

# ***Report to the Council***

**Committee:** Cabinet

**Date:** 23 July 2024

**Subject:** Regulatory, Technical & Community Safety Services Portfolio Holder

**Portfolio Holder:** Cllr Paul Keska

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## **Recommending:**

**That the report of the Regulatory, Technical & Community Safety Services Portfolio Holder be noted.**

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### **1. Regulatory & Technical Services:**

#### **Private Sector Housing**

The PSH Team, with the assistance of Kevin Tatum have successfully obtained agreement to secure a substantial Civil Penalty debt against the person's home address. The team have been continuing to provide public health funerals and have two new funerals for residents with no next of kin arranged.

#### **Private Sector Grants**

The national Disabled Facilities Grants (DFG) budget for 2024/25 has seen an uplift to £102 million this year and as such our budget for this financial year has increased to £1,059,351.00.

We have an exciting project to use some of our accumulated underspent DFG monies from previous years. The project is at an early stage, and we are exploring opportunities to install 'Changing Places' at popular locations across the borough such as Loughton High Street, The Broadway, Market Square or the museum in Waltham Abbey and at Grange Farm Chigwell. These pods will make facilities across the district accessible for disabled people. There may also be opportunities to fund the installation of pool lifts at Loughton and Ongar swimming pools.

#### **Environmental Health**

The investigation into complaints relating to Brazilian Butt/Bum Lift (BBL) continues and the team are working with several other councils across the UK in areas where BBL procedures are taking place to investigate complaints that such procedures are not being undertaken safely.

The teams, Health and Safety Officer attended a Coroner's Inquest on 23<sup>rd</sup> May into the death of a 22-year-old male member at a venue in Abridge Road, Chigwell. An investigation was conducted by Essex Police, and at the same time, a separate investigation was begun by the team with the twin aims of preventing a recurrence and examining the legal duties

owed by the venue to the public. A conclusion of 'misadventure' was reached by the Coroner.

## **Licensing**

### **The Licensing Act 2003 (UEFA European Football Championship Licensing Hours) Order 2024**

In May, Government passed an order allowing licensed venues in England and Wales to extend licensing hours on the day of any semi-final (scheduled for 9 and/or 10 July) and final (14<sup>th</sup> July) involving the home nations.

Following Scotland's departure from the competition, the extension will now only apply if England reach the semi-finals and/or the final of Euro 2024. Where this is the case, premises that are licensed to provide alcohol for consumption on the premises (public houses etc.) until 11pm, will automatically be permitted to remain open for a further period until 1am for the sale of alcohol and late-night refreshment.

This extension does not apply to off-licences or late-night takeaways and is dependant on England reaching the semi-finals and/or the final of Euro 2024.

Previously, these powers have been used for national celebrations including, Her Majesty the Queens Diamond Jubilee, World Cup 2014, and Euro Championship 2020.

## **Pavement Licensing**

Pavement licensing was introduced under The Business and Planning Act 2020 as part of Governments emergency response to the COVID pandemic. Its intent was a simplified and fast track route for pubs, restaurants, and cafes to obtain a temporary permission to place furniture including outdoor tables and seating on the highway, allowing them to increase their outdoor capacity safely, quickly and at a low cost.

In response, Cabinet met on 20<sup>th</sup> July 2020, and agreed the existing pavement policy and scheme of delegation. The regime was first extended in 2021, and subsequently in 2022 and 2023 and throughout this period, the scheme of delegation for determining applications, conditions and pavement licensing policy have remained unchanged.

On 2<sup>nd</sup> April 2024, the Department for Levelling Up, Housing & Communities wrote to all Council Leaders and Chief Executives advising that on 31 March 2024, the pavement licensing provisions laid out in the Levelling Up and Regeneration Act 2023 had commenced, establishing a permanent pavement licensing regime for England.

