



ENVIRONMENT AND HERITAGE COMMITTEE

Members of the Environment and Heritage Committee

are summoned to attend a Meeting at **7.45pm** on

Tuesday 23 November 2021

at Loughton Library and Town Hall, Traps Hill, Loughton IG10 1HD

to transact the business shown in the agenda.

Mark Squire
Town Clerk

16 November 2021

Councillor C C Pond (Chairman)
Councillor C P Pond (Vice Chairman)

Councillors

P Beales
K Valentine

B Cohen
G Wiskin

S Fontenelle

Note to Councillors:

If you are unable to attend the meeting,
please email your apologies to the office contact@loughton-tc.gov.uk

A G E N D A

- 1 Apologies**
To RECEIVE any apologies for absence.
- 2 Declarations of Interest**
For Councillors to declare any pecuniary or non-pecuniary interest in any items on the Agenda.
- 3 Confirmation of Minutes**
To CONFIRM the minutes of the meeting held on 22 September 2021.
- 4 Public Representations**
To hear any representations from members of the public who have registered a request to address the Committee in accordance with no 5, Appendix C, of the Standing Orders.
- 5 Town Clerk's / Chairman's Report**
To report (for discussion only) on any further significant information / matters that may be of interest to Committee members.
- 6 Allotments**
 - 6.1 Willingale Allotments Report**
Tenancy Annual Renewals – 1 September 2021-To date we have received payment of £3,180 this equates to 81 renewed half and full plots, and 4 shed plots.

Current Situation – There are currently 4 vacant plots, 30 people on the waiting list and viewings are taking place. The water on site has now been switched off for winter.

To receive and note
- 7 Environment**
 - 7.1 Epping Forest Net Zero Forum (EFNZF) – Min no EH34**
On 2/11/21 a further 'zoom' meeting was held. A case study baseline carbon footprint has been identified as an example on how carbon reduction pathways can be identified. Epping Forest District Council's Sustainability Guidance documents were highlighted. The guidance is split in to major and minor developments, but both contain the same themes and are a useful tool for Parish and Town Councils to help to evaluate planning applications from a net zero point of view. This aspect will be brought to a future Planning & Licensing Committee meeting. Further meetings will ensue in the New Year.

To receive and note
 - 7.2 Environment & Sustainability Policy – Min no EH 13**
At the last Environment & Heritage Committee meeting dated 22 September 2021, members were requested to review draft policy document (previously circulated) and comment as appropriate. Members are requested to make recommendations and /or agree the current draft.

- 7.3 Importance of Hedgerows – Min no EH 45**
Councillor C Davies will make a short presentation.

8 Signage

- 8.1 Signage to the Forest from Loughton Station / Town Centre – Min no EH 37.1**
A meeting has been set up with member of Transport for London (TFL), Epping Forest Heritage Trust (EFHT), City of London Corporation (COLC), and Cllr C C Pond and the Town Clerk on 8 December to discuss appropriate signage at Loughton Station.

A separate meeting is to be set up between Loughton Town Council (LTC) and EFHT to conduct a walk between Loughton Station and Epping Forest to review the most appropriate locations for intermittent direction signage to the forest.

- 8.2 Street Signage – Min no EH 37.2**
The nameplates for 'Dragons Path' are now in place – see attached photos page 5.

- 8.3 Finger Posts – Min no EH 37.3**
The office continues to chase the Highway Rangers, who have not as yet committed to a date for the renovation work.

All three reports above to receive and note.

9 Loughton Cemetery

- 9.1 Gardens of Remembrance Training**
See attached report from the Community Manager/ Cemetery Clerk page 6.

- 9.2 Cemetery wall**
The Town Clerk will provide background information on the requirement to revisit the condition of the cemetery wall.

10 Requests from Epping Forest District Council's (EFDC's) Town Centre Manager

- 10.1 The Broadway Loughton (Debden)**
This agenda item has been referred to this Committee from the Town Council meeting of 20 October 2021 for further discussion. Members are asked to refer to TC agenda item 8.1 and attachments and minute no TC 37.1 The Town Clerk will provide any further updates that are available at the time of this Committee meeting.

Members to review and consider a way forward.

- 10.2 EFDC Market Policy**
EFDC has requested that LTC could write supporting this policy as it will assist EFDC in considering future market options for both Loughton High Road and The Broadway. See pages 7 – 20.

11 Broadway Noticeboard- Min no EH39

The Services Manager will provide an oral update. Due to the prolonged delay in re-siting the noticeboard at the preferred site on the wall of the Superdrug retailer, another site may ultimately need to be selected.

12 Salt Bin- Request –Min no EH 42

See report attached page 21.

13 Community Events

(i) Remembrance Sunday – 14 November 2021 -Min no EH38.1.

A befitting and moving Remembrance Service was held on Sunday 14 November 2021 at the war memorial on Kings Green, Loughton. Hundreds of local residents joined the annual parade, leaving the Royal British Legion Headquarters (Loughton Branch) at Church Hill. The procession included representatives from The Royal British Legion, Churches Together in Loughton, the Air Cadets, Scouts, Guides, Brownies and Rainbows together with ex-service men and councillors.

Town Mayor, Councillor Rose Brookes, led the tributes on Kings Green attended by a large number of local residents.

To receive and note

(ii) Knitted Poppy Appeal - Min no EH38.2

The poppy display surrounding the old oak tree at Kings Green, jointly organised by Woodland Branch Essex Handicrafts Association and LTC has been well received by local residents. See photo page 22.

To receive and note.

14 Loughton Wombles – Min no EH 38.4

Loughton Wombles has now been officially launched. The Town Clerk and Community & Services Officer held an initial meeting at Loughton Library on the evening of 28 October 2021, which was well attended. The aims of this volunteer group were discussed, and health and safety guidance provided. The initial group litter pick is to be staged in two different locations in Loughton on the morning of Saturday 20 November. A further oral update will be provided by the Town Clerk at the meeting.

