Scrutiny Standing Panel Agenda



Safer, Cleaner, Greener Scrutiny Standing Panel Monday, 17th October, 2011

Place: Council Chamber, 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:

01992 564246

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 and Scrutiny members are asked to 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 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 - 12)

To agree the notes of the last meeting held on 7 July 2011 (attached). The notes of that meeting had the District Council's Draft Climate Change Strategy and the Local Biodiversity Action Plan attached to them as an appendix. It was felt that for reasons of economy and brevity they should not be attached to the notes which are attached here. However they can be accessed on the District Council's website by right clicking on the address below and using "Open Hyperlink," please go to "Printed Minutes," and pages 9-70.

Agenda for Safer, Cleaner, Greener Scrutiny Standing Panel on Thursday, 7th July, 2011, 7.30 pm

5. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 13 - 18)

(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. ENVIRONMENT AGENCY CONSULTATION - RIVER RODING CATCHMENT (Pages 19 - 30)

(Director pf Planning and Economic Development) To consider the attached report.

At the Planning Services Scrutiny Standing Panel on 13 September, a report was considered regarding the Environment Agency and the River Roding Catchment. Members of the Safer, Cleaner, Greener Scrutiny Standing Panel were invited to this meeting as well. The Panel members agreed for a response to member's concerns from Environment Agency officers to be submitted to either the Planning Services Scrutiny Standing Panel on 3 October or Safer, Cleaner, Greener Scrutiny Standing Panel on 11 October. However, there hasn't been sufficient time to submit a report to these panels, and the Safer, Cleaner, Greener Panel for 11 October has now been cancelled.

On Tuesday 4 October Environment Agency officers visited EFDC Environment and Street Scene officers to discuss the questions and concerns raised by members at the 13 September meeting which the Environment Agency officers attended and to respond to earlier questions raised by EFDC officers. Officers have until the end of October to finalise the District Council's response and have it approved by the relevant panel. To reciprocate the arrangement at the Planning Services Scrutiny Standing Panel on 13 September, officers are inviting members of the Planning Services Scrutiny Standing Panel to attend this meeting.

The report submitted to the Planning Services Scrutiny Standing Panel on 13 September 2011 is attached as an appendix.

7. WASTE MANAGEMENT PARTNERSHIP BOARD (DRAFT) MEETING OF 16 JUNE 2011 (Pages 31 - 34)

(Director of Environment and Street Scene) Attached are the minutes from the Waste Management Partnership Board meeting of 16 June 2011 for the Panel's information.

8. BOBBINGWORTH FORMER LANDFILL SITE LOCAL LIAISON GROUP (DRAFT) MEETING OF 25 MAY 2011 (Pages 35 - 38)

(Director of Environment and Street Scene) Attached are the draft minutes of the Bobbingworth Former Landfill Site Local Liaison Group Meeting of 25 May 2011.

9. INTER-AUTHORITY AGREEMENT MEMBER WORKING GROUP (UNAPPROVED) MEETING OF 7 JUNE 2011 (Pages 39 - 44)

(Director of Environment and Street Scene) Attached are the draft unapproved minutes of the Inter-Authority Agreement Member Working Group meeting of 7 June 2011.

10. FUTURE MEETINGS

The next scheduled meeting of the Panel is on Tuesday 10 January 2012 at 7.00p.m. in Committee Room 1, and thereafter on the following days:

Tuesday 21 February at 7.00p.m. in Committee Room 1; and

Tuesday 10 April at 7.00p.m. in Committee Room 1



EPPING FOREST DISTRICT COUNCIL NOTES OF A MEETING OF SAFER, CLEANER, GREENER SCRUTINY STANDING **PANEL**

HELD ON THURSDAY, 7 JULY 2011 IN COMMITTEE ROOM 2. CIVIC OFFICES, HIGH STREET, EPPING AT 7.30 - 9.40 PM

Members Mrs M Sartin (Chairman), Mrs C Pond (Vice-Chairman), K Avey, Present:

W Breare-Hall, Mrs T Cochrane, Ms Y Knight, A Mitchell MBE and

P Spencer

Other members

present:

Mrs P Smith and D Stallan

Apologies for

G Mohindra (Finance and Economic Development Portfolio Holder) and

Absence: Mrs E Webster

Officers Present J Preston (Director of Planning and Economic Development), J Nolan

> (Assistant Director (Environment & Neighbourhoods)), P Gardener (EFDC Safer Communities Officer) and A Hendry (Democratic Services Officer)

1. **SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

The Panel noted there were no substitute members.

2. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

3. **MINUTES OF THE LAST MEETING**

The notes from the 7 April 2011 meeting were agreed as a correct record.

4. TERMS OF REFERENCE AND WORK PROGRAMME

Terms of Reference

- Councillor Breare-Hall wanted to know if the Panel were able to scrutinise the new SITA contract. The Panel noted that this was still in its early stages, but when things had developed more fully it should come to this Panel.
- The Panel also expressed concern about attracting members of the public to their crime and disorder meetings. They were told that the meetings were advertised via press releases, on the Council's website and via local councils. These meetings were prescribed by the government to enable the Council to monitor the Community Safety Partnership. This would become essential with the coming of the Police and Crime Commissioners.

They noted that officers were still looking to members to supply ideas for topics to be explored for future meetings and possible venues this Panel could be held at. Councillor Mrs Smith noted that there had been a rise in domestic abuse and perhaps this should be looked by the Panel.

3. With the demise of the Highways Panel it was noted that this topic would not be coming to this Panel, as it lay with the County Council.

Work Programme

The Panel noted that most of the six monthly reports referred to on the work programme were being considered at this meeting. They noted that:

- Item 2(d), progress towards appointment of a PCC a report by Essex Police on the future policing arrangements for Essex would be going to the September meeting of the main Overview and Scrutiny Committee;
- Councillor Spencer asked for an updating report on improving recycling in flats and houses of multiple occupation. This was agreed, and a report will be brought to a future meeting;
- They were disappointed that the promised notes of the Bobbingworth Nature Reserve (former Landfill site) Liaison Group meeting in March were not available on the agenda. Officers promised that this would go to the next meeting; and
- Councillor Spencer would also like a report on the use of Solar Panels on council owned properties. They Panel noted that there was a trial being carried out at present and Mr Pledger would be the officer to contact about this.

5. SAFER CLEANER GREENER ACTION PLAN - FIRST QUARTER PROGRESS

The Assistant Director, Environment and Street Scene, Jim Nolan, introduced the first quarter progress on the Safer Cleaner Greener action plan. He noted that the Crucial Crew event had just finished, having just over 1200 year 6 students attending. The High Sheriff of Essex who had attended the event had been very impressed with the day and the children and had written to the council complementing them on this event.

Councillor Knight asked if officers could work with younger pupils, say year 4, to educate them in such things as waste and recycling. It was noted that the Council's waste team already visited primary schools and gave appropriate talks on waste and recycling.

The Council had scored a significant success with the vulnerable victim's visits, give out reassurance and valuable advice to victims of crime in the district. A 'lift and lock' campaign was presently in operation to warn householders to lock their doors properly last thing at night. There were also officers who visited homes under the 'safe and sound' initiative to give talks to the public, and there had been very good feedback on this scheme.

The Panel noted that the separate sheets updating the Council's draft climate change strategy and the local biodiversity action plan had not been included in the agenda. They have now been attached to these minutes or information.

RESOLVED:

That the first quarter update of the Safer Cleaner Greener Action Plan be noted.

6. CCTV ACTION PLAN - UPDATING REPORT

The Assistant Director, Environment and Street Scene, Jim Nolan, introduced the progress made against the Action Plan associated to the CCTV Strategy. The action plan should be reviewed every six months. It should be noted that excellent progress had been made against the tasks and target dates. There was no intention to amend the core strategy document at this time.

The Action Plan's "When" column should have stated that it was measuring from February 2010.

The Panel noted that:

- At Roundhills, Waltham Abbey, the system that was housed in a shop in Waltham Abbey, and was therefore not accessible 24/7, has now been moved and re-housed in a readily accessible locked cupboard. The system has also had two cameras added;
- Officers were awaiting agreement with Epping Forest College to mount a camera on their tower;
- Epping High Street, subject to budget cuts, will have two ornate camera columns installed – key areas identified for these are by Costa Coffee and by Marks and Spencer and Greggs. These will be wireless and future proofed;
- The Pyrles Lane upgrade (designing out crime) was now completed;
- An Automatic Number Plate Recognition Camera (not linked into the national computer database) had been installed at North Weald Airfield in an attempt to stop tailgating and the Wheeled Bin compound is now covered by CCTV;
- Limes Farm Community Hall ongoing work being done.
- The Safer Communities Team have also got six re-deployable cameras, all of which have been deployed. All systems are now fit for purpose.

