow. It may be 4 years until the process is completed, which leaves possibly 2 years to find a solution to the depot problem. Cabinet agrees with JG's view that the NWA site is not appropriate, and the search for an alternative continues, including some land in Langston Road, and some at Junction 11 (Harlow park Nursery).

MB has asked JG to seek advice from White Young & Green on how a contract might be structured without a depot included, but this would lead to a lack of control by the Council and would present problems in future years. It would be preferable to find the land for a depot to be built upon.

The land at the Harlow roundabout would be advantageous logistically, but it would be difficult for the crews to get to work at 6am. The flooding issue of the land at Langston Road could be addressed, and if the owner can explicitly demonstrate that it is uncontaminated, it will be considered. This area would also be SITA's preference. However, it will still be an expensive exercise and the costing of all the options are awaited before a final decision can be made.

#### 12. Any other business

- JG: (1) S46 Notices: the Council have given a response to Defra's enforcement exercise. There were two options, (i) a marginally amended version of the existing arrangement, where the closing of bin lids etc. is still technically a criminal offence, or (ii) a decriminalised approach where infringements are classed as a civil offence although fly tipping etc. is still considered a criminal offence. The Safer, Cleaner Greener Panel opted to take the latter option and this has now been signed off and acknowledged.
- ((2) On-line waste survey: this resulted in a 90% satisfaction rate, but when looked into more closely it was discovered that only 150 responses had been received. JG suggested running the survey again but publicising it more widely so that a genuine response can be established.
- (3) Dates of future meetings: the dates given in the last minutes were reaffirmed, and later ones added. The dates are: 30 April, 2 July, 3 September and 5 November 2012 7 January, 4 March and 6 May 2013.

GW asked for progress on the new textile collection service. JF replied that, although the bookable service works well, the uptake is quite small. The service will be re-emphasised in future literature.

JK had asked QD to arrange a meeting with Ongar Parish Council to discuss the effects of closing the recycling site. If, as County maintain, 50% of what was disposed of could have been collected on the doorstep, has there been an increase in recycling collections? Also, have other sites such as W/A or Brentwood noticed a rise in volumes? It may be possible to place more bring sites in Ongar's car parks if OPC require it. JG: It does not appear that fly tipping has increased. The only issue raised was from an elderly person whose only option of removing some large bulky waste was to use the special collection service, for which there is a charge. As a result changes to the charging structure for bulky waste are being considered.

QD

JF: Plans to develop new livery with an Olympic theme were rejected by the Games organisers. As it was not ideal because it would still have been on the vehicles after the Games, this was not pursued. However, many new ideas for artwork have been prepared, some adapted from previous models, and JF provided them for the Board's consideration. It was agreed that a design with a message to encourage recycling, with an emphasis on food waste, would be the best way forward. MD suggested opening the livery design to schools, which would help to bring the message home to the children and their parents.

JF: Some properties where there has been a particular problem with foxes and birds destroying dry recycling bags have been issued with a bin on the understanding that the recycling is presented in the usual way on collection day. The number of these properties is relatively low, and JF asked if the bins, identifiable by a different lid, could be emptied instead.

SH: A bin collection would be a much slower service than bags. As word spreads other residents in the same areas, who would be experiencing the same problems, may also demand a bin, and the situation could get out of hand.

It was agreed to make a full assessment of the number of properties affected before making a final decision.

#### NOTES OF THE BOBBINGWORTH FORMER LANDFILL SITE LOCAL LIAISON GROUP Held at

2.30 pm 02 November 2011 Conference Room, Civic Offices

Present:	Cllr John Knapman, Environment Portfolio Holder (Chair)	(JK)
	Qasim (Kim) Durrani, Assistant Director, E&SS	(QD)
	Susan Stranders, Drainage Manager, E&SS	(SS)
	Cllr Tony Boyce	(TB)
	Abigail Oldham, Country Care	(AO)
	C Thompson, Moreton Bobbingworth & the Lavers PC	(CT)
	Carol Squirrell, Moreton Bobbingworth & the Lavers Pc	(CS)