To receive and note

15 Christmas Lights

Members to decide whether they wish to install Christmas lights along the principal high streets in Loughton again in 2023. LTC will need to go out to tender for a new contract for these lights.

16 Committee Priorities

16.1 As part of its overall plan and to complement the budget-making process, the Committee is asked to review its priority list.

* The attached priorities were last revised in November 2020 (see page 23).

16.2 The Committee is also requested to review the items proposed to the Planning and Licensing Committee last year, as being suitable for a developer's Section 106 contribution should the opportunity arise:

- i. Public toilets
- ii. Town and other signs
- iii. Bus shelters
- iv. Replacement of non-conforming streetlights

17 Financial Position

Current Financial Position

The current financial position is attached together with details of the funds available from earmarked reserves.

* (See pages 24 – 25.)

18 Estimates for 2022/23

* See attached report (pages 26 – 30).

19 Environmental Issues

This agenda item provides an opportunity for the Committee to discuss concerns and improve the ambience and environment of Loughton by tackling adverse factors and promoting positive ones.

The methodology agreed is as follows:

Councillors should send to the Town Clerk at least 14 days before the meeting a statement of what the eyesore is, its exact location, its ownership, if known, and the desired course of action. Members would discuss the matter, come to a conclusion, and then the Clerk would write to the responsible body outlining what the Town Council would like to see done. If no action were taken, the matter could be publicised and revisited at a subsequent meeting.

20 Future Work of the Committee

The opportunity for members to suggest topics to be considered by the Committee at a future meeting, subject to the Committee's agreement.

21 Deep clean of War Memorial – Kings Green

Members to receive three quotes for the restoration work and select the best value option.

Members to agree to vire funds from existing Environment & Heritage budget accounts with the residue amount to be taken from general reserves.

The Town Clerk and Services Manager will provide further background information and recommendations.

See attached pages 31 – 46.

22 Exclusion of the Press and Public

The Committee is asked to RESOLVE to exclude the press and public from the following item in accordance with the Public Bodies (Admission to Meetings) Act 1960, as they contain confidential information relating to contractual matters.

Mark Squire
TOWN CLERK
16 November 2021

Agenda item 8.2
Street Signage: Dragons Path



Agenda Item 9.1
Loughton Cemetery
Establishing and Managing Gardens of Remembrance Training

I attended the Gardens of Remembrance Training held via Zoom delivered by the ICCM.

The purpose of attending was to get an understanding of what a Gardens of Remembrance entails and if an identified area in Loughton Cemetery would be suitable.

A Garden of Remembrance should be positioned in a key location, an open area or specific garden where deceased people can be commemorated and where possible their ashes laid to rest. This will provide a greater choice for bereaved families.

Unfortunately, the area within Loughton Cemetery would not be ideal as it is a very small area at the back of the Cemetery, where access and layout would be very limited.

A Garden of Remembrance could be considered in a larger open space area of Loughton. However, this would be a project in itself, and would perhaps require consultation and the following bullet points would need to be taken into consideration.

- Position
- Initial build cost
- Planting
- Structures
- Benches
- Maintenance and Management
- Responsibilities
- Rules and Regulations
- Memorials
- Funding
- Sustainability

Pippa Bryce
15.11.21

Agenda Item 10.2 EFDC Market Policy

Dear All,

I write to advise you that consultation on the proposed Market policy for Epping Forest District begins today and runs until Sunday 6 December 2021.

The Council recognises the important contribution that street markets can make to the local economy and the character of an area. The promotion of markets is an important inclusion in the town centre regeneration projects for Epping, Loughton, Ongar, Waltham Abbey, Buckhurst Hill and the district as a whole.

The purpose of the market policy is to create a market trading environment that compliments the surrounding area and retail offer, is sensitive to the needs of all users of or town centres and provides a diversity of choice for consumers. It seeks to encourage and stimulate investment from local traders and to create a quality and sustainable offer to our residents and visitors.

In doing so the policy aims to protect and, where possible, enhance the amenity and character of the District and local communities within it, to provide opportunity for local traders and businesses and to provide market operators with clarity and guidance.

There is no statutory requirement to consult before determining this licensing policy however to ensure openness and transparency, prior to implementation, the following are being consulted directly:

- The National Association of British Market Authorities (NABMA)
- The National Market Traders Federation (NMTF)
- Members of the Council, including Town and Parish Councils
- Local businesses
- Existing operators
- Essex Police
- Essex Fire and Rescue
- Essex Highways
- Essex Trading Standards
- Epping Forest Planning Authority
- Environmental Health
- Relevant Council services responsible for licensing, economic regeneration, legal services and town centre operations

A copy of the draft policy is also available on the Councils [website](#) inviting comments. This will be supported by a press release and social media messaging during the consultation period.

Comments should be sent to the Licensing Team Manager, Epping Forest District Council, Civic Offices, 323 High Street Epping CM16 4BZ or by e mail to licensing@eppingforestdc.gov.uk (using the subject header Market Policy Consultation).

For more information, please contact me direct.

David King

Team Manager - Licensing
Epping Forest District Council

☎01992564034

<https://www.gov.uk/coronavirus-business-reopening>

Agenda item 10.2 /cont...

Date: 17 November 2021



Civic Offices
High Street
Epping
Essex
CM16 4BZ

Dear Sir or Madam,

Market Policy Consultation 2021

I write to advise you that Epping Forest District Council is currently consulting on its draft Market Policy.

The Council recognises the important contribution that street markets can make to the local economy and the character of an area. The promotion of markets is an important inclusion in the town centre regeneration projects for Epping, Loughton, Ongar, Waltham Abbey, Buckhurst Hill and the district as a whole.

The purpose of the market policy is to create a market trading environment that compliments the surrounding area and retail offer, is sensitive to the needs of all users of or town centres and provides a diversity of choice for consumers. It seeks to encourage and stimulate investment from local traders and to create a quality and sustainable offer to our residents and visitors.