Councillor Spencer asked if notices saying CCTV could be put up where there are no cameras installed. He was told that the Council would be leaving itself open to being sued if it did this. Officers did not advocate the use of dummy cameras or signs.

Councillor Breare-Hall asked what sort response had there been from residents to the use of CCTV in the district. He was told that there had been no response from the residents. However, the Council had a partnership analyst who worked out where the CCTV cameras needed to go and the ramifications of these placements. They would not be put in unless there was a need for them. A survey of the public concerns was about to be launched and officers would use the results to weigh their priority selection in the future.

Councillor Smith added that they were always taking the opportunity to upgrade the CCTV systems to digital, and therefore, evidential quality, which got a lot of positive feedback from the police.

RESOLVED:

That the progress against the adopted CCTV Action Plan be noted.

7. GREEN AND CARBON REDUCTION MEASURES - UPDATING REPORT

The Director for Planning and Economic Development, John Preston, introduced the updating report on the Council's Green and Carbon Reduction Measures. He noted that the Environmental Co-ordinator was manually collating data from the last three years' records from the casual and essential car millage, the lease car mileage, the litres of fuel purchased from fuel cards for fleet vehicles and machinery and the electricity and gas use in Council operational buildings. This data is then fed into a calculator tool provided by the Department of Energy and Climate Change to obtain carbon emissions in kilograms. Once the emissions for the Council's baseline year (2008-2009) had been calculated and compared with emissions from the following years, a more accurate pattern of carbon emissions would be known than is currently available. The data will also form a firm basis from which to make informed and realistic decisions about future CO₂ reduction targets from the Council's operations.

The Panel noted that:

- The refurbishment of the Condor building had resulted in some heating savings;
- The smarter driving programme, which our fleet drivers have taken part in had two further rounds for other officers, which was helping reduce fuel consumption. This course was not mandatory but strongly encouraged;
- There was a lot of work to do to get the Council started including a need to challenge people to take on this new strategy; and
- However the database needed to be developed to show us where to go from here.

Councillor Breare-Hall said that a cost benefits analysis was needed on the virtue of paying for driver tuition and savings made in fuel consumption.

RESOLVED:

That the work of the Environmental Co-ordinator be noted.

8. MINUTES OF THE WASTE MANAGEMENT PARTNERSHIP BOARD AND THE CORPORATE WORKING PARTY

The Panel received two sets of minutes from recent Waste Management Partnership Board meetings, from their 20th October 2010, 12 January 2011and 6 April 2011 meetings. They also received the minutes from Green Corporate Working Party from their 29 March 2011 and 26 April 2011 meetings.

The Panel were concerned that some of the minutes went back some time and would like them nearer the time they were published, as the older they were the less worthwhile they were.

The Panel noted that:

- Other sites had been looked at for the depot relocation from Langston Road;
- Officers were unsure if recycling sacks had now been delivered to local Village Halls;
- Although there would be room at the Oakwood Hill facility for the cleansing vehicles it may be that transport would have to be provided for staff from North Weald, but this was still unclear at present.

Councillor Stallan would like the relevant Portfolio Holder to comment on:

- Any alternative options to share Harlow's depot and why was these not presented to the Cabinet;
- What are the 'Political obstacles' referred to under the item on depot relocation; and
- What was the current situation on this?

RESOLVED:

That the minutes of the Waste Management Partnership Board and the Corporate Working Party be noted.

9. ESSEX WASTE INTER AUTHORITY AGREEMENT - DRAFT MINUTES

The Panel noted that the government was trying to make it easier for businesses to recycle their waste. They also considered the probable increase in fly-tipping once the Civic Amenity site opening times are reduced and to perhaps have the CCTV and rapid response unit ready to go into action.

RESOLVED:

That the minutes of the Essex Waste Inter Authority Member Working Group be noted.

10. SAFER CLEANER GREENER ENFORCEMENT ACTIVITIES

The Panel noted the updating report on the Safer Cleaner Greener enforcement activities for the six month period ending 31 March 2011.

Councillor Breare-Hall noted that Council land had seen the second largest amount of fly-tipping incidents and he wondered if there was anything that the Council could do about this. He was told that officers were starting a campaign on this problem. A lot of it was that people were being lazy. It may be that the Council would put more bins out, the more bins the more likely they were to be used. This campaign was just starting up and would last into the autumn.

The Panel noted that:

- There were 729 recorded incidents of fly-tipping;
- 4 prosecutions for fly tipping had been concluded during this period;
- There were 8 noise abatement notices served; and
- 6 Fixed Penalty Notices (FPN) were issued, 1 had not been paid and the offender had been taken to court and fined.

RESOLVED:

That the Safer Cleaner Greener Strategy Enforcement Activities for the period 01 October 2010 to 31 March 2011 be noted.

11. FOOD STANDARDS AGENCY AUDIT

The Panel noted that the Food Standards Agency had not written to the Council as yet in their follow up to their visit to our offices. They had sent a preliminary email saying they were satisfied that all standards had been met and that some of our

areas were considered as examples of best practice. The Panel asked that this letter be put in the Council Bulletin when available.

Officers were also introducing the "scores on doors" system and had received £12k to implement this.

RESOLVED:

That the letter from the Foods Standards Agency be put in the Council Bulletin on receipt.

12. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

Agenda <u>Item No</u>	Subject	Exempt Information Paragraph Number
11	Strategic Intelligence Assessment	7

13. STRATEGIC INTELLIGENCE ASSESSMENT - REFRESH

Paul Gardener, the Safer Communities Officer, took the Panel through six month refresh of the annual Strategic Intelligence Assessment (SIA). By law the SIA has to be 'refreshed' annually; the statistical period would be from 1 October to 30 September each year. This six month 'refresh' period was from 1 October to 30 April and was taken to capture any emerging problems.

The SIA identifies the key crime and disorder priorities based on available data from relevant partner organisations. The assessment identifies the top 5 or 6 priorities, using a priority selection matrix, which are then subject to further, in depth analysis which looks at the problem triangle of Offender, Location and Victim. From this analysis is produced a partnership plan with specific actions to address the identified priorities.

University College London has said that is an extremely good way of to carry out this type of analysis and the partnership has managed to procure a very good analysis, who is working for several local authorities, using restricted police data. It had been noted that the year on year priorities are burglary, domestic abuse, auto crime and anti-social behaviour with an emerging trend of shoplifting. These will be targeted by specific operations.

Currently the partnership is performing quite well, with crime down by 7% and Anti Social Behaviour down by 6.3%, unfortunately Domestic Abuse was slightly up. Taken as an overall figure there has been a 3.6% reduction which is better than last year.

The Strategic Assessment is being developed over a three year period with the main assessment being prepared at the beginning and then updated for the proceeding years.

The Panel noted that until recently the Council had funded a cross border officer, now he has gone there was a need to keep hold and develop that cross border work but without the officer in post. He had produced a closing report and a draft of this came to this meeting which resulted in an action plan.

RESOLVED:

That the six month 'refresh' of the Epping Forest Safer Communities Partnership Strategic Intelligence Assessment be noted.

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

There were no particular items to be submitted to the next Overview and Scrutiny Committee meeting.

15. FUTURE MEETINGS

The dates of future meetings of the Panel were noted.

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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.

