

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF ENVIRONMENTAL AND PLANNING SERVICES STANDING
SCRUTINY PANEL
HELD ON MONDAY, 30 OCTOBER 2006
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 10.20 PM**

Members Present: Mrs P Smith (Chairman), D Kelly (Vice-Chairman), D Bateman, Mrs D Borton, Mrs A Cooper, D Jacobs, Mrs P Richardson, Mrs L Wagland and J Wyatt

Other members present: Mrs A Grigg, Mrs M Sartin and Mrs J H Whitehouse

Apologies for Absence: A Lee

Officers Present J Gilbert (Head of Environmental Services), J Preston (Head of Planning and Economic Development) and Z Folley (Democratic Services Assistant)

Also in attendance:

21. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

No Substitute Members were reported.

22. DECLARATION OF INTERESTS

No declarations of interest were made pursuant to the Members Code of Conduct.

23. NOTES OF THE LAST MEETING - 29 AUGUST 2006

Noted.

24. TERMS OF REFERENCE / WORK PROGRAMME

The Panel considered their updated work programme.

(a) New Local Plan and Scheme

Noted that all Members had been sent a copy of the County consultation document on urban planning for comments.

(b) Reuse of Buildings in the Green Belt/ Traffic Issues in the Roydon and Nazeing Areas

The Head of Planning and Economic Development reported progress on the focus day agreed at the last meeting on the above issues. Difficulties were being experienced with finding an independent facilitator with the skills and local knowledge necessary for the event. This was partly due to changes at officer level at County. He advised that there was a need to consider more than one potential facilitator to

ensure that Best Value was achieved. He would continue to contact County to seek their assistance with this process.

Overall Members felt that the pace of work was too slow. In particular they felt that the difficulties in finding a facilitator was delaying progress and questioned whether a survey could be used to identify the issues instead.

A Member expressed concern at HGV activity in residential areas in Nazeing and the new lorry parks the area. She questioned how a focus day would solve these problems. A traffic count was undertaken by the Nazeing Action Group, officers had also attending meetings involving residents of the area to hear about the problems. It was questioned that this could provide sufficient information on the issues.

The Head of Environmental Services reported that the next meeting of the Highways Panel for West Essex was due to be held on 21 February 2007. He invited Member to forward any issues they might have to him for this meeting by January 2007. Attempts were being made to establish more localised arrangements for highways. The Head of Environmental Services invited Councillor Cooper to forward to him any of her answered e-mails to County and undertook to take these up with County Officers.

The Head of Planning and Economic Development reported that should a date for the focus event be found prior to the next meeting of the Panel, the details would be reported to Members via the Members Bulletin.

(c) East of England Plan (Item 5).

The recommendations of the Examination in Public for the plan were now with the Minister. It was anticipated that she would issue the proposed changes in December 2006. It was anticipated that this would be a lengthy document that would take some time to consider. Therefore it was agreed that the next meeting of the Panel programme for 19 December 2006 would be moved back to 16 Jan 2007 at 7.30 pm. In terms of the reporting route for the proposals, it was envisaged that as well as scrutiny consideration, a further Saturday morning briefing session would be held on the Minister proposal when made available.

25. COMMUNITY STREET WARDENS - SITE VISIT

It was noted that earlier on in the month, several Members visited Colchester Borough Council and Braintree Borough Council to hear about and observe their Community Street Wardens schemes.

Some of the Members present at the visit reported feedback on the visit to the Panel. (Cllr Spencers own notes are attached)

In discussing the issue, Members thought that the visit was very informative and useful. Surprise was expressed that the work of the wardens observed focused more on community engagement initiatives rather than tackling environmental crime. The scheme at Colchester cost £270,000 per year. Their wardens covered three wards and had a good leader which was seen as important. The team in Braintree appeared to play a 'social service' role and seemed to be performing good work in the areas of deprivation.

A Members suggested that should wardens be used in this District, they should operate between 4-11pm when most of the problems requiring attention occurred.

The scheme might work well for urban areas. Such an approach might not be suited to rural areas however which might require a style of service that recognised their needs. The task of recruiting to any full time positions might be difficult in view of the District's close proximity to London which offered comparatively higher pay rates.

The Head of Environmental Services drew attention to the Clean Neighbourhoods and Environment Act 2005. The act did not empower Community Wardens to detain suspects or give them any of the powers in relation to the prevention of crime. Some of the powers in the legislation did not necessarily need to be carried out by wardens.

The Panel noted the likely high costs of the scheme and the issues that they could /could not deal with. On the balance, they recommended that at this point in time, a Community Warden scheme should not be pursued to deliver the relevant powers in the Clean Neighbourhoods and Environmental Act (ie Fixed Penalty Notices). Instead they recommended that further consideration be given to alternative methods for delivering the legislation. This might include:

- Giving District CSPOs the power to issue Fixed Penalty notices;
- Funding more CSPOs to carry out the powers;
- Widening the number of officers currently able to issue FPN and enabling them to use the full range of new powers (to deal with litter, junk mail, graffiti, fly posting, fast food waste). Empowering Parish staff directly to issue FPNs
- Creation of new bye law to control pavement parking.