In doing so the policy aims to protect and, where possible, enhance the amenity and character of the District and local communities within it, to provide opportunity for local traders and businesses and to provide market operators with clarity and guidance.

The draft policy can be viewed on the Councils website using this [link](#)

We welcome your views on the proposed policy and anyone wishing to comment on this policy may do so in writing by 6th December 2021.

Comments should be sent to the Licensing Team Manager, Epping Forest District Council, Civic Offices, 323 High Street Epping CM16 4BZ or by e mail to licensing@eppingforestdc.gov.uk putting Market Policy Consultation response in the subject header.

For any related enquiries, please contact the Licensing Team on 01992 564721.

Kind regards

Licensing Team



Markets Policy

This document provides policy and guidance for persons wishing to hold private, commercial and/or charity markets together with car boot sales or similar across the district of Epping Forest.

Epping Forest District Council Markets Policy

1. Introduction

- 1.1 Epping Forest District Council (“the Council”) recognises the important contribution that markets can make to the local economy and the character of an area. Markets can deliver economic growth & regeneration; they offer an opportunity for small businesses to get started for a relatively modest financial outlay, help increase town centre vitality and contribute in a number of ways to the local communities they serve.
- 1.2 The promotion of markets is an important inclusion in the town centre regeneration projects for Epping, Loughton, Ongar, Waltham Abbey, Buckhurst Hill and the district as a whole and is particularly relevant, following the coronavirus pandemic which has redirected community focus towards the outside shopping and hospitality experience.
- 1.3 The purpose of this policy is to create a market trading environment that compliments the surrounding area and retail offer, is sensitive to the needs of all users of our town centres and provides a diversity of choice for consumers. It seeks to encourage and stimulate investment from local traders and to create a quality and sustainable offer to our residents and visitors.
- 1.4 The Council recognises that there are many different types of market activities and accordingly, the Markets Policy is intended to cater for each type. In particular, the Markets Policy distinguishes between commercial markets and those that are largely community-based with a strong charitable element. Sections 7 & 8 of the Markets Policy deals with the different types of market activities and sets out the Council's approach when considering applications in respect of such markets.
- 1.5 This policy has been written with a view to supporting the following objectives:
- Recognise the importance and contribution of markets to the wellbeing of the local economy;
 - Enhance the economic diversity of the area;
 - Protect and, where possible, enhance the amenity and character of the District and local communities within it;
 - Offer opportunity for local traders and businesses;
 - Provide traders with guidance and clarity;
 - Encourage residents to spend locally on their High Streets and support their local business community;
 - Ensure coherence with Council policies and relevant legislation; and
 - Promote fairness, transparency and consistency.

2. Consultation and Review of the Market Policy

- 2.1 There is no statutory requirement to consult before determining this licensing policy however to ensure openness and transparency, prior to implementing this policy the Council has chosen to consult with the following:
- The National Association of British Market Authorities (NABMA)
 - The National Market Traders Federation (NMTF)
 - Members of the Council, including Town and Parish Councils
 - Local businesses
 - Existing operators
 - Essex Police
 - Essex Fire and Rescue
 - Essex Highways
 - Essex Trading Standards
 - Epping Forest Planning Authority
 - Environmental Health
 - Relevant Council services responsible for licensing, economic regeneration, legal services and town centre operations
- 2.2 A copy of the policy was also placed on the Councils website inviting comments.
- 2.3 This policy may be reviewed from time to time by the portfolio lead for Regulatory Services. Any revisions made to the policy shall take effect on publication of the policy (as revised) on the Councils website. The policy will also be submitted to the Councils Licensing Committee for overview at 5-year intervals, or sooner if deemed appropriate.
- 2.4 Anyone wishing to comment on this policy may do so in writing to the Licensing Team Manager, Epping Forest District Council, Civic Offices, 323 High Street Epping CM16 4BZ or via the Councils comments, compliments and complaints page on the Councils website at [Comments, compliments and complaints – Epping Forest District Council \(eppingforestdc.gov.uk\)](https://www.eppingforestdc.gov.uk/comments-compliments-and-complaints) .

3. Council and Charter Markets

- 3.1 Epping Forest District Council licenses private operators to operate the following markets:
- North Weald Market – every Saturday and Bank Holiday Monday between 8am & 3pm
- 3.2 The Town Councils in the following areas either do or can operate a market by virtue of an historic Royal Charter:
- Waltham Abbey Market – every Tuesday and Saturday
 - Epping Market – every Monday
 - Ongar Market – first Sunday of every month

4. Epping Forest District Council's Market Rights

- 4.1 The towns of Epping, Waltham Abbey and Ongar are legally entitled, by virtue of historic Royal Charter to operate weekly markets. In more recent times, powers have been vested in local authorities under, what is now, Part III of the Food Act 1984, to hold markets and have the right to licence and control the frequency of markets within their district.

- 4.2 In addition to the regular Council markets listed above, the Council may also operate occasional market events, such as plant and craft fairs, Christmas and summer markets, festivals and other themed markets across the district. Accordingly, the above list is subject to change and shall be updated as part of a periodic review of the Council's Markets Policy.
- 4.3 Any market other than a market operated by Epping Forest District Council or a Charter market, will be subject to this policy.
- 4.4 The Council has also adopted Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 that requires any person intending to hold a temporary market to notify the Council in advance, so that if appropriate, the Council can take steps to remove the permitted development rights to hold such a market and require the operator to apply for planning permission to do so.
- 4.5 This right has been exercisable for many years and this policy takes into account the relevant legislation.