		Action
1.	Apologies: Cllr Peter Gode  Draft notes of last meeting 25 May 2011: Agreed	
2.	Matters Arising Most matters arising to be covered on the agenda. P1 Item 2: The subsidence was filled as a temporary measure but is now dipping again. County are aware of the situation and an investigation by them is still	
	awaited. JK gave details of ECC's £4m increased budget for potholes, and stressed that they should be chased up.  Terms of reference: SS had contacted Democratic Services but has heard nothing further.	
	P3 Grants: SS has not yet investigated the possibility of obtaining grants but will do some research within the next quarter.	SS
	JK felt that the site meets all the criteria for a £30k annual grant, payable for 3 years, from the Grange Farm Trust and suggested contacting the clerk, Nick Gadsby. Although the Trust is not permitted to donate funds directly to local authorities, it may be possible to set up some form of trust to claim the money, or possibly link it to the QEII Field Designation. Having briefly explored this SS had been informed that the site is unique and would not qualify for a grant. JK to approach NG for advice. He has also asked County for details of a EU grant (possibly retrospective) for tree planting. He will report back to the group once he receives further details	JK
3.	Budget There is still £5k remaining in the revenue budget, and SS is optimistic it will be sufficient this year. £38k has been spent on paths, benches and technical items, which leaves £31k in the capital budget. Investigations are taking place to purchase plant for maintenance of the site, subject to further approval.	
	Dog bins It was agreed at the beginning of the project that the installation and emptying costs of providing dog bins was prohibitive, but that the situation would be monitored. Requests have since been received from Parish and Town Councils to supply them, and there does appear to be a problem. David Marsh has indicated that there will be capacity within the waste budget to absorb collection costs. The charge for installing two bins (£350 each), to be positioned at each entrance point, and ongoing collections would be free of charge. It was	

agreed to proceed.

JK is aware of a scheme to equip grass cutters with 'Stiga' snow brushes to clear the side roads, hills etc. not currently on ECC's gritting round. If a grass cutting tractor for the reserve is to be purchased (to be covered later on the agenda), consideration could also be given to buying one of these attachments, at a cost of £2½-3k. The brush fits to the front of the tractor, and gritters can be fixed to the back, thus broadening the use of the tractor to the winter season. It could be used to clear snow from the entrances and paths, and also possibly the side roads in Moreton. This would help the community generally and allow access to the park in the snow. ECC have stated that they would cover labour costs. CT said that Peddlars End, a steep hill, would benefit from snow clearance. It was agreed to investigate further and SS will report back.

SS

#### 5. Update from officers

#### Operation and maintenance

- (i) Dangerous Substances & Explosive Atmosphere Regs (DSEAR) SS: Leachate treatments are going well, and although a level of zinc in the treatment plant was reported the Land & Water Quality officer feels this was an error and is looking into it further. Technical operations generally are working smoothly, but due to the previous use of the site and presence of methane gas the consultants have advised that DSEAR regulations must be followed. Although this is considered a low risk site there is an obligation to provide signage to make visitors aware of the presence of gas. So as not to alarm visitors unduly, the smallest sign possible will be used, and information boards will make it clear that, given its history as an ex-landfill site, a small amount of gas is inevitable, and the use of naked flame in any form is prohibited.
- (ii) Unauthorised occupation: Because of the potential influx of travellers from Basildon it was thought prudent to place huge pipes across the entrances to the car parks. The risk is now considered small enough to remove the pipes.
- (iii) Highway safety mirror: At the request of Thames Water, and with the agreement of the landowner, a mirror will be erected at the egress point of the site on volunteer day. Thames will provide the mirror.

#### Landscaping and future maintenance programme

Potential purchase of plant from capital: SS: There is a significant weed problem on the site, and this can only be managed effectively by regular mowing. This discourages plants that are not wanted and encourages those that are.

Discussions have taken place with AO on the possibility of using the remaining capital allocated to the project to purchase a tractor, with Country Care carrying out the grass cutting work. After some initial research by EFDC engineers a quote for a good quality tractor has come in at £25k. Currently £1600 is being spent per cut, with another £3,000 for three other sites. This does not include removal of the grass. If used 4 times a year to cut and collect just one site, the tractor would pay for itself within 4 years.

However, there are still other issues to consider, e.g. insurance costs, how to transport the tractor from site to site (it is too slow to drive on the road), and secure storage. JK thought that a limited use licence, costing around £55, would cover insurance. A trailer would be an added expense, but Country Care has a vehicle available to tow it on the road. AO confirmed that there would be storage space at the depot in W/A but this would require refurbishment to make it secure. SS suggested keeping the tractor nearer to site, possibly in the leachate treatment compound, and TB and CT offered to contact farmers whose land adjoins the site as they may be willing to assist with storage.

