

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL
HELD ON TUESDAY, 10 NOVEMBER 2009
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.30 PM**

Members Present: Mrs L Wagland (Chairman), K Chana (Vice-Chairman), A Boyce, M Colling, Mrs A Cooper, R Frankel, Mrs C Pond, Mrs P Richardson and H Ulkun

Other members present: Mrs A Grigg, Mrs M Sartin and Mrs P Smith

Apologies for Absence: Mrs A Haigh and J Hart

Officers Present D Macnab (Deputy Chief Executive), J Preston (Director of Planning and Economic Development), K Polyzoides (Assistant Director (Forward Planning)) and M Jenkins (Democratic Services Assistant)

28. SUBSTITUTE MEMBERS

There were no substitute members present.

29. DECLARATIONS OF INTEREST

Councillor Mrs A Cooper declared a personal interest in Item 8 Essex County Council Consultation – “Minerals Development Document: Site Allocations – Issues and Options Paper,” as she had taken part in the consultation herself.

30. NOTES FROM THE LAST MEETING

RESOLVED:

That the notes of the last meeting held on 8 September 2009 be agreed.

31. TERMS OF REFERENCE

The Director of Planning and Economic Development, Mr J Preston, advised that the Terms of Reference would require some amending and would be ready for the 10 January 2010 meeting of the Panel.

32. WORK PROGRAMME

The Director of Planning and Economic Development, Mr J Preston, advised that the Panel's Work Programme had been revised, items which took priority should be first on the programme. Regular updating items would appear later in the programme.

Item 1 New Local Development Scheme and East of England Plan

The Panel was advised that the Local Development Framework (LDF) Cabinet Committee had received a report concluding that LDF expenditure was within budget.

Item 3 Chairmen and Vice Chairmen of Area Planning Committees

The Chairman advised that the minutes for the last meeting of the Development Control Committee Chair and Vice Chair in October were awaiting completion.

Item 5 Comments from Planning Agents and Amenity Groups required matching

The Panel was advised that Mr N Richardson, Assistant Director of Planning and Economic Development, would collate statistics from past Planning Agents and Amenity Groups' meetings.

Item 7 Route of Planning Enforcement Investigation.

A report was being put before the January 2010 meeting.

Item 8 Comments from local councils.

A report was being put before the January 2010 meeting.

Item 12 Update on Current Staffing Situation

The Panel was advised that there were interviews taking place for the Principal Officer (Enforcement) position held by S Solon who was taking over N Richardson's previous post as Principle Planning Officer (Development Control). The position of Environmental Co-Ordinator was being filled by Ms S Knightsman.

Councillor M Colling advised J Preston that he would like a "Family Tree" of all the personal within Planning Services.

ACTION: That a "Family Tree" of Planning Services personnel be presented to the Panel.

Item 14 Update on Gypsy and Traveller Consultation

The Panel was advised that counsel had been appointed familiar with Gypsy and Traveller issues. Counsel had commented on the Draft Delivery Strategy. Members at the LDF Cabinet Committee were concerned at the timescale involved, cost, sense of unfairness, dogma and diversion of staff resources involved in the process. There had been a suggestion of requesting a meeting with the Minister of State explaining the District Council's problems. There had been 10,000 responses to the consultation.

LDF

The Chairman advised that there was a new LDF scheme forthcoming, the District Council needed to ensure that they would make full use of any S106 agreements. The Community Infrastructure Levy was not a substitute for S106 agreements. Planning Services needed a policy fir dealing with developers.

ACTION:

That a report on a draft policy for financial incentives for developers be brought to the Panel.

33. PLANNING STAFFING RESOURCES

The Director of Planning and Economic Development, Mr J Preston, presented a report to the Panel regarding proposals seeking, within existing CSB budgets, making changes to staffing within Planning, particularly enhancing the Enforcement Team, and making provision to preserving protected trees.

Mr J Preston reminded the Panel that they had considered replacing the Compliance Officer post within the Enforcement Team and the various options for this, in particular an option for a new Senior Officer post within Enforcement.

The two posts proposed for deletion were Compliance Officer (PEF06) and Admin Supervisor (PST02). The Technical Officer (Landscape) (PPC16F) would be funded for extra hours by a CSB Addition of £4,990. This proposal should help facilitate the reversion of Tree Preservation Orders in advance of Essex County Council rescinding such orders, which would occur in March 2010. The new post was Senior Enforcement Officer with a CSB Addition of £38,930.