5. What is a market event and who does the market policy apply to?

- 5.1 The Council's Markets Policy is intended to apply to all market events held in the district of Epping Forest that are not a Charter market or are not operated by Epping Forest District Council.
- 5.2 The legal definition of a market is a 'concourse of buyers and sellers' (this means that the public are entitled to attend market events to buy and sell). It should be comprised of not less than five stalls, stands, vehicles (whether moveable or not) or pitches from which articles are sold by a range of different sellers.
- 5.3 A market may be held either outdoors or indoors and on public or private land and includes car boot sales, antique and craft markets, general markets, food markets, farmers' markets and charitable markets. However, this list is not exhaustive.
- 5.4 There will be an operator of the market who will be responsible for the organisation and delivery of the market event. A Market Operator means the person, body or organisation to which a market licence is granted by the Council.
- 5.5 A market may sometimes be held as part of a wider event. When this arises the market element (comprising of 5 or more stalls) of the event shall be subject to the Markets Policy. Where a premises licence for a wider event (which includes a market element) has been issued by the Council then a separate licence may not be required. However, this requirement shall be determined on a case-by-case basis.
- 5.6 This markets policy does not apply to street trading activities. Street trading is controlled by a separate licensing process and relates to the granting of individual trader consents. Further information about street trading activities can be found on the Epping Forest District Council website: <https://www.eppingforestdc.gov.uk/licensing/apply-for-a-licence/street-trading/>

6. Licensing of Markets under the Council's Market Policy

- 6.1 The Council's consent to a market, by the grant of a market licence, must be given prior to the event taking place. Any market that takes place without such a licence shall be in breach of the Markets Policy and may be subject to the enforcement action described in Section 14 below.
- 6.2 Market licenses are issued to the Market Operator identified in the application ("the Market Operator") and are not transferrable.
- 6.3 The Council shall consider applications in respect of the following categories of market events:
- a) Commercial markets; and
 - b) Community-based markets (operated for a good cause or special event, with a strong charitable element).

The criteria set out in Section 5 above will be relevant in respect of both Commercial and Community-based markets.

7. Commercial Markets

- 7.1 A commercial market is one which is operated for profit and where the traders are engaged in a business activity of selling goods for their own purposes. The Council shall consider applications in respect of commercial markets whilst also having regard to the following matters:
- No market shall be authorised unless it can be demonstrated that the proposed market complements existing retail activity in the local area and supports the Council's objective of helping to create a thriving local economy that is attractive and welcoming and does not prejudice the overall market offer. Please note: A lawful Council operated market, Charter market or other market, is entitled to the right of protection within a common law distance of six and two third miles - measured 'as the crow flies'. This common law entitlement is part of a local authority's market rights and has been upheld by a Court of Appeal.
 - The applicant is required to provide a site plan showing the extent of the proposed market area and proposed layout of stalls.
 - Design of stalls must enhance the visual appearance of the area and be constructed in a suitable style and of appropriate materials i.e. simple, functional stalls with canopies or awnings of traditional or modern design.
 - The applicant is required to undertake a risk assessment in relation to the proposed operation of the market and make this available for inspection by the Council upon request.
 - The applicant must ensure that all other necessary consents and licences have been obtained prior to the market taking place. All traders must comply with any relevant statutory requirements, bylaws and other legislation.

- Where necessary consultation with police, fire, health & safety and highways should be carried out together with any other relevant body.
- The relevant application fee must accompany the application. The licence fees for any markets licence consist of a non-refundable fixed application fee and a sliding scale fee based on both the size of the market and the frequency with which the market is to be held.
- All market traders must hold a current public liability insurance policy with cover of at least £5,000,000.00 (five million pounds) for any one claim. The policy must indemnify the Council and its employees against any claim, howsoever arising. Details including name and address of insurance company and policy number must be provided to the Council and upon each renewal date updated details produced and filed in the Council office prior to the market taking place.
- All trading standards guidelines, health and safety requirements and any other relevant legislation must be adhered to. Food businesses with articles exposed or offered for sale for human consumption shall comply with current food & hygiene regulations and be able to demonstrate the required certification.
- Food businesses trading should have a minimum food hygiene rating of 3 (standards are generally satisfactory) or above.
- Type of goods to be sold. The goods must complement and not conflict with goods sold by other retailers in the immediate area.
- Consideration being given to the adjacent retail offer to each individual pitch and limiting the number of those selling similar goods. This encourages diversity of offer and operators should seek to complement rather than compete.
- Demonstrates a preference to the use of local traders and businesses.

7.2 Following outline approval of an application a licensing agreement must be entered into between the Market Operator and the Council and such licensing agreement must be signed by both the Council and the Market Operator before the market takes place. The licence agreement will cover the issues set out in this section and all other matters the Council deems to be relevant including, but not limited to the following:

- Waste disposal arrangements. Applicants have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced.
- Road closures and traffic management
- Noise and nuisance
- Health & Safety
- Power usage

- Market Operator agrees to allow access to appropriate Council Officers in the interest of public safety.

Any other requirements the Council consider appropriate.

8. Community – Based Markets

- 8.1 Community-based markets are normally organised by local communities or groups with the intention of raising funds for a specific cause or celebrating a special event.
- 8.2 The markets must be operated on a non-profit basis to assist a charity or community, and the operator shall supply relevant information to the Council if requested. Whilst it is acknowledged that some traders will be selling goods for their own purposes, the Council will look for the event to have a strong charitable element in the way the event is organised.
- 8.3 The operator must hold adequate proof that the charity they represent is registered with the Charity Commission, and provide written permission from the charity organisation to raise funds on their behalf.
- 8.4 In respect of any licence the operator must have adequate insurances, comply with Trading Standards guidelines, health and safety requirements and any other legislative requirements or other statutory provisions laid down by the Council.
- 8.5 A licensing agreement will be entered into between the operator and the Council and such licensing agreement must be concluded before the market takes place. This agreement will include and insist on such other requirements as are deemed appropriate to ensure consumer and public safety standards.

