

Report to the Council

Committee: Cabinet
Date: 4 April 2023
Subject: Technical Services Portfolio Holder
Portfolio Holder: Councillor Ken Williamson

Recommending:

That the report of the Portfolio Holder be noted.

1. Regulatory & Technical Services:

Licensing

Coronation

Buckingham Palace has announced details on the ceremonial, celebratory and community events that will take place over the Coronation Weekend between Saturday 6th and Monday 8th May 2023. The celebrations will coincide with the additional bank holiday that has been announced for Monday 8th May 2023 to mark the coronation.

Following the success of Her Majesty's Platinum Jubilee in 2022, the Council has put in place special relaxations to make it easier for our residents to come together and celebrate. Residents wishing to host an event may still need to apply for a temporary road closure however, for non-commercial events held on 6th or 7th May 2023, the Council has determined to waive the fees normally associated with such applications.

The application process is also simplified, the Team will consult with Essex Highways and partner agencies on the applicant's behalf. Emergency services will not be routinely consulted on applications however, it has been agreed that a spreadsheet of closures will be circulated prior to 6th May for info. The applicant remains responsible for notifying neighbours, businesses, Town and Parish Councils and anyone who will be affected by the road closure to make sure that they haven't got any objections.

For the platinum jubilee the Councils Licensing Team processed 47 applications and issued 45 road closure notices (some were withdrawn as no longer required). The team also worked with and provided guidance to many event organisers including schools, resident's associations, and Town/Parish Councils etc. where road closures were not required. The simplified process worked well, and we anticipate a higher number of applications for the Coronation. Similar to last year, we have produced guidance and are working with the Councils Communications team to update the website and inform residents accordingly.

The Councils approach follows Government guidance and is also consulting on whether to relax licensing hours for the sale of alcohol (on-sales only) and late-night refreshment on Friday 5th, Saturday 6th and Sunday 7th May 2023. If agreed this will extend the opening hours from 23.00 to 01.00 on these dates however the relaxation will not apply to off licences, supermarkets, or late-night takeaways.

The proposal is similar to the extension put in place for the Platinum Jubilee in 2022 and other occasions of national celebration. The consultation ended on 23rd January 2023 and the proposal is widely supported by the hospitality trade and likely to be approved.

Gambling Policy

The Councils Gambling Policy must be reviewed and republished every 3 years, it was last approved in 2020 and the review is now due.

The policy statement sets out the licensing authorities' general approach to regulation under the Act, guides administration of its functions and its expectations in relation to operators with premises in the locality. It will assist in ensuring that an appropriate balance is drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities.

The current policy was approved by the Council in 2020 and only minor amendments have been made to reflect the latest guidance and to update the area profile in line with the Essex County Council Census 2021 and the Office for National Statistics data.

Due to the need for the review, timescales involved and Purdah, consultation began on 3rd February 2023 and ended on 10th March. The draft policy will be presented to Licensing Committee on 22nd March 2023 before going to Full Council on 4th April 2023 for final approval.

All Members, town and parish Councils have been consulted. Wider consultation includes betting premises, trade representatives/bodies, neighbouring councils, the Gambling Commission, Responsible Authorities, MPs, and residents etc. Once Full Council the Council have approved the policy a statement must be published announcing the date on which the policy shall come into effect.

Private Sector Housing

Empty Homes Week was 27th February to 2nd March this year. We arranged for some Social Media bursts on Facebook and Twitter to promote the service and incentives.

In February we issued over 400 letters to owners of Empty Homes across the district to try to engage with them to bring these back into use, we have financial incentives of up to £50,000 per property to assist with renovations.

Private Sector Grants

We met with our Essex DFG colleagues in February and have agreed to work with them on a project try to bring to task some Housing Associations for discriminatory practices which can give rise to health inequalities for their tenants.

Many Essex LA's are experiencing a range of circumstances where, for example, some HA's fail to financially contribute to large DFG projects that exceed the maximum DFG we can provide for their tenant. This results in cases being cancelled and adaptations not going ahead leaving disabled residents vulnerable. Some HA's simply refuse to allow certain works to be carried out in their properties and others insist on paying warranties themselves (e.g. for stairlifts) and then increasing the tenants rent when in fact, the DFG can include the cost of these warranties.

Environmental Enforcement

The team are performing well and enforcement for fly tipping and littering continues to increase, a full update to be provided with end of year figures in the next report.

Antisocial Behaviour Team

The team held a morning of action at Oakwood Hill, Loughton with internal and external partners and a Crimestoppers zone has been introduced on the Oakwood Hill estate. A community event has been held in Theydon Bois with crime prevention advice and materials given out to residents.

The team attended a Project Minerva (Violence against Women and Girls) workshop and three locations have been identified for the team to provide support and intervention.

EFDC Policing Team

Taskings – Ongoing & new

Epping Market – Monday patrols continued. The team have been deploying overt and covert tactics still. There was a recent report in one of the charity shops so the high visibility patrols will continue for the foreseeable future.

Limes Farm, the team supported the service of a closure order with the recovery of drugs and counterfeit cash that will be investigated further.

District-wide there has been a spike in burglary, several clusters have been identified and additional patrols will be conducted in those areas on key days/times.

CCTV

The team have been acknowledged for the added successful conviction and custodial sentencing of 2 suspects totalling 31years from a jewellery shop in Epping High Street, supplying good facial images of the suspects.

