

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Council Housebuilding Cabinet **Date:** Tuesday, 8 December 2020  
Committee

**Place:** Virtual Meeting on Zoom **Time:** 5.00 - 5.51 pm

**Members Present:** H Whitbread (Chairman), N Avey, N Bedford, A Patel and J Philip

**Other Councillors:** S Murray, S Neville and D Wixley

**Apologies:** No apologies

**Officers Present:** D Fenton (Service Director (Housing Revenue Account)), J Cosgrave (Interim Development Housing Manager), J Leither (Democratic Services Officer) and G Woodhall (Team Manager - Democratic & Electoral Services)

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### **20. WEBCASTING INTRODUCTION**

The Chairman made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

### **21. SUBSTITUTE MEMBERS**

The Cabinet Committee noted there were no substitute members.

### **22. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

### **23. MINUTES**

**Resolved:**

That the minutes of the Council Housebuilding Cabinet Committee meeting held on 08 September 2020 be taken as read and would be signed by the Chairman as a correct record.

### **24. COUNCIL HOUSE BUILDING PROGRESS REPORT - PHASES 3-5**

Deborah Fenton, Service Manager, Housing Management and Home Ownership, presented a report recommending that the Council House Building Progress report Phases 3 to 5 be noted.

She advised that the report set out the progress that had been made across phases 3 to 5 of the House building programme and that were either completed, on-site or were currently being procured.

### Phase 3

#### Queens Road, North Weald: HR116

10 x 3 Bed Houses & 2 x 2 Bed Houses

Scheme	Contractor	Site Start	Contract Period	Original Comp. Date
Queens Road	Storm Bld.	07:01:19	83 Wks	07:08:20
<b>Ant. Comp.</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Ant. Final Acc.</b>	<b>Variation</b>
30:09:20	6 Wks	£2,470,493	£2,914,732	£444,239 (18%)

The completion date was originally August 2020 however due to the Government Restrictions in place relating to Covid-19 and the consequential effect on the supply chain, there have been two Extensions of Time (EOT) awards. The first for 5 weeks and the second 23 weeks and 2 days. This took the site completion through to 28/02/21 however, it was currently anticipated that (based upon the contractor's latest programme) all 12 units would achieve completion simultaneously on 21.01.21.

The anticipated final account was £2,914,732 this was £444,239 over contract value relating mainly to contamination removal, the under provision for utilities and Covid-19 delays. The contractor Storm Limited, are claiming £99,000 for preliminaries based on the awarded EOTs. Contractually, this was being resisted.

### Phase 4

The sites in Phase 4 were progressing albeit slowly due to the Government restrictions in place relating to Covid-19 and the associated supply chain disruption this has particularly impacted on a number of areas limiting progress and materials e.g. fencing materials.

#### Phase 4.1 – Contracted with TSG Ltd

			SoS	Weeks	Handover
<b>Chequers Road (A) - Loughton</b>	HR 124	3 x 3B units	31:07:20	56	20:08:21
<b>Bushfields - Loughton</b>	HR 122	2 x 2B units	13:07:20	56	16:08:21
<b>Chester Road - Loughton</b>	HR 130	3 x 2B units	07:09:20	56	25:10:21
<b>Queensway - Ongar</b>	HR 140	4 x 1B units	02:11:20	53	13:11:21
<b>Millfield - Ongar</b>	HR 138	2 x 1B units	30:11:20	53	30:11:21
<b>Total</b>		<b>14 units</b>			

The start on site activity has now occurred on Chequers Rd (A), Bushfields, Chester Road and Queensway with Millfield to follow shortly.

#### Pick Hill, Waltham Abbey HR145 : 2 x units

A Tender Report for the previously envisaged group of 4.3 sites (which included the Single Unit Sites) were carried out, however the tender report was redrafted, given the single unit sites were held pending confirmation of their planning status (this had also enabled a review to be made as to what other options could be best pursued this resulted in an amended report being prepared for the Portfolio Holders approval recommending that Pick Hill was included within the 4.1 group of sites.

An advanced traffic assessment study had been carried out along Pick Hill which concluded that no abnormal provisions were required with regard to construction traffic movement.