9. Process for Determining Market Applications

- 9.1 An electronic version of the Council's Markets Policy, together with the relevant market licence application form, can be viewed and downloaded from <https://www.eppingforestdc.gov.uk/xxxxxxx>.
- 9.2 The application accompanied by the relevant fee should be completed and submitted to licensing@eppingforestdc.gov.uk
- 9.3 The application process will consider such matters as (but not limited to):
 - Has an adequate Event Management Plan been completed with the inclusion of any relevant Risk Assessments?
 - Has the operator held other events within the borough, if so, how many and at what frequency?
 - Previous applications being refused, or licence being revoked.
 - Has permission been granted by the venue/landowner?
 - Potential risk to the public in terms of highway safety and obstruction such as interference with sight lines, junctions, accesses, pathways and crossings.

- Free flow of pedestrians or vehicles in the street, with particular regard for the visually impaired or those with other physical disability.
- Road safety, including existing traffic orders and waiting restrictions.
- The nature of goods to be traded. Including those deemed inappropriate or to have an adverse health or environmental risk.
- Likelihood of activity to present crime and disorder or anti-social behaviour risk.
- Whether the grant would create conflict with the trade of existing businesses.
- Likelihood of noise, odour and litter or encourage vermin.
- Comments received from consultees.
- Obtaining of any other required permission or licence.
- Conflict with any other Council policy.

9.4 The Council will aim to deal with applications within a period of 28 days of receipt. Applicants are urged to apply as early as possible to ensure that the Council has adequate time to consider the relevant matters in an appropriate way. In considering the application the Council will require sufficient information to deal with all the issues set out in the criteria listed above and covered on the application form. Failure to provide full information as highlighted above may lead to a delay in the Council reaching its decision or the application being refused.

9.5 The Council will consult on applications and in doing so it will share information with other agencies as appropriate including; Police, Essex County Council Highways, Planning and Environmental Health etc.

9.6 The guidelines detailed in sections 7 & 8 of this policy will be applied when an application is made and received by the Council.

9.7 Where an application is refused, the Council will set out the reasons for its decision in writing. If the applicant wishes to appeal the decision it should do so, in writing, within fourteen days of the Council's written decision. Please see section 10 in respect of the appeals procedure below.

9.8 All decisions to grant a market licence are made at the discretion of Epping Forest District Council. The Council may issue a licence for up to one year or a lesser period where appropriate if the trading activity is seasonal or of a temporary nature.

10. Appeals Process

10.1 If the Council determines to refuse an application for a market licence, it will contact the applicant and set out the reasons for its decision in writing.

- 10.2 There is no statutory right of appeal against the refusal to issue a market licence. However, the applicant may appeal against the decision through the Epping Forest District Council complaints procedure.
- 10.3 If the applicant wishes to appeal the decision it should do so, in writing, within fourteen days of the Councils written decision, setting out the reasons why the applicant believes the decision is unwarranted.
- 10.4 On receipt of an appeal request the decision will be reviewed by the Service Manager for Regulatory Services and the applicant informed of the outcome in writing.

11. Market Fees

- 11.1 A reasonable administrative fee will be charged for applications. The fees are set on a cost recovery basis, taking into consideration the time and cost to the Council in determining the application. If the application is successful, there will be an additional fee to cover the cost of ongoing compliance visits.
- 11.2 The additional fee is payable once the application has been granted by the Council. An agreement between the applicant and the Council will be drawn up by the Council and this will require the appropriate fee to be paid at least 7 days prior to the event taking place.
- 11.3 The fees payable is determined based on whether the application is for the grant or renewal of an existing licence and the type, size and frequency of the market using the following categories.
- Up to 10 stalls
 - 11 – 30 stalls
 - 31 plus stalls
- 11.4 Fees do not include any other fees that may be charged in order for the operator to comply with other relevant legislation, for example, a Game Licence, Alcohol Licence, Planning or Highways permission.
- 11.5 Fees are reviewed annually and are available on request and on the Councils website.

12. Other Approvals

- 12.1 It is important to emphasise that any approval given by the Council in accordance with this Market Policy shall not remove the requirement for any other relevant approvals, consents or licences to be obtained by the Market Operator.
- 12.2 Where the market is being held on private land, the Market Operator must ensure that approval from the relevant landowner is obtained prior to submitting the market application.
- 12.3 The Market Operator should also consult with the Councils Planning Department to ascertain whether planning consent is required for the market to operate. Any market held in the same location for 14 or more days in a calendar

year will require planning consent. Contact:
Planning.Admin@eppingforestdc.gov.uk / 01992 564000.

- 12.4 The Market Operator shall be responsible for any temporary road closures and associated traffic management arrangements that may be required in order to facilitate the operation of the market. Essex County Council has legal powers to temporarily close roads and divert traffic in order to facilitate various types of event. Applications for temporary road closures in relation to markets should, in the first instance, be addressed to Essex County Council (see www.essex.gov.uk for more information).
- 12.5 Attention is also drawn to the provisions of the Licensing Act 2003 in respect of any entertainment provided at the market or where a Temporary Events Notice might be required in respect of the sale of hot food or alcohol. Contact: licensing@eppingforestdc.gov.uk / 01992 564000.
- 12.6 The Council has approved the adoption of Section 37 of the Local Government (Miscellaneous Provisions) Act 1982. This Section deals with temporary markets and any operator of a temporary market, together with the occupier of land on which the market is to be held, are required to give to the Council not less than one month's notice of the holding of the market.
- 12.7 Any notice given by the operator and the occupier of the land shall state:
- The full name and address of the person intending to hold the market;
 - The day or days on which it is proposed that the market will be held and its proposed opening and closing times;
 - The site on which it is proposed that the market will be held; and
 - The full name and address of the occupier of the land if he is not the person intending to hold the market.
- 12.8 It is important to emphasise that the requirements of Section 37 are quite separate to the licensing of events under the Council's Markets Policy set out in Section 9. The operator and the occupier of the land should ensure that a notice is given to the Council under the requirements of Section 37 as soon as proposals for a temporary market are under consideration. This will enable the Council to give preliminary consideration to a proposal and indicate its likely view on a subsequent application for a markets licence.