TB/CT

JK gave his approval to proceed with exploring the principle of purchasing the vehicle, even if no great savings were anticipated as it was always preferable to keep control of operations. He said that as Cabinet has already agreed the money for capital expenditure and given the Group a free hand as to how it is to be spent, it would not be necessary to seek approval again unless the budget were to be exceeded. Once the tender process has been followed, a report to the PFH would suffice. In view of the possibility of purchasing a snow brush a decision should be made before the weather worsens. SS to take forward.

SS

#### Ecology and wildlife:

AO: A recent survey of the site found 52 different species of grass and wildflower in the meadow area. Apart from a few alien species, these are consistent with plants to be found on waste ground. This is very encouraging, as is the increase in insect populations as the plants act as hosts to many different species. No weed spraying will take place. The grass should be cut on a regular, continuous basis, at least 3 times a year over the next few years, to encourage the beneficial plants to dominate. Having the tractor would be helpful in managing this process. The soft ball games area will be cut twice a year and the car parks and entrances every month or so. A strimmer is to be purchased to deal with the area in between the trees. However, at the request of CT, pockets of weed and long grass will be left in these areas as bird food during the winter.

12 plant species were found in the pond; as only 8 were planted this is good progress. Some pond work is required as a few alien species are becoming dominant, crastula (swamp monster), being one. Volunteers have managed to remove some of this recently. Bullrushes, although beneficial in keeping the water clean, are becoming overgrown and are to be thinned out shortly.

It was agreed for AO to order the disease resistant elm tree for the mound.

Although the size of the tree will make planting difficult, Pearls have loosened the soil in the area which should help the process. This has to be completed within the next 3-4 months.

AO

CT: As well as the more common birds, 3 buzzards have been spotted on the site, also sparrow hawks and a kestrel. A grass snake was seen on the boundary. AO reported that the slow worms are doing very well, and was pleased to report the sighting of a baby adder a few weeks ago. However, it was agreed that a sign warning visitors of adders was a little premature.

AO stated that, overall, the nature reserve is progressing better than expected after a period of only 2 years as most of the species found arrived of their own accord. She undertook to provide JK with a summary of the current ecological and wildlife position at the reserve, which will form part of his environmental report to Council on 13 December.

ΑO

#### Information boards

SS: The boards and lectern have now been installed, and the Parish Council is to have the use of the right hand side of the boards. Information for the left hand sides and the lectern has yet to be prepared.

It was generally agreed that the boards are of high quality and suit the environment well. AO confirmed they will be painted on volunteer day.

#### Rabbit control

AO: It is now the season for this work to begin, and as well as the usual warrener another supplier has also now been found. AO is currently going through the Marketplace process. Warreners use ferrets and nets to eradicate the rabbits, and are paid by the day, currently around £130. It is difficult to predict how many days' work will be necessary, but with ongoing control measures the problem will

diminish over time. Although few rabbits have been sighted recently, there is a considerable problem in the area near the sewage works. The warreners also take responsibility for disposing of the rabbits; with the risk of myxamatosis there is no call for wild rabbit meat.

#### Countrycare/volunteers activities.

AO: The next volunteer day is 8 November. The tasks to be carried out include strimming, castula clearance, painting information boards, some tree planting behind the mound, weed removal, placing compost bins between the trees, erecting a highways mirror and the relocation of a bench.

#### 6. Prohibited activities and wording of signs

SS: There are a number of activities that are not wanted or allowed, and some complaints about ball games have been received, mostly from residents living close to the site. SS circulated copies of signage that has been prepared which is aimed at parents and worded in such a way as to discourage organised team games, but to allow simple games with young children.

SS also circulated a second proposed sign, prohibiting the use of cycles, roller blades etc. Again, common sense should prevail and the use of small bikes for children should be permitted. Motor bikes, which could prove to be a big problem, would have to be covered by a separate piece of legislation. At the beginning of the project it was established that bye laws could not be applied until a problem had been proved to exist. The situation will be monitored and if difficulties persist the introduction of bye laws will be considered.

The use of both signs was agreed. They are not intended for the information boards, but will be put up separately.