It was advised that the recommendations from the panel would be put before the Overview and Scrutiny Committee on 12 November 2009 before seeking final Cabinet approval on 16 November 2009.

RECOMMENDATIONS:

That the following recommendations be made to the Overview and Scrutiny Committee:

- (1) That posts PEF06 and PST02 be deleted from the Establishment;
- (2) That the hours for post PPC16F be increased from 0.8 FTE to 1.0 FTE; and
- (3) That a new Senior Enforcement Officer post be added to the Establishment.

34. ESSEX COUNTY COUNCIL CONSULTATION - "MINERALS DEVELOPMENT DOCUMENT: SITE ALLOCATIONS - ISSUES & OPTIONS PAPER"

The Director of Planning and Economic Development, Mr J Preston, presented a report regarding an Essex County Council consultation document which formed part of a process for considering further sites for mineral extraction across the county. Two potential sites had been identified. They were Shellow Cross, Willingale and Patch Park Farm, Abridge. The sites had been considered unsuitable by planning committees and the LDF Cabinet Committee for a number of reasons including impact on the Green Belt, local landscape, local road network and flooding implications.

Officers were unclear as to the location of the deposits from the proposed sites as no full geological survey had taken place in the district. Members were concerned about the road haulage congestion that the two projects would cause in the area. There was particular concern regarding the Patch Park Farm, Abridge proposal as a high pressure gas pipeline ran into a small part of the potential site. There had been no acknowledgement of the pipeline in the consultation. Of equal concern was that the site was entirely within Flood Zone 3 with only brief acknowledgement of this given in the consultation.

The report from the Panel was being put before the Overview and Scrutiny Committee on 12 November 2009 and then Cabinet on 16 November 2009.

RECOMMENDATIONS:

That the following recommendations be made to the Overview and Scrutiny Committee:

- (1) That the Essex County Council Consultation – “Minerals Development Document: Site Allocations – Issues and Options Paper” be responded to by stating that the sites for mineral extraction identified at Shellow Cross, Willingale and Patch Park Farm, Abridge be considered unsuitable for sand and gravel extraction for the following reasons:
 - (a) impact on the Green Belt;
 - (b) impact on the local landscape;
 - (c) impact on the local road network;
 - (d) potential risk of flooding at both sites;
 - (e) the existence of a gas main in close proximity to the Abridge site; and
 - (f) the sites involved only assumed deposits.

35. EERA CONSULTATION - 2031 SCENARIOS FOR HOUSING AND ECONOMIC GROWTH

The Assistant Director of Planning Services, Ms K Polyzoides, presented a report to the Panel regarding the EERA Consultation 2031 Scenarios for Housing and Economic Growth.

The Government had asked the East of England Regional Assembly (EERA) to carry out an immediate review of the East of England Plan (EEP) addressing development needs for the period 2011 to 2031. Growth in the range of 30,000 to 40,000 new homes every year in the region was being tested.

A consultation exercise was prepared by the Regional Assembly with 4 growth scenarios covering 2011 to 2031. There were 3 questions about these scenarios and on their regional impacts. The results would enable the Regional Assembly to prepare a draft plan in 2010 for full public consultation.

It was acknowledged that Harlow had a significant existing infrastructure deficit, however none of the four growth scenarios addressed this in a meaningful sense. Officers believed that a “fifth scenario” should be tested and examined, it should have provision of major infrastructure and include a new Junction 7A of the M11 north east of Harlow with direct link to the town, a northern bypass to Harlow from the A414 to the new motorway junction, capacity improvements to the West Anglia Main Line and the Central Line, and addressing commuter parking problems at the London Underground stations in the district.

Additionally there was disappointment at the lack of detail in the consultation document, key aspects of this being the lack of information about the proposed

growth in Harlow and no assessment of a housing/jobs balance. The EEP indicated that larger term growth should be concentrated to the north of Harlow. However the growth scenarios did not address this.

Essex Local Authorities' Joint Policy Response

It was noted that the County Council had proposed that, in addition to the individual responses from Essex authorities to the EERA consultation, a joint response from the Greater Essex authorities should be sent. While a final Joint Policy Response had not yet been prepared, officers believed that the District Council should sign such a statement as it would reinforce the recommendations of this report.