13. Renewing or Termination of the Market Licence

- 13.1 Market licences will be granted for a maximum 12-month period. Operators should re-submit their application if they wish to continue to operate a regular market. This must be done at least one month before their current market licence expires.
- 13.2 The Council will not send out reminders for renewals. It is up to the operator to renew their application on time. Lapsed market licences will be dealt with as new applications.
- 13.3 The market licence may be terminated by either party by giving twenty-eight days' notice in writing.

14. Enforcement

- 14.1 The Council will monitor the application of its Markets Policy and any market event which is operated after the date of the adoption of this Markets Policy.
- 14.2 Any market which is not approved by the Council under its Markets Policy will be subject to legal action and the Council may seek an appropriate remedy in the courts to prevent the market being held and/or damages as appropriate.
- 14.3 Any Market Operator acting in contravention of any market licence granted by the Council will run the risk of the licence being terminated by the Council with immediate effect on such terms as the Council determines and, in such circumstances, the Council reserves the right to refuse any future applications for market licences submitted by the Market Operator concerned or any person or organisation associated with the Market Operator.
- 14.4 Any costs of, or associated with, enforcement action deemed necessary as a result of the Market Operator's failure to comply with the Market Policy will be recovered from the Market Operator.
- 14.5 It is the responsibility of the Market Operator to ensure compliance with the conditions of the market licence. This includes ensuring that all traders are aware and comply with relevant conditions.
- 14.6 The Council will deal with complaints about markets using its existing policies depending upon the complaint.

15. Market Rules and Conditions

- 15.1 The Market Operator shall not permit the sale, exchange/giving away or display of live animals, birds, fish, reptile or other livestock on the market place.
- 15.2 No firearms (real or imitation), air weapons, sheath knives, cut-throat razors, hunting/fighting knives, bows or crossbows may be available for sale (domestic cutlery is permitted). The sale of any item that may be deemed to be of a harmful, objectionable or offensive nature, or that is prohibited by current Acts of Parliament, is not permitted.
- 15.3 Loudspeakers, instruments or other noise generating appliances are not to be used or shall be so moderated as not to cause any nuisance, annoyance or disturbance.
- 15.4 Where the market is held on the public highway, there must be an absolute minimum of 0.450 metres from the kerb edge to a market stall/person serving at the market stall.
- 15.5 Vehicles to unload and load the market are not exempt from existing parking restrictions/taxi bays/disabled parking bays, therefore it is important to consider where they can park safely without having an impact on any other highway user.
- 15.6 Where the market is held on the public highway, market vehicle parking should be considered as most locations cannot accommodate all day parking.
- 15.7 Where the market is held on private land, the Market Operator must ensure that there is adequate parking on the market site for both sellers and buyers.

- 15.8 Where applicable, the Market Operator must ensure that there are sufficient stewards on duty to control traffic entering and leaving the market site and to control parking on the site in a safe manner.
- 15.9 Market loading and unloading must not cause any trip hazards.
- 15.10 Traders/the Market Operator must supply their own stalls, including any tables and awnings.
- 15.11 Awning and stalls used must be stable in all weather conditions and not present a danger to other market/highway users.
- 15.12 Awnings for stalls must not present trip hazards.
- 15.13 Market stalls and stock should not block any highway crossing facilities and/or any access to highway crossing facilities.
- 15.14 Market stalls should not be placed in any particularly narrow sections of the footway.
- 15.15 Market stalls should be allocated positions that ensure any queues do not block the footways.
- 15.16 An acceptable width of footway should be left available at all times.
- 15.16 Stalls should not have goods spread across the footway in front of them.
- 15.17 The Market Operator must provide suitable receptacles for the deposit of litter and ensure that all rubbish is removed from the vicinity of the market at the end of the day's trading.
- 15.18 Traders shall not bring onto the market any inflammable liquids, gases, fireworks or similar articles which may cause fire or explosion. The exception being a gas supply for cooking food upon such conditions as the Council may direct.
- 15.19 No goods may be displayed or sold which in the opinion of the Council are inappropriate, dangerous or likely to cause offence to other traders or members of the public.
- 15.20 No goods may be displayed or sold that are counterfeit or in breach of copyright or patent.
- 15.21 No mains-powered electrical goods may be sold except for new items still in their original packaging.
- 15.22 Second-hand or used electrical goods may not be sold, even if PAT-tested
- 15.23 All traders must familiarise themselves with the conditions of the licence issued by the Council.
- 15.24 All incidents, accidents and "near misses" involving Traders, their staff or members of the public must be recorded and reported as soon as possible to the Council.

This list is not exhaustive, additional conditions may be added or removed to the licence dependant on the type and size of the event.

Agenda Item 12
Salt Bin Request

See email response dated 17.11.21 below

Good morning

I can advise Cllr Vance submitted the request at the end of September and it is currently in the process of being Validated and assessed against the criteria in place. This is not something that if it meets the criteria that will be implemented this winter as it will need to be agreed by the panel when funding becomes available as all of the Epping Forest LHP budget has been fully allocated for this financial year. The Panel meeting in March 2022 is when they consider all the schemes from across the District that are awaiting funding for funding in the 2022-23 financial year.

For your information

ECC will not provide bins in the following circumstances:

- „ In private areas or on commercial premises.
- „ Within 200 metres of another salt bin.
- „ Where they would obstruct the passage of pedestrians.
- „ Where the location would reduce visibility for traffic/pedestrians.
- „ Where traffic management would be required when installing or stocking.
- „ Where the location is unsafe for use by the public.
- „ Where the location is on a treated part of the network.
- „ Where the road is not on a steep incline.
- „ Where there is no sharp bend in the road

Looking at the location that has been requested for the placement of a new salt bin near the junction of Nursery Road/ Smarts Lane in Loughton, there may be an issue of where it can be placed if it meets the gradient/incline/bend criteria due to narrow footways and that there is a long stretch of City of London land that would prevent us from placing a salt bin on this land.