The powers in the act in relation to dealing with litter were quite strong and could be carried out by the existing waste team. Those given the responsibility of issuing FPN would needed to be properly trained and uniformed to ensure that the enforcement action was effective. Government guidance suggested that should FPNs be pursued, the scheme must be publicised and residents must be consulted to ascertain their views. Consideration and a policy decision on this would need to be made.

It was likely that the process for issuing FPN would generate a lot of work.

Attention was drawn to the changes that could be brought about by the new Traffic Management Act. The Act would widen the role of Parking Wardens. However, they would only be able to report on enforcement offences. It was noted that the Act did not deal with pavement parking. The Panel expressed disappointment at this and requested to submit a representation on this to government. The Head of Environmental Services undertook to ensure that this was undertaken.

A Member referred to a parking issue that she had been dealing in her own ward in Grange Farm Chigwell. The rules regarding the relationship between Traffic Orders and yellow lines had caused some frustration in this instance. She requested that this issue be brought to the attention of the County Council and this issues be put on the agenda for the next meeting of the Highways Panel for West Essex.

RESOLVED:

- (1) That, at this point in time, a Community Warden scheme not be pursued to deliver the relevant powers in the Clean Neighbourhoods and Environmental Act (ie Fixed Penalty Notices etc).**

(2) That the following be submitted to a future meeting:

(a) report on the provisions of the Clean Neighbourhoods and Environmental Act 2005 covering the powers already available to officers and options for empowering officers to carry out the new powers.

(b) brief summary of the number and remit of the District CSPOs jointly funded by EFDC

(3) That the Head of Environmental Services be authorised to submit a representation on behalf of the Panel expressing concern over the exclusion from the new Traffic Management Act of measures to deal with pavement parking

(4) That Democratic Services send thank you letters to Colchester Borough Council and Braintree Borough Council for hosting the fact finding visit.

26. ESSEX COUNTY JOINT WASTE PROCUREMENT PROCESS - MINUTES OF THE LAST MEETING

The Panel consider the notes for the meeting held on 14 September 2006. In relation to minute 67 (Kerbside Analysis Tool (KAT) Modelling, it was noted that the new waste management contract would need to be able to accommodate these proposals. The Panel also noted the structure and timetable for the Commercial Partnership Arrangements.

27. PLANNING AND ECONOMIC DEVELOPMENT ENFORCEMENT STATISTICS

The Head of Planning and Economic Development presented a report recommending that for a trial period planning enforcement statistics be reported in the Members Bulletin.

The Panel asked that information be made available on the difficult protracted cases to identify the history and current position regarding enforcement action. It was suggested that a proactive approach should be taken to such cases and noted that the new planning data system should facilitate this.

It was agreed that an item be placed in the bulletin indicating that feedback on the trial be submitted sooner rather than later to identify the need to report the information on a permanent basis. It was agreed that a report be submitted to the Panel in six months time to give consideration to this question.

The Head of Planning and Economic Development undertook to e-mail Panel Members the start date for the trial.

RESOLVED:

(1) That for a trial period of six months a monthly report be provided in the Members Bulletin indicating:

(a) the numbers of enforcement investigations started, processed and "in hand" each month; and

(b) a brief progress report on cases where an enforcement notice had not been complied with including the date action commenced;

(2) That a report be submitted to the Panel in six months time reporting any responses received from Members on the trail and whether the statistics should be reported on a permanent basis.

(3) That Planning Services be thanked for providing this information so quickly in response to the desire to see greater reporting of planning enforcement statistics.

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

Chairman to make verbal report on discussions and recommendations made at tonight's meeting.

29. FUTURE MEETINGS

16 January 2006 at 7.30 pm.

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Community Street Wardens



Today I and other District councillors went on a fact finding mission to Colchester and Braintree.

Three or four years ago the government provided funding to enable Colchester to set up a community street warden scheme. Supervised by an ex-army regimental sergeant major, three men and three women working in pairs and dressed in blue patrol five wards in Colchester to show a friendly face to the residents and to act as the eyes and ears of the police by monitoring anti-social behaviour and encouraging youths to do other things. 10% of their work involves the issuing of fixed penalty fines. Dropping a cigarette end for example could cost you £75.

The wardens are accredited with the police. If other council officers attend the training they could also be accredited and provide intelligence to the police.

Their mission statement is to improve the quality of life for residents and those visiting or working in the scheme area and to reduce the fear of crime and disorder.

In Colchester the wardens have gone beyond their remit, the health and safety laws and PC and organised social activities such as tea dances for older residents, a BMX bike site for younger residents and trips away for socially excluded people.

In Braintree we found that this very week the council have launched a warden scheme which is jointly funded by the police and we saw seven new vehicles with council and police logos which are used to take wardens to their respective wards and can be used to take away fly tipped rubbish.

Cllr Peter Spencer
Buckhurst Hill East

5th October 2006

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