SS then distributed signs to be placed in the car parks, informing visitors that the car park gates are opened and closed by representatives of the Parish Council. It was agreed to add two contact telephone numbers to the sign, CT's (01277 890394), and the Parish Clerk's (01277 890304). There is pedestrian access at all times but CT reported that the pedestrian gate appears to be locked when it is in fact on a latch. It was suggested that the bolt be removed altogether.

SS had been asked if it was thought necessary to create a disclaimer of Council liability sign. Highways do not believe this is required, but Legal's opinion has been sought. JK cautioned against a preponderance of signage, and said that his preference would be not to put any signs up that are not obligatory.

#### 7. Queen Elizabeth Field Designation

SS: An application was sent on 31 August, and an acknowledgement has been received. The information is available to view on the website. SS made contact again before the meeting and was told that as long as the site meets the basic criteria, there are unlikely to be any issues. The deeds would be prepared once representatives have visited the reserve, and SS asked if the technical team could meet them on site. If all goes well a plaque stating that the site has been designated a QEII Field to commemorate the Diamond Jubilee would be presented, and it was suggested that this would make an excellent PR opportunity. This is not the only request in the district; Loughton Town Council have made applications for two sites, and AO is considering whether any other Country Care sites would qualify.

#### 8. Complaints

SS: (i) One neighbour complained that a bench had been sited in full view of his property. This has been upheld and an alternative position for the bench has been identified. It will be moved on volunteer day.

SS

SS

2) Another neighbour maintains that he was promised solid fencing at the beginning of the project, but as this is not an ideal solution some alternatives have been offered. AO has suggested relocating some willow from elsewhere to put closer to the boundary, but as this has not yet been agreed by the residents this work will not be carried out on Tuesday.

CT mentioned a complaint about subsidence received some time ago and SS confirmed that this was dealt with by advising the complainant that his insurance company should contact Veolia directly. No further action has been taken by the complainant. CT stated that Veolia had undertaken to survey all the properties but appear to have lost the data.

9. Grants - Covered above.

#### 10. Any Other Business

TB's idea for an fund raising activity, perhaps on Halloween, to search for the 'swamp monster' was well received, and AO suggested expanding this by having a nature trail to search for other alien species. A regular events calendar could be placed in the information boards.

CT: No deer have yet been sighted on the park, although there are several in surrounding areas. As they can do a huge amount of damage this was welcome news.

CT wished it to be noted, as this was the first meeting since the Opening Ceremony, that the day was a huge success. The weather was glorious and all went according to plan.

CS asked if a template for a volunteer day flyer was available, so that the details could be filled in and then posted around local areas. AO undertook to devise one, and suggested putting details in the information boards. Volunteer days are held at approximately 3 month intervals, and details would be available 1-2 months before the date. CT said that he would make a point of mentioning volunteering when reporting about the park at a policy meeting later this month. CS 'volunteered' her husband, who as a tractor driver is well qualified to help.

SS: AO had liaised with Moreton Primary School who wished to use Bobbingworth for their project on landfill sites and contaminated water on 26 October. This is a prime example of extra curricula work which can be included in the sustainability and project leaflets yet to be prepared, and having the school involved on a regular basis would be very welcome.

#### 11. Date of next meeting

It was agreed that it would be interesting to make a site visit and to hold the meeting to in the village hall afterwards. 2.30 pm on site on **Wednesday 28**March was confirmed. TB to book the village hall.

Once investigations are complete a Portfolio Holder report on the tractor purchase to be sent to JK.

тв

AO

SS

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# Minutes of Green Infrastructure Meeting Agenda Item 15 Held 25<sup>th</sup> January 2012 at 10.00am in LM's Office

Present: Janet Anderton George Haley Phil Hawkins Abigail Oldham Chris Neilan

Robin Hellier Melinda Barham Laura MacNeill (chair)

Copies: John Preston Jim Nolan

1. Apologies for Absence – Sue Stranders

#### 2. Terms of Reference Reviewed

Changes made as per attached document.

3. Minutes of last meeting 16<sup>th</sup> June 2011 Agreed.

#### 4. Matters Arising

**TPO Maps** 

Rob P to speak to Robin outside of the meeting as there is concern re the accuracy of the maps.

Charlie Moules Bridge. BM has not come back with any issues.

Village fete at RV Meadows went well.