Work from The Leisure Task and Finish Panel:

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

Chairman: Cllr. Mrs Sartin

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Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12 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) To put data to the January '12 meeting. meeting cancelled; yearly report meetina Extra-Ordinary (b) To January 2012 Meeting 17 October (b) Half yearly report on Strategy (b) To put data to the January '12 meeting Action Plan meeting 2011; 10 January 2012; 21 February 2012; (c) Agree action plan for 2012/13 (c) To January 2012 (c) To put data to the January '12 meeting. 10 April 2012 meetina Crime & Disorder Community Safety Scrutiny meetings -(2) The 2 meeting (a) To January 2012 (a) Data to the January '12 meeting dates are October (a) CCTV action plan - half yearly 2011 and February meetings report 2012 (b) Receive reports from (b) To January 2012 (b) Report to be considered at January 12 meeting. Community Safety Scrutiny and April 2012 meeting meetings (c) To January 2012 (c) Data to the January '12 meeting (c) Progress against strategic meetings assessment (d) Awaiting outcome of House of Lords (d) Progress towards appointment (d) To report when of Police and Crime Commissioner. information available amendments and referral back to the Commons. (e) Monitoring of Police resources (e) To report when (e) Data not yet available. relative to the Olympic Games information available

Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12 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). A meeting is likely to be held in November 2011. Member Partnership Board minutes when available. (b) Receive notes/minutes of Inter (b) To receive notes / (b). Draft notes (unapproved) of meeting held on 7 **Authority Member Group** minutes when June 2011 submitted to 17 October Panel meeting. available. (4) Waste Management Partnership Board (a) Receive minutes of Partnership (a) To receive notes / (a). Draft notes of meeting (attached) held on 16 minutes when available **Board** June 2011 (5) Green and Carbon Reduction Measures (a) January 2012 (a) Nottingham Declaration (a) Last went to the July 2011 meeting Progress against pledges – half yearly reports (b) Carbon Reduction Strategy (b) January 2012 (a) Last went to the July 2011 meeting update

Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Mrs M Sartin) Work Programme 2011-12 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) Receive notes/minutes of (b) To January 2012 (b) Draft notes of meeting (attached) held on 25 May management/liaison group meeting 2011. (7) Ad hoc report asked for on **TBA** improving recycling in flats and houses of multiple occupation. (8) Ad hoc report asked for on the **TBA** Currently subject to a review by Price Waterhouse use of Solar Panels on Council Coopers as part of income generation assessment Owned properties. Extra-Ordinary Panel meeting to discuss the Environment Agency consultation on the Roding (9) Roding River Catchment 17 October 2011 River, previously discussed by the Planning Services **Environment Agency Consultation** Scrutiny Standing Panel in September.

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Report to Safer, Cleaner, Greener Scrutiny Standing Panel

Date of meeting: 17th October 2011

Portfolio: Environment/Planning and Technology

Subject: Environment Agency Consultation on Managing Flood Risk in the Roding Catchment

Officer contact for further information: Ben Meuli (01992 564048)/Qasim Durrani (01992 564055)

Committee Secretary: Adrian Hendry (01992 564246)



Recommendations/Decisions Required:

- (1) To note the attached previous report presented to the Planning Services Scrutiny Standing Panel on 13th September 2011;
- (2) To note the outcome of the discussions with the Environment Agency as per Recommendation 2 of the 13th September 2011 report;
- (3) To affirm the Council's objection to the proposed strategy due to the potentially detrimental effects, in terms of flood risk, on:
 - the residents of Epping Forest adjacent to the floodplain;
 - individual properties and areas of land, including land owned by the Council; and
 - ordinary watercourses within the district;
- (4) To agree the attached formal response to the Environment Agency consultation;
- (5) To agree that a copy of the formal response is made available to the affected town and parish councils listed in paragraph 1 of the 13th September 2011 report;
- (6) To note that a further report will be submitted once the strategy is in place and the wider implications are known to the Council.

Report:

- 1. Please refer to the previous report on this subject submitted to the Planning Services Scrutiny Standing Panel on 13th September 2011, which is attached to this report. The previous report outlines the Environment Agency's (EA) proposals and details our initial concerns about the strategy which will not be repeated in this report **(recommendation 1)**.
- 2. Since the writing of the previous report officers have met with the EA to discuss the proposals and the Council's concerns in further detail, including the concerns raised by Members at the 13th September 2011 meeting. The EA has been able to answer some of the questions and it is now felt that there is sufficient information to enable a formal response to be submitted.
- 3. This report will summarise the outcome of the discussions and set out the basis for

the Council's formal objection to the proposals, for approval by this Panel. Also attached to this report, for this Panel's approval, is the Council's formal response to the consultation.

Summary of discussions with EA (recommendation 2)

- 4. A main concern of the Council is the increased flood risk to specific residents in or near the floodplain from the proposals. This is an acknowledged negative impact from the proposals and affects 15 properties within the district. Our discussions with the EA have shown that this concern remains, however the EA has indicated that the flood risk to these specific properties is less significant than initially modelled. The EA will definitely not be able to provide any financial assistance to these affected properties but will work closely with the owners to bid for any potential funding if the property meets the relevant criteria and will assist them during the transition to the proposed strategy.
- 5. Another concern was the increase in flood zone extents and the impact this might have on future development. Our discussions have shown that this will have less impact than initially considered and that the flood zones will not extend much further from the river than they currently do. In certain areas there may be a slight extension to the highest risk flood zone (flood zone 3) but this appears to be measured only in meters or tens of metres and should not have a significant impact on future development. Given the current information officers are now satisfied that this is not a major concern in the medium term.
- 6. Officers were always particularly concerned about the impact the proposals will have on the ordinary watercourses that flow into the River Roding. In most cases the EA has not taken this into account in their modelling or assessment and therefore this remains a valid concern. It is worth noting again that Loughton Brook and Cripsey Brook (and the ordinary watercourses the flow into them) will not be affected by the proposals and will continue to be maintained as they are currently. For other potentially affected ordinary watercourses they may be subject to increased flood risk. This could lead to resourcing impacts on the Council in terms of both financial and personnel as we are the authority responsible for overseeing ordinary watercourses. It may also mean that additional monitoring and enforcement will be required to be carried out by the Council.
- 7. Increased maintenance for riparian owners alongside the River Roding and its tributaries will remain a consequence of the proposal. Our discussions with the EA have shown that the maintenance currently carried out by the EA is significantly less than the public perception and little routine maintenance has been undertaken on the River Roding in recent years above the M25. The point still stands that there will be a greater responsibility and additional cost to the private property owner to look after their stretch of the Roding, once the EA withdraws their consideration of any maintenance.
- 8. The above point also applies to the two mile stretch of the Roding that is owned by the Council along the Roding Valley Recreation Area. Any future maintenance of the river or erosion control will become the sole responsibility of EFDC (where the Council is riparian owner). For greater than 1 in 50 year flood events the proposals should have a positive benefit in that area by reducing flood risk. The reduced flood risk is due to the Shonks Mill Flood Storage Area (FSA) holding back flood flows for large events and the slowing down of water upstream (from the lack of maintenance) also reduces flood risk on the river below the M25.
- 9. The proposed Shonks Mill FSA is a major element of the overall strategy but we have been advised that the EA has not yet secured the funding for this to proceed. The EA is unable to solely fund the entire project and will be actively seeking funds from those who will benefit from the scheme. The EA has been in contact with the landowners within the footprint area. The EA indicated that as the embankment will be built to the required standards it is not likely to fail and has stated that the three properties immediately downstream of the embankment will not be at a greater flood risk. Lorry movements and visual impacts are not

known at this stage as detailed design has not been completed but the EA has stated that affected parties will be fully consulted.

EFDC's objection to the proposals (recommendation 3)

- 10. After discussions with the EA it is evident that the proposals will still have negative impacts on the district. Officers recommend that the Panel objects to the EA proposals due to the potentially detrimental effects, in terms of flood risk on:
 - the residents of Epping Forest adjacent to the floodplain;
 - individual properties and areas of land, including land owned by the Council; and
 - ordinary watercourses within the district.
- 11. A draft formal response to the consultation is attached to this report for approval by the Panel **(recommendation 4)**. The draft response outlines the Council's objection and recommendations should the strategy proceed. It is recommended that this response is copied to the affected town and parish councils for their information **(recommendation 5)**.
- 12. Should the EA strategy be approved and implemented it is likely that there will be resourcing implications for the Council. It is suggested that once the strategy is fully implemented or when these impacts are better understood a further report will be submitted dealing with resourcing impacts on the Council (recommendation 6).

Reason for decision:

Whilst the Council understands the need for sensible flood risk management, parts of the EA's proposed strategy have potentially adverse consequences for areas of the district, and it is therefore important that the Council responds expressing its concerns.