CCTV has supported several investigations recently including;

- Offensive graffiti identified in Epping High Street, suspects identified and reported to Police.
- Shooting incident North Weald Bassett Shopping Arcade.
- Public Order incident Shelly Close Ongar.
- Theft from shops, 3 separate incidents High Street Epping.
- Assisting HMRC Investigation High Road Loughton.
- Police suspect identification in Pyrles Lane Debden.
- Pedestrian and Motorcycle collision High Road Epping.
- Various Fly Tips in Springfields Waltham Abbey.

Grounds Maintenance

The transfer of Grounds Maintenance to Qualis Management is progressing well, meetings continue to be held with staff to ensure there is a full understanding of the transfer process.

There was an unexpected break from scheduled winter works to help clear the recent downfall of snow from pathways at various council offices and sheltered housing units. Equipped with bags of grit and shovels, the teams worked hard to ensure safe access was maintained for staff and residents.

Tree Team

The team are currently focusing on planting in the district, this includes the replacement street trees in the district. We are also exploring additional funding to replace and replant street trees in the district.

2. Planning Services

Building Control

Income and budgets

Income through fees and charges by the end of March (Month 11) was at approximately £462,000. Having fallen behind projections we now anticipate an end of year income circa £505,00 out of the budgeted £540,000. The cost of delivering the Building Control Service is currently forecast to come in below the budgeted forecast by approximately £10,000 at £732,000.

The team have been engaged with the ongoing build of the Cottis Lane multi-storey car park, early consultation on fire safety matters for the St Johns Road development and have just commenced on site for the Conder building development. Submissions have also been received for the housing at Roundhills Waltham Abbey and industrial units at Cartersfield Road Waltham Abbey. Securing these sites under the Council's Building Control team has been important to internalise costs, support the team and utilise local services.

Legislative Change

There remains concern in the Building Control sector that recruitment and retention will become more challenging as we approach mandatory licensing of inspectors by October 2024. Many experienced inspectors from across the country have indicated they intend to take retirement or move to warranty inspection work as an alternative to engaging in further structured training and examination. The private sector competition for equal roles can prove challenging for public sector employers to match. Two members of the team are currently engaged in structured training which has been funded by a central government grant. A third trainee post remains filled with the educational costs covered by the Council's apprenticeship levy funding. A project in the next service plan identifies a need to support all existing members of the team to achieve licensed status.

Service Improvements

The team are currently working with ICT colleagues to trial suitable mobile working devices that will enable inspectors to access plans and specifications and to record their observations on site without the printed format. The team are also working with Planning colleagues on refinements to the Arcus Global cloud-based solution which underpins the potential for mobile working.

Development Management

Planning - Development Management

Planning Appeals

Members are reminded that Planning Appeal details are published in the weekly Bulletin, and links to the appeal documents are now provided to enable members to view a relevant appeal by clicking the link.

Development Management Service Guide

Members may be interested to read our Development Management Service Guide <https://www.eppingforestdc.gov.uk/planning-and-building/development-management-service-charter/> that sets out our principles for service provision.

Increase of Pre-Application and discretionary fees

The discretionary fees for pre-application advice and other paid-for services will be increasing from 1 April 2023, and a notice has been published on the Council website to confirm the increase to prospective service users

<https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>

Government consultation on increasing planning fees and performance

Government is currently consulting on a proposal to increase planning application fees. The consultation will close on 25 April 2023, and details may be found here:

[Increasing planning fees and performance: technical consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/increasing-planning-fees-and-performance-technical-consultation)

The proposal is to increase fees for major applications by 35% and by 25% for other applications, and comments are also invited on the following:

- additional fees for bespoke or 'fast track' services
- annual inflation-related adjustment to planning fees
- ring-fencing additional fees income
- doubling fees for retrospective applications
- removing the 'free-go' for repeat applications
- introducing a prior approval fee for the permitted development right allowing the Crown to develop sites within the perimeter of a closed defence site
- building planning capacity and capability within local authorities, including challenges in recruitment and retention, and how these can be addressed
- reducing the Planning Guarantee from 26 weeks to 16 weeks for non-major applications
- improving the quality of the local authority planning service by monitoring more performance measures.

Successful prosecution: Tree and Landscaping

The Tree and Landscaping Team were successful in prosecuting the owner of a site in Chigwell, and the contractor that carried out the works, for the unauthorised felling of protected trees in October 2020 (a Robinia and Pine). After taking relevant matters into consideration, including the guilty pleas by the defendants, Chelmsford Magistrates Court on 22 February 2023 imposed the following:

- the owner: a fine of £448 on the owner with £917 costs awarded and a victim surcharge of £45
- the contractor: a fine of £66 with costs of £162 awarded and a victim surcharge of £34.

Notable Appeals

- 11 Crossfields, Loughton IG10 3PYL, written representations appeal decision issued on 27 February 2023. The appeal was allowed with conditions, and a full award of costs against the Council was also allowed on grounds of unreasonable behaviour resulting in unnecessary or wasted expense by the appellant. The application was before AREA PLANNING SUB-COMMITTEE SOUTH on 3 November 2021 with an officer recommendation to grant planning permission. The application proposal was the same as a previous refusal, which was dismissed, on SAC grounds only, by a Planning Inspector and Members were so advised. Members still refused the application due to intensification of residential use, cramped nature of the development, and infilling an open aspect in the street scene and poor appearance that would be harmful to the character and appearance of the locality and impact on parking.
- <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NvIU/epf097519?tabset-dc51c=2>