#### 5. Roding Valley

#### **Roding Lake Update**

PH gave update. Water level back to where it was and we have been able to open fishing platforms.

PH working with EA re enhancement works. Another 10K funding has been received. Lillies and beds will be installed. Aeration units to go in on the island to improve water quality. PH dealing with.

#### **Roding Valley Rec and Nature Reserve**

Thames Water and Natural England redirecting water. There will be a high level of stewardship and an increase in cattle grazing.

Invisible fencing is to be installed underground. The cows have a collar, which gives a shock if they go over fence lines. Turns on and off so can be used in different fields at different times.

Causeway

Repair work has been done to the textile mating. This area is not to be driven on. We are putting posts and a drop bollard so it cannot be driven upon as the chestnut fencing has gone.

#### Fishing Club

It is hoped that a new club will be signing an agreement with the Council to bailiff the lake etc.

#### **Nature Reserve**

LTC want a skateboard park. EFDC may not give permission for it. There has been no application to date. There was rumour a petition may be sent in. Nothing received to date.

#### 6. Grange Farm

Prince Edward met CN at opening of the area.

A Caretaker is in the Facility. The pitchers are done and the pavilion opened. The green areas are being managed by Grange Farm Trust at present.

LM

**RP** 

BM/SS

PH

#### 7. Open Spaces and LNRs

#### **Norton Heath**

The work is not going down well with residents. The Parish Council is letting CC do work. Legal guidance is needed re the ownership of the land. LM to speak to Legal.

LM

#### **Englands Lane**

Ongoing management programme being completed.

#### **Chigwell Row Rec**

New Management Plan nearly finished. Woodland grant applied for. Jim Curry to come back to do the tree programme phase 2. GH dealing with. Phase 3 will then happen next year. The Parish Council have requested a green gym on the area. 30K. This includes a track area which we have objected to. They do not wish to pay for the ongoing maintenance of the new equipment. and have requested EFDC to do so. EFDC has declined and this has been reported back and therefore is to be taken back to their Members.

GH

CN stated most users may come from outside the district. Consultation would have to be done.

Awaiting reply from Parish Council.

#### **Ongar Open Space**

The Council has still not taken this over and it remains with the developers until the issue of the storm tank maintenance/responsibility is resolved.

#### **Arboretum**

There is a 5 year development plan. The paths have been re-mulched. Signs/notice boards/bird boxes/bat boxes still to do.

GH

Doc etc coming through in many areas – looking at spraying. Have checked with EA as near watercourse. Will get CountryCare involved at the appropriate time.

JA

#### 8. Drainage

Janet to look at budget and let Phil know what money is left. Phil then will speak to Ben.

JA

Roding Valley ditches – It was requested that Ben inspect the BHPC ditches as there is concern that BHPC are not doing anything in the way of maintenance/monitoring.

BM

#### **Nazeing Triangle**

LM to clarify what land it is.

LM

#### 9. The Biodiversity Action Plan

The Essex one is waiting to be published Epping Forest District Council one will be updated this year by AO and then another 4 year plan will be produced.

AO

#### 10. Section 106 Agreements

<u>Lidl Superstore</u> – Loss of Willows. RH have been trying to get better planting. Section 206 agreement has not yet been signed so cannot progress. Once we have received monies we can use for Tree planting/maintenance.

#### 11. General Plans

#### **Local Plan**

Forward Planning has set a tight timetable for updated Local Plan. This will be a single plan with both strategic issues and detail. Existing policies are reusable CN to look at works for landscape assessments etc also green infrastructure. This is to be completed by March. Then to look at policies & draft policies. Planning have done the draft for strategic part. This will have to be ratified by members who have imposed the T/T.

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#### **Green Infrastructure Plan**

Forward Planning think the GI plan should be within the local plan. GI plans are usually long & detailed. It looks at the District as a whole. This groups work should be included in it. Community Infrastructure levy money could be received. Once the strategic aspect is done then need to look at the detailed projects.

Probably 10 key projects

CN to review then will contact LM & PH for comment and imput.

CN

#### 12. Tree Warden Scheme

Nothing to report.

#### 13. Tree Policy Document

The money in the budget for printing has been taken as part of the finance review as it was not used for 2 years. CN however, feels that the new plan will cater for the issues and the group felt that perhaps the Councils website could be used to advertise what the Council were doing etc.