Options considered and rejected:

- (a) Given the EA has carried out cost benefit analysis and its proposals are seen to benefit the majority of the catchment's public, the Council could support the proposals. As parts of the strategy will have a detrimental effect on some residents and areas of the district it is not considered to be in the best interests of the Council and its residents to fully support the consultations recommended approach.
- (b) Not to respond to the consultation would result in the views of the Council not being incorporated into the decision on the implementation of the strategy.

Consultation undertaken:

None by the Council. The EA has undertaken various internal consultations, and with relevant councils and agencies, and with members of the public who could be directly affected by the proposals.

Resource implications:

Budget provision: Currently none – but as the Council is a riparian owner there would be a resource implication in the future if increased maintenance and work is required on the River Roding/ordinary watercourses.

Personnel: Currently none – but there could be a resource implication in the future if increased inspection and enforcement is required on any ordinary watercourse that may be impacted by the proposals.

Land: Has the potential to affect land owned by the Council.

Business Continuity and Corporate Emergency Plan reference:

If the strategy results in an increase in flood risk to some properties, then should a flooding event arise there could be additional pressure placed upon the Council to assist residents, through for example, the provision of sand bags, the Council's emergency response team or related support/advice.

Relevant statutory powers:

Land Drainage Acts
Planning and Compulsory Purchase Act 2004
Flood and Water Management Act 2010

Background papers:

13th September 2011 report to Planning Services Scrutiny Standing Panel The EA's:

River Roding Flood Risk Management Strategy Strategic Environmental Assessment – Environmental Report October 2006;

River Roding Flood Risk Management Strategy Strategic Environmental Assessment – Environmental Report Addendum June 2011; and Managing Flood Risk Consultation July 2011.

Environmental/Human Rights Act/Crime and Disorder Act Implications: None

Key Decision reference: (if required) Yes

Date: 06 October 2011

River Roding Strategy Consultation Environment Agency Swift House Frimley Business Park GU16 7SQ

> Mr John Gilbert jgilbert@eppingforestdc.gov.uk 01992 564062 Customer Services: 01992 564608

Dear Sir or Madam

River Roding Strategy Consultation – formal response from Epping Forest District Council

I refer to the letter from Ben Meuli dated 20th September 2011 with regard to additional time required to submit our formal response, as agreed with the Environment Agency (EA). Please accept this letter as our formal response to your River Roding Strategy Consultation.

Firstly, I would like to thank you for accepting our formal response after the closing date of the consultation of 26th September 2011. I would also like to thank your staff who met with our officers on three occasions, including attending the Planning Services Scrutiny Standing Panel, and provided us with more detailed information than was available in the consultation documents.

Epping Forest District Council (EFDC) understands the financial constraints being placed upon the EA and the need for realistic, sustainable flood risk management. However, having reviewed the available information and the potential impacts of the strategy, EFDC wishes to formally state its objection to the proposed strategy.

Our objection relates to the proposed changes to the river maintenance regime (the cessation of all maintenance activities) and the local impacts of the proposed Shonks Mill flood storage area as we believe these will have a detrimental effect on residents and land within Epping Forest district. However we understand and support the need for a flood storage area in the upper catchment of the Roding.

Our objection is based on the following principle reasons:

- 1. Flood risk will increase at certain properties and open land within the District;
- 2. There will be a greater duty on riparian owners to maintain the river at their cost, than is currently the case;
- 3. The impacts on ordinary watercourses are not known and there may be an increase in flood risk related to ordinary watercourses; and
- 4. There may be financial and staffing implications for EFDC in the future, such as increased inspections and emergency response and riparian ownership responsibilities.

Should the proposals go ahead then EFDC would want to see the following:

1. A review of the strategy within five years, or sooner if needed given real flooding events, to ensure the predicted effects are as expected and if any flooding has occurred it matches the

- modelled predictions. Should the outcomes of the proposed strategy not be as the EA has predicted and the flood risk is greater than anticipated then the EA should look to restore an appropriate river maintenance regime.
- 2. That the EA works with the affected properties and riparian owners as far as practicable to help them adapt to the new situation. We understand this cannot be direct financial assistance from the EA but the EA can assist with preparing funding applications.
- 3. That the EA works with EFDC as riparian owner of a large stretch of the river and utilises the local knowledge and assistance that EFDC can provide over the district as a whole.

I trust that you understand our objection to the strategy and understand that we do not wish to jeopardise the close working relationship that has been built up over many years between EFDC officers and EA staff.

Yours faithfully,

John Gilbert
Director of Environment and Street Scene

Appendix 1

Report to Planning Services Scrutiny Standing Panel

Date of meeting: 13th September 2011

Portfolio: Planning and Technology/Environment



Subject: Environment Agency Consultation on Managing Flood Risk in the Roding Catchment

Officer contact for further information: Ian White (01992 56 4066)/Sue Stranders (01992 56 4197)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

- (1) That the Council objects to the proposed flood risk strategy as there is insufficient detail to show and assess the short and longer term potentially detrimental effects, in terms of flood risk, on:
 - the residents of Epping Forest adjacent to the floodplain;
 - individual properties and areas of land, including land owned by the council;
 - flood zones and hence future development opportunities; and
 - ordinary watercourses within the district;
- (2) Depending on the outcome of discussions with the Environment Agency, that a further report be presented to the Planning Services Scrutiny Standing Panel and the Safer, Cleaner Greener Panel;
- (3) That a copy of the Panel's recommendations is made available to the town and parish councils listed in paragraph 1 of this report;
- (4) That consideration be given to including within the Council's response to the Environment Agency a request that urgent consideration to compensating and giving assistance to those householders who will be more at risk of flooding as a result of the Agency's proposals; and
- (5) That the procedure agreed at Overview and Scrutiny Committee on 24th January 2011 (minute 70) is used to ensure that the Panel's recommendations meet the consultation deadline.

Report:

Environment Agency (EA) proposals

1. The following parishes may be affected by the EA proposals on managing flood risk in the Roding catchment – Abbess, Beauchamp and Berners Roding; Buckhurst Hill; Chigwell; Fyfield; High Ongar; Lambourne; Loughton; Ongar; Stapleford Abbotts; Stanford Rivers;

Stapleford Tawney; Theydon Bois; Theydon Garnon; Theydon Mount; and Willingale.

- 2. The consultation runs from July to 26 September 2011, and the EA is seeking opinion on its recommendations for managing flood risk in the Roding catchment. This includes Cripsey and Loughton Brooks, both of which feed into the River Roding. An officer from the EA will attend the Scrutiny Panel meeting to answer any questions which Members may raise. A Strategic Environmental Assessment (SEA) of the management strategy was published in October 2006, and an Environmental Report Addendum followed in June 2011. A short questionnaire has also been published, but this is primarily aimed at residents or owners of other properties which are at flood risk in the catchment.
- 3. Flooding is a natural process that cannot be entirely controlled or prevented. Climate change, urban development and decisions on managing risk all affect the likelihood and consequences of flooding. The Roding catchment has a long history of flooding events have been recorded since 1926, with the most recent being in 2000 when more than 300 properties in the Woodford area were affected. The river rises at Molehill Green east of Stansted Airport and runs through Uttlesford and Epping Forest districts, and the London Boroughs of Redbridge, Newham and Barking, before discharging into the Thames at Barking Creek. More than 2,000 residential and commercial properties are potentially at risk in the southern part of the catchment (including the Buckhurst Hill/Loughton area). The upper part of the catchment is very rural and the natural floodplain copes well with flood water following heavy rainfall, although there are a few properties at high risk of flooding, some of which are in this district.
- 4. The EA is recommending three proposals, which, in combination, will improve protection of up to 1,000 properties, mainly in the Buckhurst Hill/Loughton/Woodford stretch of the catchment. The downside, from this Council's point of view, is that 15 properties in the district will be at greater risk of flooding (see para 6 below). It is important to note that the EA justifies the increase in flood risk to the properties in this district for two reasons. Firstly, the financial cost of continuing maintenance of the river is greater than repairing the damage that could be caused by flooding. Secondly, slowing the water down in the upper reaches of the catchment reduces the risk of flooding to properties in the lower catchment, so a small number of properties are negatively affected to benefit the majority.
- 5. The first two of the proposals have direct relevance for the district:
 - (i) making changes to river management and maintenance activities this includes withdrawing all maintenance of the Roding from its entry into the district at Berners Roding to its exit into the LB Redbridge at Buckhurst Hill ie allowing nature to take its course. The EA contends that the costs of continued maintenance outweigh the value of protection and the financial benefit provided. This does not apply to the Loughton and Cripsey Brooks where the proposal is to maintain the river channel and flood defences to the current standard of protection;
 - (ii) creating a large flood storage area (FSA) near Shonks Mill (south-west of Ongar) by 2020 it would be large enough to deal with a 1 in 200 year flood event. This would involve constructing an earth embankment approximately 700 m long across the floodplain adjacent to Shonks Mill Road. The average height would be 2.5m and the maximum height would be 3.75m. The EA hopes that material to build the embankment (30,200 cubic metres) can be sourced from excavation works for surface runoff areas in Woodford. This implies that there would be lorry movements along the A113 through Chigwell, Abridge and Passingford Bridge to the Shonks Mill area, acknowledged as "increased volume of traffic including heavy vehicles on local roads" in the SEA Addendum Report. The FSA would operate like the Council owned one at Church Lane, North Weald, ie it would only flood during extreme rainfall events, and would remain in its current use (farmland) at all other times; and