Once confirmation of approval was received contracts would be issued for signing.

#### Phase 4.2 – Contracted with Indecom Ltd

			<b>SoS</b>	<b>Handover</b>
<b>Hornbeam Close (B)</b> - Buckhurst Hill	HR 136	3 x units	25:01:21	04:02:22
<b>Hornbeam House</b> - Buckhurst Hill	HR 137	2 x units	25:01:21	04:02:22
<b>Bourne House</b> - Buckhurst Hill	HR 135	2 x units	25:01:21	04:02:22
<b>Etheridge Road</b> - Debden	HR 127	3 x units	11:01:21	21:01:22
<b>Denny Avenue</b> - Waltham Abbey	HR 144	3 x units	11:01:21	21:01:22
<b>Beechfield Walk</b> - Waltham Abbey	HR 147	5 x units	11:01:21	21:01:22
<b>Kirby Close</b> - Loughton	HR 120	4 x units	11:01:21	21:01:22
<b>Total</b>		<b>22 units</b>		

The Phase 4.2 sites were tendered in two groups. Contracts had been signed and the contractor, Indecom, took possession of the sites for insurance and Health & Safety purposes on 2 November 2020. They were currently completing their due diligence under their JCT Design & Build Contract confirming the above SoS dates and the anticipated dates for handover.

#### Phase 4.3

Phase 4.3 comprised of 15 units and were awaiting consent, with contract signing anticipated to be in January/February 2021, possession to take place in March 2021 with a start on site anticipated to be in July/August 2021.

<b>Pentlow Way</b> - Buckhurst Hill	HR139	7 x units
<b>Woollard Street</b> - Waltham Abbey	HR149	8 x units
<b>Total</b>		<b>15 units</b>

#### Phase 4.4

Phase 4.4 comprised of 28 units (an additional 12 units) were awaiting consent.

<b>Ladyfields</b> - Loughton	16 x units
<b>Chequers Road (B)</b> - Loughton: And possibly (held in SAC)	8 x units
<b>Lower Alderton Hall Lane</b> - Loughton:	2 x units
<b>Thatchers Close</b> - Loughton:	1 x unit
<b>Stonyshotts</b> - Waltham Abbey:	1 x unit
<b>Total</b>	<b>28 units</b>

Once approved, Ladyfields and Chequers Road (B), will be issued for tender in January/February 2021, returned by April 2021 for reporting in May 2021 and approval in June 2021. It was anticipated that contracts would be signed in July 2021 and possession achieved by August 2021. The contractor will carry out their Design and Build due diligence and discharge their pre-commencement conditions by December 2021 to start on site in January 2022.

#### Lower Alderton Hall Drive and Thatchers Close, Loughton

Both of these sites were awaiting planning consent and have been delayed by the Local Plan and SAC issues. It was anticipated that these sites may be released by mid-2021.

**Stonyshotts, Waltham Abbey**

The consent would be reviewed for either resubmission as previously consented, potentially redesigned to deliver 2 x 1 Bed units and considered as a test site for delivery of EFDC's first Self Build or Custom-built property as it would potentially require a 'Planning Passport' type approach and will require significant internal consultation.

<b>Bromefield Court</b> - Waltham Abbey	HR143	1 x unit
<b>Shingle Court</b> - Waltham Abbey	HR147	1 x unit
<b>Wrangle Court</b> - Waltham Abbey	HR161	1 x unit

These sites have been reviewed and it was considered that c50+ could be delivered in the Winters Way area whilst offering the opportunity to address the existing parking stress and deliver landscaping/play area improvements.

It was believed a much broader neighbourhood wide area review could be beneficial to all stakeholders. An approach had been made to local council representatives in line with a 'New Approach' agreed for reviewing future Phase 5 sites and it was hoped that the local representatives would see this as a positive option to addressing and improving the local environment.

**Whitehills Road, Loughton**

Given the change in planning advice it was intended to resubmit for planning consent with the aim of selling this site at auction as previously proposed.