#### **Loughton Tree Strategy**

CN is waiting for comments from LTC and Corporation of London. Should be completed by March. LTC has offered funding to produce as a physical document.

If there is a group set up then, George Haley and other reps to attend as appropriate.

#### **Essex Wildlike Trust**

They are leading on setting up biological records in Essex. CC has got funding. There is a 6 year agreement with EWT.

#### 14. Budgets

Highway tree maintenance budget was reduced by 5K although they then had to fund extra monies because of the storm.

#### **Tree Data Base:**

Work is being resurrected and now underway again. There was a delay due to staff changes. Trees being done by roads more because the reduction in costs of the new contract has allowed more trees to be completed. This will assist in the overall maintenance of the district trees.

#### 15. AOB

National Tree Safety Group has a new publication.

JA

JA to sort orders also 1 for Chris Neilan

#### Roughtalleys

There is a TPO Blanket on Roughtalleys Wood. Cunningham House Rest home has had a substantial subsidence claim. GH had several meetings. Epping Forest District Council settled in the end. GH concerned with regards to the tree as to any possible future development. GH needs to maintain the tree so there is no fear of another claim. CN says that GH should send memo to CN as it is a third party claim to get permission for work. To agree work CN said would like a site meeting – RH and GH to arrange. GH to send reports to CN before meeting.

RH/GH

GH

#### **ECC**

RH has had a communication from County about an Oak at Great Lawns which will have to go. It is a landmark tree. GH has been involved in the claims. County decided that the tree should go.

Date of next meeting: 21<sup>st</sup> June 10am.

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#### **EFDC GREEN CORPORATE WORKING PARTY MINUTES**

**DATE:** 6<sup>th</sup> February 2012

**TIME:** 2.00pm

**VENUE:** Conference Room, Civic Offices

Chair: John Preston (JP)

Minutes: Sarah Creitzman (SC)

Attending: Janet Twinn (JT),, Ann Kossick (AK), Gary Woodhall (GW), Lyndsay Swan

(LS), Paul Duguid (PD), Ian White, Ian Almond (IA)

#### **Apologies**

Brian Bassington, Mike Tipping, Mike Warr

Carbon Strategy

Action

JP – Original Climate Change Strategy wasn't that well consulted on and was a first

All

JP – Original Climate Change Strategy wasn't that well consulted on and was a first stab. It has been challenged by political decisions etc and wasn't really inclusive of SMART objectives.

SC

But it has now been renewed by SC, focusing on the Council's own emissions and use of resources. Renamed the Carbon Strategy.

This new document was sent to Safer Cleaner Greener Scrutiny Panel, where it was recognised by members that it was necessary to have strong targets in this area and be able to collect and record energy data accurately.

Council members also recognised that figures dropping in carbon up to this point have only in small part been due to energy saving measures; they were mostly because of other coincidences which resulted in energy use reduction. Members recognised that more needed to be done to consciously reduce our carbon footprint and that measuring data for Display Energy Certificate buildings only was a weakness.

The Strategy is ready to be taken to the next stage, but is still lacking input from some areas of the Council. SC requested that any GCWP members who have not yet had the chance to contribute to the 'Actions for the Future' please take the time to add something the list of actions so far. SC to circulate Strategy again with minutes.

#### **Council Waste Update**

Mike Tipping did not attend and had not provided an update at the time of the meeting.

ΜT

#### **Environmental Advice Booklets**

ΑII

IA – Environmental services has been using the 'Green Books Guides' company for several years, to raise public awareness of green issues to do with recycling and waste in the form of booklets written by the company, but branded with the EFDC logo. The same company is offering to do this in an online package, with a wide choice of booklets covering a range of green topics.

The Council would have to pay 25 pence per download and we are looking at how to ensure only EFDC residents are able to access them. One possibility is asking for a

postcode before the download starts.

SC – Is happy to put budget towards this since there are home and office energy efficiency booklets and water saving booklets included in the package and delivering them online is obviously less resource intensive than using paper copies. However, this is providing there are no objections from anyone in the group about the content within the booklets.

SC handed out booklets to each member and requested that they let her know within a fortnight if they had found any issues in the material.

#### **AOB**

None.

#### Date of next meeting

Next meeting scheduled for 14:00 on June 1st in Committee Room 2