However I will feed back to Cllr Vance once the validation process has been completed.

Regards

Sarah Alcock | Highway Liaison Officer
Castle Point and Epping Forest Districts
Design Services



Agenda item 13
Community Events
Knitted Poppy Appeal



**Agenda Item 16
Committee Priorities**

ENVIRONMENT AND HERITAGE COMMITTEE – Priorities 2022/23		
Current Priority	Main Function	Greater Detail/Current Position
Current activities		
High	Loughton Day / Heritage Open Days	September events + heritage trail/leaflets – 2022
High	Registration of Village Greens	Applications submitted to ECC
High	Conservation Areas / areas of local landscape merit	Monitor proposals submitted to EFDC Local List review TBC
High	Liaison with City of London Corporation	All aspects re Epping Forest including route signage
Medium	Town signs	Awaiting funding opportunities
Medium	Lady Whitaker’s Mead	Development of new cemetery
Medium	Flower baskets	Extension to North part of Loughton,
Medium	Interpretation panels	Locations to be identified
Medium	Heritage streetlights**	On LHP action list
On-going activities		
High	Running the committee	Agenda, reports, research, minutes, finance, admin
High	Community Lavatory scheme	Awaiting approaches to businesses
High	Cemetery (Church Lane)	Burials, administration, maintenance Rules and Regulations review
High	War memorials	Inspect and maintain
High	Heritage plaques, drinking fountain, seats and other street furniture; Lopping Hall clock	Installation and maintenance
High	Allotments	Lettings, licences, administration
High	Christmas lights (Kings Green, The Broadway and High Road)	Installation, inspections and maintenance
High	Christmas Window Competition	Admin and arrangements
Medium	Alleyway nameplates	Site surveys, permissions, purchase and installation
High	Winter salt bag partnership	Facilitating the ECC scheme Replacement of existing grit bins
High	Responding to consultations	Variable
High	Any other matters within the Committee’s terms of reference	

Agenda item 17

Loughton Town Council

Summary Income & Expenditure by Budget Heading 30/09/2021

Month No: 6

Environment & Heritage Committee Report

		Actual Last Year	Actual Year To Date	Current Annual Budget	Variance Annual Total	Funds Available	% of Budget
<u>Environment & Heritage</u>							
Christmas Best Dressed Window	Expenditure	0	0	350	350	350	0%
Cemetery (Church Lane) (1)	Expenditure	51,090	38,138	68,080	29,942	29,942	56.0%
	Income	16,166	7,912	13,400	5,488		59.0%
Street Furniture	Expenditure	26,728	10,222	32,657	22,435	22,435	31.3%
	Income	100	0	0	0		0.0%
Allotments	Expenditure	1,417	2,733	10,340	7,607	7,607	26.4%
	Income	3,374	2,612	3,260	649		80.1%
Cemetery (Lady Whittakers Mead) (2)	Expenditure	580	800	600	-200	-200	133.3%
Other Services (3)	Expenditure	0	0	4,100	4,100	4,100	0.0%
Service Re-charge (4)	Expenditure	97,000	0	0	0	0	0.0%
<u>INCOME – EXPENDITURE TOTALS</u>							
Environment and Heritage Expenditure		176,814	51,893	116,127	64,234	64,234	44.7%
Income		19,641	10,524	16,660	6,137		63.2%
Net Expenditure over Income		157,173	41,370	99,467	58,097		

Notes:

- 1) The budget includes earmarked funds for wall repairs.
- 2) Usually there is once a year expenditure to have the grass cut for this Plot however this year we have had necessary tree works.
- 3) Other services budget is a contingency sum.
- 4) Service re-charge for 2021/22 is £98,000 which is deducted at the end of March 2022

Agenda item 17 contd.

Earmarked Reserves

A summary of the Committee's reserves showing the amounts available from reserves as at 15/11/2021 is provided below:

Environment & Heritage Committee	15/11/2021
Street furniture	3,000
Christmas lights	600
Cemetery	17,292
Cemetery plot maintenance endowment (restricted fund)	8,262
Lady Whitaker's Mead	20,000
Total	49,154

**Agenda item 18
Estimates 2022/23**

LOUGHTON TOWN COUNCIL BUDGET

ENVIRONMENT & HERITAGE COMMITTEE	2020/2021	2020 /2021	2020/2021	2020/2021	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2022/23	2022/23
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	YTD 30.9.21	PROJECTED	BUDGET	ytd 30.9.21	PROJECTED	EXPENSE	INCOME
	EXPENSE	EXPENSE	INCOME	INCOME	EXPENSE	EXPENSE	31.3.22	INCOME	INCOME	31.3.22		
Christmas Best Dressed Window												
Christmas windows prizes	£300				300	£0	£300				£300	
Christmas windows other costs	£50				£50	£0	£50				£50	
Christmas windows prizes & other costs		£0										
Sub total	£350	£0	£0	£0	£350	£0	£350	£0	£0	£0	£350	£0
Cemetery (Church Lane)												
Purchase Exclusive Rights of Burial			5,000	£3,404				£3,000	£3,228	£3,500		£3,500
Internment			5,900	£7,186				£6,000	£3,090	£6,000		£6,100
Memorial fee			1,100	£1,364				£1,100	£528	£1,100		£1,150
Transfer / assignment			2,700	£3,071				£2,800	£1,066	£2,800		£2,800
General income				£1,141					£0	£0		
Salaries	£25,000	£14,142			£15,000	£7,167	£15,000				£16,000	
Tax and National Insurance	£0	£6,810			£8,000	£2,277	£6,000				£8,000	
Pensions	£0	£5,494			£6,200	£1,820	£4,500				£6,200	
Staff travel		£65			£100	£0	£80				£100	
Telephone (landline)	£100	£76			£100	£32	£90				£100	
General Expenses	£110	£97			£110	£0	£110				£110	
Water	£820	£2,662			£1,200	£1,090	£2,000				£1,600	
Electricity	£510	£156			£510	£262	£510				£600	
Insurance -specific allocation	£155	£0			£160	£0	£160				£160	
Building Maintenance	£2,000	£425			£2,000	£22,898	£23,000				£2,000	
Supplies	£1,000	£308			£800	£420	£800				£800	