In response to the move to make pavement licensing permanent it has become necessary to review and amend the existing policy to reflect legislative changes as soon as possible. Consultation on the draft policy has already taken place with Essex County Council to ensure that conditions attached to licences, remain fit for purpose and similar to the existing policy, Cabinet approval will be required before the amended policy can take effect and this is likely to take place over the summer.

## **Community Resilience**

### **Fly tipping April to June 24.**

The Environmental Enforcement Team has continued to see an increase in fly tipping in this period. To date the team has investigated and arranged clearance of 551 deposits across

the district this quarter. This is an increase of 10% from the same period last year. The increase has also led to an increase of evidence being found resulting in a 55% increase of active investigations (investigations where evidence has been collected).

A location of note is Gutteridge Lane, it was the Council's main fly tipping hotspot with a single clearance costing over £20k to clear. With the assistance of cross team working (EEOs, CCTV, Tree Team, and Waste) the lane has been monitored and cleared of deposits and the vegetation cut back, temporary barriers have been placed on the lane to stop further deposits while work is continuing in order to find a permanent solution including CCTV.

### **Noise April to June 24**

This quarter the service has received 144 complaints of noise from properties and premises, compared to 197 for the same period last year, a decrease of 27%.

The Anti-Social Behaviour Team has been successful in a Safer Streets bid at Oakwood Hill, we have been awarded £167,500 funding that will be spent on the area which will focus on CCTV, lighting, diversionary activities, and area enhancement. The project is due to start imminently, the funding will cease in March 2025.

Operation Dial, patrols are continuing at Debden Broadway twice weekly, the Antisocial Behaviour Team have also been out with NEPP and Essex police for two additional partnership patrols, with 24 parking notices issued, weapons found and confiscated, and proactive enforcement and monitoring of the Public Spaces Protection Order and general engagement with the public, residents and shops. The team are due to conduct a third partnership patrol on 15<sup>th</sup> July 2024.

The team are responsible for the investigation of all ASB complaints across the district regardless of housing tenure, this year to date they have dealt with 715 complaints, a 34% increase on last year. The team took on the responsibility of investigating and responding to ASB from Council properties in 2023 and during this time the team have investigated 287 complaints relating to EFDC tenants.

The team worked with Essex Police and the Youth Service for Operation Henderson in April 2024. The county wide initiative focusses on child criminal and sexual exploitation around transport hubs. During the day officers worked at Loughton tube station and spoke to members of the public, bus and taxi drivers and train staff on the signs to look out for and how to support a child should they believe they are being exploited.

### **EFDC Policing Team**

In the last 3 months we have taken on 8 new taskings, as well as continuing work on taskings that have longer term requirements for partnership work, including;

- Closure Order, the team assisted with collation of police data and provided statements to support the order and will now be taking a lead in any investigations of closure breaches.
- Debden Broadway: We have been doing regular checks in the stairwells for people smoking cannabis as well as high vis patrols on the Broadway and nights of action. The funded team work closely with the Town Team to cover the area, have had several positive results for cannabis, shoplifting, vehicle offences.

New taskings included:

- PS Fitt has been appointed as Community Bronze for the Waltham Abbey Musical festival taking place over August Bank Holiday Weekend. He and PC Amner will be

working the weekend of the event leading the community policing response to the festival. Tasking ongoing until event in August.

- Supported BIFFA waste collection on rounds of an estate due to threats/assault that staff received from a male at a specific address.
- Supported on an eviction at an address where violence from occupants was believed likely. The address has caused constant issues to neighbours, a Criminal Behaviour Order was issued and breached multiple times.
- Supporting the Councils Environmental Health team on a food hygiene visit due to threats from the occupier of the premises when staff attended last time.

Further information on additional work of the team can be found in Appendix 1 to this report.

### **Environmental Protection and Drainage Team**

The EPD team have continued to work on pollution, private water supplies, flood risk and contaminated land work. The recent dry weather has meant a reduction in flood response and out of hours callouts that has now reduced to a seasonal service. However dry weather means odour issues from sewage pollution become apparent and increase.