- (iii) improving surface water management at Woodford all works would take place in Redbridge.
- 6. The EA states that some properties in the rural parts of the catchment, including the Cripsey and Loughton Brooks and the majority of properties on the Roding north of Abridge, will experience little change in flood risk. A small number of properties, especially in the northern part of the catchment, will remain at high risk of flooding. There are 15 properties in the district that will face an increased risk of flooding due to the termination of maintenance. Three are in the Passingford Bridge area, eleven around Fyfield and one at Birds Green. The EA has notified the owners of all these properties and states that it will work with them to identify ways of reducing or managing the risk. This includes flood resistance measures (eg defences) and flood resilience measures to reduce damage caused, making it easier to recover. The EA hopes that some property or land owners may wish to take on responsibility for maintaining local flood defences themselves. Officers believe that the EA should be encouraged to make appropriate financial contributions to help the owners affected by the reduction in maintenance of the river.

<u>Issues</u>

- 7. The SEA Addendum report acknowledges that withdrawal of all maintenance and repairs will lead to, inter alia, dilapidation and eventual failure of defence structures. Over time, this would lead to increased risk to life and damage to a limited number of properties in times of extreme flood events.
- 8. The creation of the FSA at Shonks Mill raises issues of visual and noise impact during construction and permanent change to the landscape character of the area. It would be helpful to know for certain what route construction lorries will be taking and an estimate of the likely number of such movements needed to transport material from Woodford. There are three properties immediately downstream of the proposed FSA and therefore their flood risk status will change due to the proximity of the FSA.
- 9. Whilst the EA has identified 15 properties within the district that will be at increased flood risk, it has not identified areas of open land where there may also be an increased risk. These open land increases may be minor, but they could alter the boundaries of the EA's Flood Zones and the Flood Risk Assessment Zones as shown in the Local Plan Alterations (2006). This in turn could mean that some development proposals will be located in higher flood risk zones than is the case at present. In particular, this could impact upon Ongar and adversely affect its potential for future development, significantly reducing spatial options in the district. The extent of any changes to the flood zones has not been specified by the EA although it is understood that they have undertaken hydraulic modelling to determine this. Greater areas of the catchment will be at risk from flood events, making it even more important that future development is excluded from the floodplain. It is not clear if the EA has considered this potential impact on future development schemes.
- 10. It is also not clear if the EA has identified the risk that the 'do nothing' option will have on the ordinary watercourse network that discharges into the River Roding (a main river). For any drainage network to function effectively it must be free of obstructions along its length and at its discharge point. By terminating maintenance on the river, vegetation along its banks will gradually increase and silt will build up. This will eventually lead to the discharge point of an ordinary watercourse being blocked up and to localised flooding at some point along the ordinary watercourse. The EA is responsible for main rivers and local authorities for ordinary watercourses. The 'do nothing' option is likely to result in an increase in the Council's monitoring and enforcement activities as well as an increase in responsibility as a riparian owner.
- 11. The EA currently undertakes routine and unscheduled maintenance on the River Roding including weed cutting, tree and bush management and desilting. Whilst the EA is not

the riparian owner of land either side of the river and is not legally responsible for maintenance, it has undertaken this in the past as the authority responsible for managing main rivers and as the national body for managing flood risk with funding for such works. When the EA withdraws this maintenance the responsibility will again fall to the riparian landowner adjacent to the river. Riparian owners will be responsible for monitoring the riverbank condition, arranging and paying for contractors, or completing the work themselves. This will place additional burdens on riparian owners, although they are legally responsible for maintenance.

- 12. The Council is riparian owner for approximately two miles of river along the Roding Valley Recreation Area between Debden and Buckhurst Hill. As the River Roding is classified as a Main River, the EA is the managing authority responsible for enforcement and authorising works on the river. The Council has always been the riparian owner and as such holds a responsibility for maintaining the riverbanks. However, the Council has benefited in the past from ad-hoc maintenance work and assistance by the EA and as such there has been no clear definition of who holds the ultimate responsibility for certain aspects of maintenance in that area, eg erosion control works. Officers understand that the EA would always insist that the Council (as riparian owner) is ultimately responsible.
- 13. Should ordinary watercourses become blocked at their confluence with the river, the Council as riparian owner would be responsible for funding and clearing the blockages along this two-mile stretch. An increase in surface water flooding from blocked ordinary watercourses in the recreational area would be a greater nuisance to the Council and the public who use the park. With all maintenance assistance from the EA terminated there would be over time be an increased cost to the Council for maintaining this stretch of the river. This will include the areas currently affected by erosion and any potential erosion mitigation.
- 14. The Roding Valley Recreational Area often suffers from flooding due to overtopping of the banks of the Roding. This is simply because the recreational area lies within the flood plain of the river. It is difficult to determine what effects the EA's proposals might have on fluvial (river) flooding in this area although it is possible that the area will see a decreased risk of such flooding due to the benefit of the Shonks Mill FSA upstream although this may not be constructed until 2020.
- 15. The Council also own properties (mostly housing stock) in close proximity to the river at various locations along its length, which could be at greater risk of surface water flooding from blocked watercourses.

Funding

- 16. The EA states: 'We have limited amounts of public money available to create flood risk management schemes across the country. So there is always competition for financial support. There are no guarantees about how much funding will be available and over what timescale. We have already allocated some funding from our flood defence budgets to pay towards the Shonks Mill Flood Storage Area. However, we will require further contributions from private, public and voluntary organisations and communities who will most benefit most from our work'.
- 17. The EA itself will carry out some of the recommendations immediately, in particular where it is planning to vary the maintenance activities along the river. However, in line with the above, the Agency will need to work in partnership to complete some of the other measures including the flood storage area at Shonks Mill. It could therefore be many years before the structures are completed. In areas where properties are at risk of flooding the EA considers that appropriate flood resistance measures could form 'part of community schemes'.

Conclusion

- 18. The SEA is a complex document but there is a lack of specific detail and clarity with regard to the potential effects the proposals may have. The consultation has therefore raised more questions than answers about managing flood risk in the Roding catchment. Given the lack of detail, the fact that the proposals include the termination of routine and unscheduled maintenance along the river which will increase flood risk within the district, officers believe that the Council should object to the recommended approach. (recommendation 1)
- 19. Officers have been trying to gather the additional information but that which has been received to date does not answer all the outstanding concerns. In order to facilitate the process it is recommended that delegated authority be given to the Directors of Environment and Street Scene and of Planning and Economic Development to enter into detailed discussions with the Environment Agency. (recommendation 2)
- 20. A further report should be presented to the appropriate panels once the EA has responded to the Council's concerns and when further details may be available. (recommendation 3)

Reason for decision:

The EA's proposed strategy has potentially adverse consequences for areas of the district, and it is therefore important that the Council responds expressing its concerns. The information contained within the EA's documents is not detailed enough to allow assessment of all the potential consequences if the recommended approach is implemented.

Options considered and rejected:

- (a) Given the EA has carried out cost benefit analysis and the recommended approach is seen to benefit the majority of the catchment's public, the Council could support the proposals. But the strategy will have a detrimental effect on some residents and parts of the district. There are also too many 'unknowns' with regard to short and longer-term flood risks, so it is not considered to be in the best interests of the Council and its residents to support the recommended approach.
- (b) Not to respond to the consultation.

Consultation undertaken: None by the Council

The EA has undertaken various internal consultations, and with relevant councils and agencies, and with members of the public who could be directly affected by the proposals.