Environment and Heritage Committee 23 November 2021

Ground maintenance - contract	£14,000	£13,874			£14,400	£0	£14,400				£14,800	
Other works	£10,000	£1,310			£10,000	£354	£5,000				£10,000	
Refuse collection	£2,300	£2,885			£2,500	£1,366	£2,500				£2,800	
Grave digging	£1,000	£2,785			£2,000	£450	£2,000				£2,000	
Memorial testing	£5,000	£0			£5,000	£0	£5,000				£5,000	
OEW contract related	£500											
Sub total	£62,495	£51,089	£14,700	£16,166	£68,080	£38,136	£81,150	£12,900	£7,912	£13,400	£70,270	£13,550

ENVIRONMENT & HERITAGE COMMITTEE	2020/2021	2020/2021	2020/2021	2020/2021	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2022/23	2022/23
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	YTD 30.9.21	PROJECTED	BUDGET	ytd 30.9.21	PROJECTED	EXPENSE	INCOME
	EXPENSE	EXPENSE	INCOME	INCOME	EXPENSE	EXPENSE	31.3.22	INCOME	INCOME	31.3.22		
Street Furniture												
General income				£100								
Insurance - specific allocation	£82	£0			£82	£0	£82				£85	
Christmas lights - maintenance	£1,550	£1,270			£1,550	£0	£1,550				£1,600	
Christmas lights - electricity	£250	£537			£250	£81	£250				£300	
Christmas lights - enhancement	£16,000	£14,950			£16,000	£5,460	£16,000				£16,000	
Hanging baskets	£7,600	£6,512			£7,700	£3,494	£7,700				£7,900	
War memorial maintenance	£1,000	£74			£1,000	£0	£1,000				£1,000	
Bus shelters	£500	£0			£500	£0	£500				£500	
Lopping Hall clock annual maintenance	£175	£169			£175	£0	£175				£180	
Heritage plaques/panels	£1,000	£1,317			£1,000	£1,111	£1,400				£1,000	
Fountain	£1,000	£80			£1,000	£0	£1,000				£1,000	
Other works	£1,000	£1,819			£1,000	£0	£500				£1,000	
Seats	£500	£0			£500	£65	£500				£500	
Alley way names	£500	£0			£500	£10	£500				£500	
Salt/grit bins	£400	£0			£400	£0	£400				£400	
Community toilet schemes	£1,000	£0			£1,000	£0	£500				£1,000	
Pedestrian signage											£1,000	
Sub Total	£32,557	£26,728	£0	£100	£32,657	£10,221	£32,057	£0	£0	£0	£33,965	£0

Environment and Heritage Committee 23 November 2021

ENVIRONMENT & HERITAGE COMMITTEE	2020/2021	2020/2021	2020/2021	2020/2021	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2021/2022	2022/23	2022/23
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	YTD 30.9.21	PROJECTED	BUDGET	ytd 30.9.21	PROJECTED	EXPENSE	INCOME
	EXPENSE	EXPENSE	INCOME	INCOME	EXPENSE	EXPENSE	31.3.22	INCOME	INCOME	31.3.22		
Allotments												
General Income												
Licence fees			420	£758				£430	£0	£430		£430
Allotment rents			2800	£2,617				£2,830	£2,611	£2,800		£2,830
Water	£550	£244			£550	£275	£550				£620	
Electricity	£150	£112			£150	£87	£150				£200	
Insurance - specific allocation	£135	£0			£140	£0	£140				£140	
Pyrles Lane allots - works	£500	£0			£500	£0	£500				£500	
Willingale Road allots- works	£3,000	£1,060			£3,000	£2,369	£3,000				£3,000	
All allotments	£3,000	£0			£3,000	£0	£1,000				£3,000	
Roding allotment works	£3,000	£0			£3,000	£0	£1,000				£3,000	
Sub Total	£10,335	£1,416	£3,220	£3,375	£10,340	£2,731	£6,340	£3,260	£2,611	£3,230	£10,460	£3,260
Cemetery (Loughton Lane)												
Other works	£600	£580			£600	£800	£800				£800	
Sub Total	£600	£580	£0	£0	£600	£800	£800	£0	£0	£0	£800	£0
Other Services												
Contingency	£1,000	£0			£1,000	£0	£500				£1,000	
Heritage Trail	£1,800	£0			£1,800	£0	£1,800				£1,800	
Wombles Litter Picking	£100	£0			£100	£0	£100				£100	
Loughton Day	£600	£0			£1,000	£0	£0				£1,200	
Horticultural Show	£200	£0			£200	£0	£0				£200	
Sub Total	£3,700	£0	£0	£0	£4,100	£0	£2,400	£0	£0	£0	£4,300	£0

Headline event !

Service Recharge	£97,000	£97,000			£98,000	£0	£98,000				£99,000		
Sub total	£97,000	£97,000	£0	£0	£98,000	£0	£98,000	£0	£0	£0	£99,000	£0	tbc
TOTALS	£207,037	£176,813	£17,920	£19,641	£214,127	£51,888	£221,097	£16,160	£10,523	£16,630	£219,145	£16,810	

ENVIRONMENT & HERITAGE COMMITTEE - EARMARKED FUNDS

	1.4.21	31.3.22
Street furniture	£3,000	£3,000
Christmas lights	£600	£600
Cemetery	£40,000	£17,265
Cemetery plot maintenance endowment(restricted fund)	£8,262	£8,262
Lady Whitaker's Mead/new cemetery	£20,000	£20,000
TOTAL	£71,862	£49,127