### **Highway Rangers**

The Highway Rangers have undertaken some successful project work recently including the installation of a bus shelter owned by Buckhurst Hill Parish Council. The previous shelter had been destroyed in a collision and so was made safe and removed and a new one installed on the old site. The team also completed works to smarten the roundabout at Gravel Lane Abridge to support the roundabout sponsorship that has recently been released to a local business. With the recent wet weather followed by drier weather, a lot of hedges and grass has grown up quickly and the team have received many requests for clearances around signs and gateway features.

A number of reports that are made to the team are rejected as they are works that the rangers cannot work on such as defective streetlights, potholes or private hedges which remain the responsibility of Essex Highways.

### **Countrycare**

The Countrycare Team have been continuing to manage Local Nature Reserves across the district owned by EFDC or as charged work to parish council's or other owners. Recent projects include a new pond being dug at Nazeing Triangle on behalf of the parish Council to provide a safe haven without fish in it for Great Crested Newts to breed.

### **Grounds Maintenance**

The Qualis management team have been busy recruiting into vacant Grounds Maintenance posts and have successfully employed an experienced Operations Supervisor to cover grounds maintenance operations in the South of the district.

The gardening teams are currently being kept very busy with their mowing operations to maintain the numerous verges and green spaces across the district. The extremely wet weather experienced earlier in the season combined with the warmer weather has certainly produced some exceptional growth rates and this has in turn created some challenging mowing conditions. Staff continue to work hard on this task and with drier weather on its way it is anticipated these difficulties will start to ease but is being closely monitored by EFDC and Qualis management. The grounds team successfully completed some additional

mowing requested as part of preparations for two large events held this month: the D-Day 80th anniversary commemoration at North Weald Airfield and the Jessel Green Community Fun Day in Loughton.

Over the years the grounds maintenance service has planted many thousands of spring flowering bulbs throughout the district. After the blooms have faded, the plants are left uncut until June to allow the leaves to die back naturally, which does result in the grass in these areas becoming much longer. However, the tractor driving team are now making their way around these sites to cut and collect this vegetation; the sites will then be mown as normal for the rest of the season.

## **2. Planning Services:**

### **Building Control**

#### Registration of Inspectors

The Building Control team have been heavily focussed on the 6<sup>th</sup> April deadline for all staff delivering newly designated 'restricted functions' to be competency validated and registered with the Building Safety Regulator. Authorities that do not have registered staff will not be able to deliver their statutory service and there is concern in the industry about the knock-on effect on housebuilding delivery. I am pleased to report that the team at Epping Forest now have one member registered as a Specialist Inspector (able to work on all types and heights of buildings) and two members registered as General Inspectors (able to work on most buildings in our district). This reassuring position will enable the team to continue to work with supervision arrangements in place for those still awaiting results or their exam date.

#### Operational Standards Rules

From the 6<sup>th</sup> April all Building Control Bodies (private or Local Authority) will be regulated by the Building Safety Regulator at the Health and Safety Executive. New protocols require regular reporting of substantial and detailed information concerning the handling of applications, inspections, and enforcement activities. We are working with our back-office software supplier to build additional data collection and reporting tools and are running workshops with the staff to convey the additional requirements. The additional time collecting, recording, and reporting on data is substantial enough to affect the cost of delivering the service. This will need to be monitored and reflected in future schemes of charges.

#### Cancellation of Private Building Control Providers notices

All existing Approved Inspectors wishing to continue to provide a private Building Control service must register with the Building Safety Regulator as a Registered Building Control Approver. As they are unable to enforce against a breach of Building Regulations, they are required to cancel their notice and hand work back to the Council where non-compliance is not addressed in a timely manner. This was previously a rare event, however as the date for the new regime approaches all Councils are experiencing an influx of cancelled notices for historic works where the Approved Inspector has not issued a Final Certificate. This is creating substantial work for Local Authority teams as they attempt to obtain records, gain access to inspect and make reasoned decisions over enforcement interventions.