The report from the Panel was being put before the Overview and Scrutiny Committee on 12 November 2009 and then the Cabinet on 16 November 2009.

RECOMMENDATIONS:

That the following recommendations be made to the Overview and Scrutiny Committee:

- (1) That a fifth scenario should be considered which deals with the realistic assessment of infrastructure provision in terms of the implications for deliverable housing and economic growth;
- (2) That the information on Harlow's future growth is misleading. The consultation document should give far more detail about how the figures for the 4 scenarios are going to be split between Harlow, East Herts and this district. This authority also believes that the growth totals proposed in scenarios 3 and 4 are unrealistic and undeliverable in this district;
- (3) That scenario 1 of the four in the consultation is preferred, but the fifth scenario (in (a) above) is likely to be the most realistic;
- (4) That the regional impact assessment should include Green Belt, as a significant important issue within the district;
- (5) That the vision and objectives of the Plan remain suitable;
- (6) That Policies H3 and H4 (from the Single Issue Review) should be included in the next review of the Plan as they concentrate on provision only up to 2021;
- (7) That the evidence base and technical information presented is not satisfactory; and
- (8) That agreement is made to be a signatory to the proposed Essex Local Authorities' Joint Response to the consultation, subject to the document being made available to EFDC Members for review. Members will retain the right to make additional comments should the current draft be updated and changes made.

36. IMPROVEMENT PLAN

The Panel received the updated Planning and Economic Development Improvement Plan.

Item 2 Develop and promote a set of service standards for Planning and Economic Development, outlining the minimum levels of service that external and internal customers will receive.

The Panel were advised that a new Business manager was in post to help facilitate better service provision.

Item 3 Check the effectiveness of the channels of communication used to ensure that all staff were aware of service priorities and quality standards.

Staff were involved in the Development of the Service Business Plan. However a staff survey was not done and the staff PDRs were only partially completed.

Item 4 Improve the mechanisms for regular on-going feedback from users on the quality of service they had received.

The analysis from the responses received had not yet been completed. The refresher training on Customer Complaint handling was being undertaken.

Item 5 Improve ownership of problems and accountability amongst the Senior Management Team within Planning and Economic Development

These had now been fully achieved.

Item 7 Develop a systematic approach to workforce planning to address recurring recruitment and retention difficulties.

The Panel was informed that they were recruiting for the Assistant Director and Business Manager's posts internally.

Item 8 Improve the standard, content, presentation and consistency of reports to Development Control, Planning Standing Panel and Area Sub-Committees.

The notes for the Chairman and Vice Chairman's meeting of Development Control from 15 October 2009 was awaiting completion.

Item 9 Review the Corporate Planning protocol with respect to dealing with applicants, agents, developers and the local business community ensuring that the highest standards of probity and governance were achieved.

The Corporate Planning Portal was reviewed by the Standards Committee. It's findings were being put before the Planning Services Scrutiny Panel.

AGREED:

That the consultation from the Standards Committee will be put before the Planning Services Scrutiny Standing Panel.

Item 10 Implement practical measures to improve the public perception and reputation of the Council's Planning Service, particularly with respect to high profile/controversial applications and enforcement action.

A report on enforcement statistics was due for this Panel.

Iplan

The Panel was informed that the Iplan system, despite problems, worked well. There was a meeting on 12 November 2009 involving local council representatives which had discussed some of the problems with the Iplan. The new Business Manager would be resolving these issues.

Planning Records

Councillor Mrs A Cooper asked about historic planning records being put on-line. Mr J Preston advised that the Cabinet backed putting older plans on-line, and most of these had been scanned. However there was related material which was not currently electronically available.

37. ANY OTHER BUSINESS

The Chairman advised that there had been concern regarding some District Council members calling-in planning applications in wards other than their own. This had sometimes taken place without consulting the relevant ward member. It was recommended that these issues should be put before the Constitution and Member Services Scrutiny Standing Panel.

AGREED:

That a report regarding call-in of planning applications be put before the Constitution and Member Services Scrutiny Standing Panel.

38. DATES OF FUTURE MEETINGS

The next programmed meeting of the Panel was scheduled for:

Tuesday 5 January 2010 at 7.30p.m.; and then on
Thursday 11 February 2010 at 7.00p.m.; and
Tuesday 27 April 2010 at 7.30p.m.