Resource implications:

Budget provision: Currently none – but as the Council is a riparian owner there would be a resource implication in the future if increased maintenance and work is required on the River Roding/ordinary watercourses.

Personnel: Currently none – but there could be a resource implication in the future if increased inspection and enforcement is required on any ordinary watercourse that may be impacted by the proposals.

Land: Has the potential to affect land owned by the council.

Business Continuity and Corporate Emergency Plan reference:

If additional properties at risk of flooding, then should a flooding event arise there could be additional pressure placed upon the Council to assist residents, through for example, the provision of sand bags or related support/advice.

Relevant statutory powers:

Land Drainage Acts
Planning and Compulsory Purchase Act 2004
Flood and Water Management Act 2010

Background papers: The EA's:

River Roding Flood Risk Management Strategy Strategic Environmental Assessment – Environmental Report October 2006;

River Roding Flood Risk Management Strategy Strategic Environmental Assessment – Environmental Report Addendum June 2011; and Managing Flood Risk Consultation July 2011.

Environmental/Human Rights Act/Crime and Disorder Act Implications: None

Key Decision reference: (if required) Yes

WASTE MANAGEMENT PARTNERSHIP BOARD MINUTES

Date of Meeting: 16 June 2011

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)
David Marsh, Waste & Recycling Manager (DM
Steve Holgate, SITA UK (SH)
Paul Madden (PM)
Vlad Velikoselskis - SITA UK (V V)

Stella Forster (Minutes)

Ex-officio: Qasim Durrani, Assistant Director, Technical (QD)

		Action
1.	Introduction of new Council Members and Chairman	
2.	Apologies for Absence - None	
3.	Declarations of Interest - None	
4.	Draft minutes of the meeting held on 6 June 2011 - Agreed	
5.	Matters arising - None	
6.	Review of current contract performance (operational & financial) For the benefit of the new Members SH gave a brief outline of what is featured in the statistical report that SITA prepare for WMPB meetings. JK was impressed with the clarity of the content and layout of the report, and SH informed him that it can easily be presented differently or new information added if required. SH: P3 Waste flows - recycling is running at 62.6%. This will be a slightly higher figure than that collated by EFDC. It will be difficult to improve on that number, although capture rates could be increased by a thorough education programme for residents. There is also still some opportunity to step up collections from flats,	
	DM: The schemes in place for households are available to flats if required but every flat in the district must be assessed and agreements negotiated with managing agents or residents' associations. The number of collections from flats is constantly increasing, but there will always be some where there is no space to locate the bins, or where they are just not wanted. There is currently a programme to install larger, 1100L bins, with 360Ls for glass. However, as the plastic 1100Ls have been found to be too weak, the specifications have been changed and a procurement exercise is under way to acquire a more robust type, which can be refurbished if damaged. This has to be completed, with bins in place, by August.	
	JK asked if there could be a maximum recycling figure which, when reached, would not be worth attempting to better. DM to send him all available data relating to individual blocks, to determine how much mileage there is left in this exercise.	DM
	JG: County's figures for 2010/11 v 2009/10 showed that the overall weight of waste collected for Epping increased by 3.9%, and those for Rochford, another of	

SITA's contracts, by 3.1%. Despite this EFDC and Rochford are now the two highest performing recycling authorities in Essex. Harlow's total waste stream however decreased by 3.7%. Rochford, which has a similar demographic to Epping, is achieving a 65% recycling rate. SH stated that SITA have explored the possible reasons for this, and although Epping produces a higher volume of residual waste per household, the explanation is unclear. It could be that Rochford rolled out all their service changes at once, whereas Epping's were incremental. Residual bin sizes in Rochford are all 180L, although if more than 6 in the family a 240L is supplied - this larger size is given to families of 4 or more in Epping.

SH: P4 Profit Margins 2011 - Operating profit over the last 12 months is 10%, 5% after overheads. Over the whole contract there is now a 3% operating profit, with a negative 3% after overheads. Epping is a stable contract for SITA, revenue varies very little and costs are usually fairly static.

P5 Cost Summary - Fuel is an ever increasing percentage but otherwise the breakdown between wages etc. does not change by large amounts. SITA purchase fuel in bulk, and have noted that the price rises quickly when there is an increase, but is much slower to drop when it decreases.

P6 Cost Split - There is a £25k difference between April and May, again fuel mostly to blame for the increase. JK asked if there could be any movement on wages, or if the number of staff could be reduced. SH replied that although SITA were quite aggressive with their wage structure in the first few years, any further harsh changes would result in loss of staff. The optimum number of operatives is a driver and two loaders, and this is unlikely to change unless new technology is introduced.

P7 Missed Bins - JK was impressed with the improvement in these figures. SH stated that the average standard was always 50 bins per 100,000, and May's figure of 21 is a good result. This does increase during the summer months, but this is related to the volume of green waste, and the use of agency workers. Epping residents appear to be understanding about the problems of collecting in bad weather and avoid reporting a missed bin, which may explain the drop in December. The figures shown on the graph do not represent the number of calls received, but are those which have been established as genuine complaints.

P8 Accidents & Injuries - staff are again being retrained as there is now a huge emphasis on health & safety within the organisation, and whilst the total number of accidents up until April were averaging 7-8 per month, there were only 3 recorded in May - only 1 slight personal injury and 2 minor RTAs.

P9 Cost Split Monthly - the breakdown of wages for the year has remained fairly static. The graph reflects catch up/overtime payments during the Christmas period. The increased figure for Lucy & Martin in January is due to a 3-month indexation payment.

V V provides a monthly statistical report for DM and his team and he gave a brief overview of the May return:

<u>People</u>: There were 45 supervisor H&S checks carried out to check that the correct procedures are being followed - the target is 1 per day. Sickness rates are good, 1% in May, 3% over the year to date. The report gives a brief description of the few accidents so far this year, none of which are recorded as resulting in lost time:

<u>Vehicles</u>: The supervisor also carried out 30 compliance checks during the month, and there was 100% vehicle availability (93% for the year to date). This is an excellent result and can only be achieved by having 3 spare vehicles available

for use if one is not considered roadworthy.

<u>Service</u>: No public complaints were received. 70 rectifications were sent by DM's team. If a street has not been cleansed on the correct day the crew must return and rectify within 24 hours. A success rate of 99.99% was recorded, with a £0 rectification value, and zero number of defaults.

<u>Operational statistics</u> Food & garden recyclable figures vary over the course of the year due to the lack of green waste over the winter period.

7. Contractual issues to include extension/retender of contract

JG: As discussed at a recent preliminary meeting with SH, the first 5 years of the contract comes to an end in Nov 2012, with an option to extend for 2 years. This provides an opportunity for both sides to review the contract to identify where improvements can be made. The contract is very different to when it was introduced, and with the Council now being obliged to find £1.3m savings for 2012/13 and a further £300k the year after, the waste management service is undergoing a review to see what savings may be derived from 2012 onwards.

JG will present a report to the joint MB/Cabinet meeting on 22 June, with the options for the future of the waste service being the main topic. The changes to the contract that would be necessary for an extension may breach EU procurement rules and Cabinet is to be asked if it is prepared to risk being challenged from another contractor. They will also be asked what approach they are likely to take with the methodology for collecting recyclables and what their view of shared services is expected to be. JG will make it clear that, based on current data, the contract is performing well across the board and the changes are not being proposed because SITA are under achieving.

SITA have already come forward with some proposals which would guarantee savings to the Council, which Members will be able to consider. A decision from them is required very quickly. JK gave his assurance that, as he would be the primary Portfolio Holder involved in the decision making process, a resolution would be reached before the September Cabinet. He stated that past experiences have made the Council generally risk averse, but when the occasion demands it some chances are worth taking. In his opinion, as the next 2 years will be a tough period for the Council, if a savings level can be agreed a continuation of the contract would not be discounted.

SH stated that SITA have been able to improve on the proposals already put forward and details will be sent within the next few days. This has been made possibly by the unique situation that exists at the moment with the high value of materials, e.g. paper, which was of little value 2 years ago but has just topped £100 per ton. The key factor affecting the price is trialling loads to the MRFs to ensure the mix is acceptable to them. If the Lucy & Martin contract was terminated and glass was commingled this would also be of some financial benefit to the Council.

