



## UTTLESFORD DISTRICT COUNCIL

### Felsted & Stebbing Ward

District Councillors John Evans & Richard Silcock



### **DISTRICT COUNCILLORS' REPORT: FEBRUARY 2024**

Please find attached below our monthly Report to the Parish Council.

#### **UTTLESFORD REFUSE SERVICE**

We would not have wished however to commence our Report with an instance of disappointing (to say the least) service provided to residents across the District recently in regards to the refuse service, which is one if the services required to be provided by a District Council under its statutory obligations, as to which Residents will have noted reports of scheduled refuse bin collections not having been collected. On behalf of Uttlesford District Council, we wish to convey our sincere apologies for these service failings which we readily acknowledge should not have arisen.

An enquiry will be undertaken and an account given to Full Council as to the background to the failings, how they came about as well as identification of lessons to be learned and for them to be applied in both the short term and permanently so as to avoid any potential recurrence. We shall report in full detail on this as soon as the enquiry has concluded and reported. Resilience and having an improved system in place to mitigate against the risk of human failings is one lesson anticipated to be identified.

By way of background, UDC is an “operator” of a fleet of Heavy Good Vehicles, being the refuse collection vehicles used to collect refuse, green waste and recyclable materials from households and from trade premises and transport it to licensed waste recycling centres. As such, it is licensed (just like any other commercial HGV “business”) to operate the fleet from its premises by the Traffic Commissioners for Great Britain. They are the independent regulators for the goods vehicle and public service vehicle industries and their professional drivers.

A Transport Manager, being a suitably qualified individual approved by the regulator, is delegated to manage the fleet, drivers and premises. In the case of UDC, the individual who was in this role left the employment of UDC and steps were taken by an UDC Officer to secure the necessary qualifications to enable him to fulfil this role, after examination. A period of grace was allowed by the Traffic

Uttlesford District Council, Council Offices, London Road, Saffron Walden, Essex CB11 4ER

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Commissioners to have the role filled suitably in this way but very regrettably, and unacceptably, a critical date was overlooked by the officer concerned for the completion of this exercise, meaning that the Traffic Commissioners were not satisfied that the regulatory requirements were current, Thus as the requirements had not been complied with, this led to the revocation by the Traffic Commissioners of the HGV Operators' Licence held by UDC.

There were no failings in respect of the capability, suitability nor licensing of the drivers, loaders or the vehicles themselves which led to this revocation; it was the absence of a suitably licensed Transport Manager against a strict timetable which brought this highly regrettable state of affairs about. It should not have occurred and while a root cause analysis is to be undertaken, this summary might clarify and explain the situation which has led to the temporary "grounding" of the UDC refuse fleet.

In the interim, pending the reissue of the necessary Operators' Licence, as Members and residents will have read, a stop gap service is being provided through the contracting in by UDC of refuse vehicles and drivers from Braintree District Council, Essex County Council and the trade, while supported by UDC's own drivers and loaders deployed in the vehicles. Additional days'/hours' of service have been provided by these means but nonetheless, certain areas of the District have not yet been served since the date of the Transport Commissioners' intervention. The programme of temporary provision has concentrated on collecting the grey lidded (non recyclable) bins and food caddy waste on the normal round days with a view to the green lidded bins resuming in the week commencing 12 February, again on the scheduled dates.

An advice as to the following day's intended programme is released towards the end of each day and available via the UDC website and which is published via social media too as well as being released via your Clerk (whom, as usual, we thank for the efficiency of her communications to the public), the latest example of which prior to submission of this Report reads:

\*\*\* Waste collections update (Monday 5 February) \*\*\*

Further progress was made over the weekend and today to empty the unemptied non-recycling bins and food waste caddies.

These collections will continue this week. Our patchwork quilt of available vehicles grew consistently throughout last week – from two on the road on Tuesday, up to nine on Friday, and more out over the weekend and today (Monday) which are not regular collection days. However, the availability of vehicles meant that despite best efforts, we were unable to get round to all homes, and covered about 50% of the district. Priority will therefore be made this week in areas that have not already had a collection since the service disruption began on Wednesday 24 January.