Regarding risk, SH said it was worth noting that there have been no challenges to a contract extension since 1989. Even if EU procurement rules are broken if the Council makes changes to the original tender, it would not be cost effective for companies such as Veolia who pre-qualified for the contract to make a challenge and thereby put their own extensions at risk. One safeguard would be to 'advertise' the proposals, delay signing the contract for 3 months, and only go ahead if no challenges are received within that time. He offered the services of SITA's own lawyers to give advice on EU procurement law to the Council. JK replied that the 3 month suggestion was a good one, and legal advice would be welcome as it would strengthen his position when presenting the options to the Cabinet, and then to Council in due course.

8. Olympic Games update

JG: The operational plan has now been completed, and this will be presented to Members for approval in due course. DM is the chair of the EFDC/SITA Innovation Forum, and will soon liaise with Broxbourne Council, to deal with any waste service issues that may arise. Some clarification of the Park & Ride facility is still awaited. It has been agreed that street cleansing will be carried out before 9am and after 5pm. Broxbourne are considering placing posters on their lorries, and the Forum are debating the cost implications of using magnetised signs on EFDC vehicles. JG warned that Olympic organisers will be very strict about any banners, advertising material etc. complying with the colours and designs of the 'Look & Feel' concept. However, if funding is available, this should be pursued.

There are some concerns about the hiring out of mobile homes in the district for accommodation during the Games. JK said that although the caravan park in Chigwell had withdrawn its application, requests are now being received for permission to use tents. He has requested that Planning keep him fully abreast of developments as there will be implications for the waste service if these applications are approved.

SITA have been confirmed as the official waste contractor for the Olympics and SH will advise of any issues that that could affect EFDC or Broxbourne.

PM advised that only family and friends of the participants will be invited to the test event in July. Numbers are estimated at around 3,000.

9. Health and Safety issues - none.

10. Depot relocation

JK has yet to be convinced that moving the waste service to NWA is a cost effective exercise. He is requesting that this whole issue is reconsidered and the business case fully analysed. It may be simpler and better value for money if, when the new contract is negotiated, the provision of a depot by the Council is not included. As £1m has already been approved for the purchase of new vehicles, they would remain with EFDC.

SH can put JK and JG in touch with authorities SITA work with who have experience of operating without a depot. He said that they invariably regret the decision. It works well for the first contract, but when this comes up for renewal they are bound to a contractor which owns the premises. It may be possible to incorporate within the contract that the company builds a new depot, which at the end belongs to the Council. However, this is not ideal as it means having a very long contract in place.

11. Any other business

JK will be considering what savings could be made by disposing of waste at a nearer location. He expressed a wish to ride to a landfill site on a SITA vehicle so that he can gain a better understanding of how the system works. V V to organise a health & safety induction before arranging a date for JK's journey.

JK ended the meeting by saying that he operates on a 'no surprises' principle, that he will always take advice from JG and will keep SITA fully informed and involved in any decisions that are to be made. He trusts that this will be reciprocated, and that this will hopefully lead to a good working relationship in the future.

Date of next meeting - SF to arrange.

SF

SH

V V

NOTES OF THE BOBBINGWORTH FORMER LANDFILL SITE LOCAL LIAISON GROUP Held at 2.30 pm 25 May 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)
	Abigail Oldham, Country Care	(AO)
	C Thompson, Moreton Bobbingworth & the Lavers PC	(CT)

Notes: Stella Forster

Apologies: Cllrs Tony Boyce, Peter Gode & Carol Squirrell

		Action
1.	Notes of last meeting - Agreed	
2.	Matters arising SS: P3, Para 2. EFDC engineers believe that the road subsidence is consistent with badger/rabbit burrowing, but it could be due to wear and tear. They have sent photographs to ECC Highways, who are responsible for this road, along with photographic evidence of the poor sight lines when egressing the site. Their reply is still awaited.	
	JK suggested using the ECC Highways on-line pot hole reporting system which may speed the process along, but asked that he be informed if no response has been received within two weeks. He gave SS his contact details.	SS
3.	Terms of reference. The news that CT will continue attending meetings, but as a representative rather than a Member, was welcomed by the Group. It was agreed to alter the Membership wording in the Terms of Reference from Two 'Members' from Moreton, Bobbingworth & the Lavers PC to two 'Representatives'.	
4.	Budget SS: Approx £49k remains in the capital account. £25k has recently been spent on the footpaths, with some minor groundworks, easement, administration costs and legal agreements outstanding.	
	JK agreed that any funds remaining could be allocated to goods or services to help manage the site. He also confirmed that the annual maintenance budget of £36k is unlikely to change in the future.	
5.	Update from officers Operation and maintenance SS: The operating systems put in place to maintain the site appear to be working well. Darren attended a site meeting on 24 May in preparation for the opening. He reported that the reed beds, previously thought to be dying back, were recovering well. The results of tests on leachate chemical levels were also encouraging, as the ammonia concentrations are definitely decreasing. The lack of rain would not have had an effect on these results.	
	Footpaths and benches AO: The wooden benches will be purchased at a cost of £300, which will be taken from the capital budget. A third of the path has now been laid and the remainder will completed within the next two weeks. The benches will be sited at each passing point, and the effect of the curved pathway	

which will climb the mound looks attractive. The path will be finished in a good quality crushed gravel.

Ecology and landscape The grass will be cut in the next few weeks. The site totals 7 hectares and roughly 75% of this will require cutting. The remainder, in between the trees, will be strimmed. Although the grass is short due to lack of rain, the thistles and dock have to be cut down before they set seed. Pearl, a local contractor, has carried out the work in the past at a cost of £2,500-£3,000 and SS reported that two other quotes were being sought, but this was proving a difficult task. JK will give SS the contact number of the landscape company which manages the Chigwell area, as they do an excellent job. CT and AO will also contact local farmers who may be willing to take this work on at a more reasonable cost.

JK

CT/AO

<u>Information Boards</u> JK agreed to the purchase of one lectern and two information boards in good quality oak, all at the larger size, at a price of £5,000, to be allocated from capital. They are unfortunately unlikely to be in place before the opening.

Rabbit control AO: It is necessary to control rabbit numbers due to the risk of hazardous material being brought to the surface when they burrow in the soil. The warrener is to return to the site on several occasions in Oct/Nov time and will use ferrets to chase them from their warrens, when he will destroy them. As he knows the farmer, he will have access to both sides of the fence.

Countrycare/volunteer activities AO: A volunteer day has been organised for 23 June to prepare the site for the opening. The volunteers, plus pupils from Passmore Secondary School, will spend the day tidying up, mulching etc. JK undertook to keep the day free to join in.

JK

Although CT felt that the reserve will be used primarily by dog walkers, it was agreed that the costs associated with installing, emptying and maintaining dog bins would be prohibitive. It was suggested that it is made clear to dog owners, via notice boards, that they are responsible for removing their own dog waste. This will continue to be monitored, as the soil can be damaged by an excess of dog faeces and if the site is well used by families the problem will need to be addressed.

6. Monitoring birds and wildlife

AO: Although there are no plans for formal monitoring to take place, wildlife numbers are checked by site users on a regular basis. The presence of a number of slowworms, which have a hibernaculum on site, indicates that the reserve is a good habitat for wildlife.

CT has observed peewits and a pair of buzzards, as well as the more common birds and ducks, and has heard cuckoos for the first time. Although a stony area has been prepared to attract ring necked plovers back to nest, there is as yet no sign of them. The bog area should appeal to other species. The site is an important wildlife sanctuary, as there are so few others in the vicinity. JK confirmed that it will be acceptable to monitor the reserve on this informal basis for the foreseeable future.

7. Opening process 15 July 2011 at 11.00 am

<u>Formalities etc.</u> Cllr Ken Angold-Stephens has been asked to open the event in his capacity as Chairman of the Council. SS has contacted Tom Carne, PR officer, who has offered advice on the formalities and the invitation list.

It was agreed to limit invitations but to include all members of the Liaison Group,

AO

members of the Parish Council and local residents. AO will also contact John Hall from Essex Wildlife to ask if the Trust would like to be represented. A formal invitation will be sent to all except the Liaison Group and QD suggested that Pat Seager could be approached to help with this.