Tomorrow (TUESDAY) we will be emptying non-recycling bins and food waste caddies in Ashdon and also picking up more unemptied bins in Elsenham, Saffron Walden, and Forest Hall Park, which we visited on Saturday and today but didn't complete. Subject to the number of vehicles available, the crews will then start collections in the rest of Stansted. We will also have out tomorrow the hard-to-reach vehicle – a smaller truck that targets narrow roads around the district that the bigger bin lorries can't get down.

Please continue to leave your bins out ready for collection. If they have not been emptied yet, they will be.

We won't be turning to recycling collections until next week.

Again, we are genuinely very sorry for the disruption this has caused and are working as hard as we can to restore the service to normal."

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John will be very happy to respond to any further questions and concerns at your meeting and follow them up thereafter.

It will be remembered that the refuse service had in fact been touched upon in previous recent monthly reports including the anticipated extension of the service with a view to regularising its efficiency, to be achieved by the introduction of an additional round (meaning the acquisition of an additional refuse vehicle and recruitment of crew) to permit better district wide coverage to schedule. This will be intended to overcome the logistical difficulties and delays thrown up by the recent need to take the refuse collected to recycling centres which are located further away from Uttlesford than previously and indeed also the additional waste generated by the large population growth recorded in recent years (recalled to be 15% in the last decade).

### **OUR IMMEDIATE AND CURRENT LOCAL WORK**

Our last report included a reference to flooding at Causeway End.

Since, we have attended a helpful meeting held in Felsted which was organised by County Councillor Foley together with County Councillor Tom Cunningham, the ECC Cabinet Member responsible for roads and also floods. This is the first time that a personal meeting with the relevant Cabinet Member has been possible and so we are grateful that we have secured a degree of commitment at this level for the concerns of the Parish Council and ourselves on behalf of the affected residents. Following the meeting, we reported to those residents when we were joined by Cllr R Freeman too.

Some jetting of culverts in way of the affected length of Causeway End had been undertaken by contractors engaged by ECC prior to the meeting, but the fundamental root cause of the egress of water upon the road surface remains to be identified and grappled with. Further work as to this is on going.

Concern had been raised with us by some residents at Chaffix as to antisocial/inconsiderate behaviour on the part of some other residents who are tenants of UDC regarding abandoned vehicles/being worked on while under repair on the footway and generally. We have asked the UDC Housing Department to intervene and some improvement has resulted in tenants' approach and we shall continue to monitor matters so as to alleviate residents' understandable anxieties and concerns.

We have also advised regarding matters relating to road surfacing and maintenance issues at Garnetts Bungalows/Jolly Boys North.

### **WELCOME PLANNING TOPICS**

While we reported last month about unwelcome planning concerns in regard to the application of the presumption of sustainable development as per paragraph 11 d of NPPF, a number of Planning Decisions issued by PINS recently (both in District and outside) have been giving due weight and importance to relevant policies contained in Neighbourhood Plans. Of course, each application turns on its own facts and

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the application of local considerations and specific policies, but pleasingly and increasingly, it would seem that Inspectors are really “paying attention” to Neighbourhood Plans. This is all the more important given the recognition of the five (in place of two) year weight recently introduced by the Levelling Up and Reform Act 2023.

Moreover, the UDC Planning Committee have recently refused an application which was brought back to it on deferral after what at a first meeting might have led to an approval (contrary to officers’ recommendation), by reference to relevant Neighbourhood Plan policies. There were also very strong heritage considerations in play in that instance. However, in order further to support the work and know-how of the Planning Committee, John as Portfolio Holder organised a seminar for members’ benefit which was conducted by a barrister on the topics of interaction of neighbourhood planning in the plan led system and NPPF paragraph 11 d, as amended by recent reforms. He will be in separate contact with your Planning Committee concerning useful learnings provided in that seminar.

The on going work in the context of the review of the Neighbourhood Plan will we are sure be ever valuable and we shall be pleased to continue our support of it, as requested.

### **THE DRAFT LOCAL PLAN – AN UPDATE**

Since the New Year, the consultation responses to the Regulation 18 Local Plan continue to be tabulated and analysed and this task is a substantial one since they amount to some 5,000 overall ie when broken down by theme/topic. They will be published with the submissions made, identified by individual/representor, together with a comment/response against them, given thematically. This will be available it is expected towards the end of February/beginning on March when they will be brought to the members of the Local Plan Panel (“LPP”).

The LPP is the successor body to the Local Plan Leadership Group and its first meeting will be held on Thursday 8<sup>th</sup> February. It remains a working group of Cabinet ie it has an advisory function rather than an executive one and for those wishing to follow its work and timetable, a link to it is found here:

<https://uttlesford.moderngov.co.uk/mgCommitteeDetails.aspx?ID=544>

One of the first subjects to be considered by LPP is in regard to the draft policy on affordable housing (draft Core Policy 56) presently proposed to be 35% on developments of more than 10 dwellings. This compares with the present policy of 40% under the present Local Plan 2005. Further discussion will take place on this subject which is of course linked to the “viability” of prospective development sites ie set against physical site constraints but also land acquisition cost. It has to be said that the historic policy of 40% has in many instances not always been attained on grounds of such viability.

Additional background will be found here and we shall keep residents informed of this important policy which is critical towards the provision of greater volumes of housing which can be regarded as more affordable (relatively given the high base housing values in our District) than would otherwise be the case.

<https://uttlesford.moderngov.co.uk/documents/s34197/Affordable%20Housing%20Policy.pdf>

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During January, it became further clear that Ministers (led by Mr Gove as the Secretary of State) remain determined to ensure that the local authorities (like Uttlesford) with very out of date Local Plans press ahead with all speed. Mr Gove directed that several Local Authorities who were threatening to withdraw their drafts should not do so, with such directions being given in the most forthright of terms. It has been made plain that additional housing to be allocated per Local Plans must come forward. This policy/approach is not restricted to views held by the present Government and if there were to be a change of government following a General Election, we can safely assume that policies towards further house building will be at the top of the agenda for whomsoever will be in power.

Thus, there is no intention on the part of Uttlesford to delay or pause the Local Plan process; indeed, any departure from the published Local Plan timetable could well lead to positive intervention and direction from Ministers which would be most undesirable and potentially unhelpful.

### **CLIMATE CHANGE, CARBON AND GREENHOUSE GAS LEARNINGS**

We attended recently, as did many other colleagues from across the District, seminars organised by the UDC Climate Change Officer concerning climate change and the relevance of cutting carbon emissions on a personal and organisational level. I think it is fair to say that there were many things that came to our attention that had previously passed us by.

We will report further on this topic which is such importance for not only us but most importantly of all for those who those of the generation of our children, grandchildren and indeed those yet to come.

Meanwhile, we thought it would be useful to include a visual link to information available through an App released by ECC as a further link to carbon reduction with the strap line:

“Join our county’s climate fight by downloading the Carbon Cutting Essex app. Discover energy-saving tips through quizzes and videos.

Earn points for positive actions that are redeemable in the app for vouchers or donations”

[Download the Carbon Cutting Essex app](#)

The free app can be downloaded through:

- [GooglePlay](#)
- the [App Store](#)
- the [Greenredeem website](#)

A down to earth video clip has been published by the Essex Climate Change Commission which is worth a viewing, in our opinion:

<https://www.youtube.com/watch?v=7dlrBntguYM>

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### **DISTRICT COUNCILLORS' AND CONSTITUENTS' SURGERY**

Richard has sent his apologies this month but John will hold our usual monthly surgery this month in the URC Hall at 1730, immediately prior to the Parish Council meeting.

We are always, in addition, pleased to meet up elsewhere, by appointment as required, with any resident who wishes to discuss a matter of concern or indeed anything we have commented upon in our Monthly Reports.

If any resident would like to receive a personal copy of our Monthly Reports, we shall be pleased to send one directly to them by e mail.

Finally, we remain very happy to consider requests for financial support, utilising our Members' Initiative Grant as appropriate and which can be made available to community groups for suitable purposes.

Cllr John Evans

E: [cll.evans@uttlesford.gov.uk](mailto:cll.evans@uttlesford.gov.uk)

Cllr Richard Silcock

E: [cll.silcock@uttlesford.gov.uk](mailto:cll.silcock@uttlesford.gov.uk)

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