It was considered inappropriate to invite children from the local school, Moreton, due to the lack of toilet facilities, but they could have their own school day at a later date. However, JK asked that the Headmistress be invited so that he, as Portfolio Holder, can discuss with her how the children can best be involved in the project. Although Chris Neilan's assistance with the tree project is appreciated, it was decided that he and other Council officers would not be invited to attend.

In view of the current financial situation, it was agreed that the supporting events previously planned by the Group would not now form part of the ceremony, and that the day would be kept as simple as possible by following the opening with a walk around the reserve. This should take no longer than 1½ hours.

<u>Publicity</u> Tom Carne can arrange for the event to be publicised and will provide a photographer. CT will advertise in the two village magazines so that interested local residents, who have waited over 30 years for the site to be developed, are aware that their presence would be welcomed.

SS to copy JK in on all correspondence concerning the opening ceremony.

8. Queen Elizabeth II Field Designation

CT: A presentation was given at a recent Local Councils Liaison meeting by the QEII Field Trust. As part of the Queen's Golden Jubilee year, any common land used by local communities can, upon request, be designated a Queen Elizabeth Field. Although the concept is simply an accreditation, no financial commitment is involved and it would give added status to the new reserve and may offer it some protection from future development.

SS has sought advice from Legal Services on how to proceed with the designation procedure. Their advice is still awaited, but JK confirmed that if a positive response is received from them he, as Portfolio Holder, would give his approval to go ahead with the designation process, and that a formal report should not be required.

9. Grants

JK suggested contacting the Grange Farm Trust, who are able to allocate a maximum grant of £30,000 to worthy community projects within the London and Epping Forest districts. This grant is generally under used and it may cover items such as benches, signs etc, but not maintenance costs. JK to let SS have the contact details.

JK also advised contacting Cllr Richard Morgan who has represented Epping Forest on the BAA Stansted Grant Committee for many years. Grants are rarely requested for this district, and JK felt that a request to enhance the local area would be well received. JK to again supply SS with further details.

10. AOB

Chris Neilan had informed AO that only oak trees were on offer free of charge, and a specimen elm would have to be purchased separately if still required. However, since the planting season has now been missed, even the oaks may not be on offer in the autumn. He would also prefer to have a group of trees on the mound, rather than just one.

CT had researched a nursery which is producing Dutch Elm disease-resistant

SS

JK

JK

trees. Although more expensive than oak (a single elm of 10cm girth, 5 years old, would cost £184), it would be very pleasing to plant one when so many had been lost to the disease in the district. AO to check with Chris Neilan that the mound is ΑO a suitable site for growing an elm tree. If so, JK gave his approval for an elm to be purchased and planted, and informed AO that he would find the funds to pay for it. Date of next meeting Wednesday 2 November, 2.30 pm, was suggested. (Post meeting note - the Conference Room has now been booked for this date and time).

IAA Member Working Group

MINUTES OF MEETING HELD ON 7 JUNE 2011 AT 2:00PM IN COMMITTEE ROOM 5, COUNTY HALL, CHELMSFORD.

*Present:

*	Basildon District Council	Councillor Malcolm Buckley substituted by Cllr Steve Horgan
*	Braintree District Council	Councillor Wendy Schmitt substituted by Cllr Roger Walters
*	Brentwood Borough Council	Councillor Roger Hirst substituted by Cllr Jan Mound
*	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 substituted by Cllr Lynda McWilliams
*	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 Buckley, Cllr Schmitt, Cllr Hirst and Cllr Turner. Substitutions as shown above.

3. Election of Chairman and Vice-Chairman

The Committee Officer informed Members that Cllr Mary Sartin had resigned as Chairman and therefore the election of both a Chairman and Vive-Chairman was required.

The Committee Officer called for nominations for Chairman and Vice-Chairman.

Cllr Malcolm Buckley was proposed as Chairman by Cllr Howard and seconded by Cllr McWilliams. There being no further nominations Cllr Buckley was elected Chairman of the Group.

Cllr Kevin Bentley was proposed as Vice-Chairman by Cllr Knapman and seconded by Cllr McWilliams. There being no further nominations Cllr Bentley was elected Vice-Chairman.

In the absence of Cllr Buckley, Cllr Bentley took the Chair.

Members expressed their thanks to Cllr Sartin and it was agreed a letter be sent to thank her for her Chairmanship of the Group.

4. Minutes of Previous Meeting

The minutes of the meeting held on 5 April 2011 were agreed and signed by the Chairman.

5. Matters Arising

There were no matters arising.

6. Inter Authority Agreement Working

Members received an update from Peter Kelsbie on the latest position with the Inter Authority Agreement.

He advised Members that:

- The last meeting of this group had accepted that significant savings could be made.
- A legal interpretation of the IAA Agreement was required
- In order to resolve differences and reach an agreed definitive legal position, it was proposed that each side's legal representatives meet as soon as possible.
- It was hoped this would be concluded by the end of June or soon after.

Following discussion all Members agreed that a legal interpretation of the Agreement was required as a matter of urgency.

7. Waste Performance – End of Year Update

Members received an update on the latest performance data for 2010/11 on recycling and composting from Jason Searles.

Final auditing of the figures is being undertaken before submission to DEFRA.

Members noted and discussed the performance of the Districts/Boroughs and County Council which showed a 4% increase in the amount of household waste being reused, recycled or composted. However overall waste has also increased by almost 1.9%, this is the first increase in waste tonnage for 4 years.

Members were informed that although the increase in waste arisings is in line with other Counties further investigation will be carried out to identify opportunities to reverse this increase. It was noted that the increase could be down to a number of factors including commercial waste coming into the household waste stream, and the higher than expected quantities of green waste available during March as a result of weather conditions.

An increase from every Authority in recycling was noted and it was agreed a press release be prepared to include a quote from the Chairman of the Members Working Group welcoming the increased recycling activity.

Members discussed a number of issues including:

- The moisture content of green waste and the impact on tonnage
- The impact of recycling activities at Supermarkets
- Reductions to packaging and the work of WRAP
- The recycling of all forms of plastic and nappies.

It was agreed that at a future meeting the group would discuss the impact of weekly collections and investigate the wide discrepancies between each authority.

8. Waste Strategy Procurement Update

Members received an update from Phil Butler.

Courtauld Road: Submissions received from three companies and fully evaluated with a recommendation being taken to the Member Project Board on 9 June 2011.

Next phase of the procurement to commence on Monday 13 June 2100.

The lease has been divided to allow development of both residual waste and food/garden waste facilities on site.

First waste to arrive summer 2014 with plant fully commissioned 12 months later.

Biowaste: Two new facilities proposed:

- A combined facility (food and green waste) at Courtauld Road.
 Members were informed that a single bidder remains in the procurement process. A recommendation on the way forward will be taken to the Essex & Southend Officer Delivery Board.
- Proposing to develop a facility (anaerobic digestion) at Sandon

Transfer Stations: Members noted the latest position:

Harlow: Site acquired – preplanning consultation on going.

Uttlesford: Site secured – planning application to be

considered in October.

Braintree: Cordons Farm – joint facility with Braintree DC Colchester: Proposed site lost. Meetings held with Colchester

BC who are helping to identify alternative. Approach to Tendring DC to be made.

Chelmsford: Shared site at Springfield with ECC Highways Southend: Southend BC has requested meeting with

Rochford DC to discuss use of existing station.

9. IAA Officer Working Group Update

Members received an update from Trudie Bragg. Members noted in particular:

- There have been two recent meetings of the Officer Working Group where the working of the IAA was discussed.
- A schedule of meetings and a protocol has been developed
- A review of joint working efficiencies has identified many to be in place.
- Ad hoc reviews on the rationalisation of bring banks and the delay to the new service at Braintree has been undertaken.

All WCA's were asked to confirm that their waste contracts were flexible enough to accommodate change.

Members thanked the Officer Working Group for its work.

10. 'In the News' media coverage

The 'In the News' articles for March – May were noted.

11. To set date and agenda for Member Partnership Board

It was agreed that the inaugural meeting of the Member Partnership Board be held immediately following a future meeting of this Group.

Agenda items to be agreed by Officers.

12. Agenda items for next meeting

- Excavation of waste disposal sites
- Supermarket Bring Sites public awareness
- TOMRA activities
- Partnership Working a brief presentation from each District

13. Date of Next Meeting

The next meeting of the Group will be held on Tuesday 19 July 2011 at 2.00pm, Committee Room 1, County Hall.

There being no further business the meeting closed at 3.30pm

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