**Phase 5**

In line with the principals of the 'New Approach' for Phase 5, several sites are now being progressed these are:

**Phase 5.1****St Peters Avenue, Shelly, Ongar**

There was a potential for 32 + units. Following a review of the area's potential, it was believed some 30+ units could be delivered within the wider area.

**Phase 5.2****Marlescroft Way, Loughton**

There was a potential for 24 + units. An initial assessment was being carried out with regard to the flood risk and arboriculture to consider the sites potential constraints prior to carrying out an initial sketch scheme.

**Hyde Mead & Pound Close, Nazeing**

There was a potential for 10 + units. An initial assessment was being carried on the area to the rear of No 43 with regard to the flood risk and arboriculture to consider the sites potential constraints prior to carrying out an initial sketch scheme. Given the close proximity to Pound Close, which was previously refused, it was intended to revisit this site with the aim of seeking support to a resubmission if the previous objections can be overcome.

**Hornbeam Close (A), Buckhurst Hill**

There was a potential for 8 + units. This garage site was one of four garage sites in the area that were considered for development. The application of this site was withdrawn in anticipation of it being refused. However, it was proposed to revisit this as there may be an opportunity to address in some way the considerable parking stress in the area and potentially deliver some landscaping improvements.

**Oakley Court, Hillyfields**

There was a potential for 4/12 + units. No 33 & 35 have been vacant for some time due to structure damage to the properties and No37 was in private ownership. It had been hoped (and may still be possible) to acquire No37 to afford a more comprehensive development but the owner has indicated he would prefer the two adjoining properties to be redeveloped.

Therefore, it was intended to carry out a sketch scheme and feasibility study to redevelop just the area of the two vacant units and to assess what could be achieved if No37 was acquired.

**Pyrles Lane (A) & (B)**

There was a potential for 6+ units. These are sites near to each other. Site (B) was previously submitted and refused however if support could be achieved for both these sites their development may facilitate enabling works that could potentially address in some way the parking stress in the area and deliver some landscaping improvements.

**Other sites to be reviewed:****Beechfield Walk (B), Waltham Abbey**

There was a potential for 3 + units. This site was in a poor state of repair and was attracting anti-social behaviour. Residents were being contacted and informed of the impending Start on Site at Beechfield Walk (A) and the intention to seek development on site (B).

**Winters Way, Waltham Abbey**

There was a potential for 50 + units. Broomfield Court, Shingle Court and Wrangley Court are located off Winters Way and when reviewed it became apparent that some 50+ units could potentially be delivered and thereby go some considerable way towards addressing the existing parking stress in the area together with landscaping and play area improvements. It was very much hoped that with Local Councillor engagement these much-needed affordable housing and neighbourhood improvements could be delivered.

**Barrington Close, Debden**

There was a potential for 20 + units. This area was once a community hall/garden to the sheltered housing scheme which had been restructured leaving the hall/garden area surplus to requirement. This site could offer the opportunity to deliver some much needed 2, 3 and 4 Bed units in an area with a high number of 1 Bed units.

**St John The Baptist Church, High Street**

There was a potential for 10 + units. This site was located between St John's Church and the adjoining Library and was in the ownership of the 'The Incumbent of the Benefice of Epping District in the County of Essex in the Diocese of Chelmsford and his Successors'. It was currently awaiting a pre-app meeting following which, if acceptable, the site would be assessed, and a feasibility study carried out for presentation to the Council House Building Cabinet Committee.

Councillor J Philip asked if the start dates in Phase 4.2 were correct as Hornbeam Close (B), Buckhurst Hill was 25 January 2021 but the other 6 site start dates were 11 and 25 January 2020.

J Cosgrave stated that the start dates of 11 and 25 January 2020 were a typographical error and should have read 11 and 25 January 2021.

He advised that in terms of Phase 4.1, which was approved at the December 2019 Council Housebuilding Committee meeting, the intention at that time was to enter into contracts by February/March 2020 at which point Covid-19 happened and the delay was a consequence of that and the contractors ability to do the design and build element which had a severe impact on the start on site in respect of Phase 4.1.

The tender report was produced in line with the anticipated programme for Phase 4.2 in March 2020 but did not get to a Council Housebuilding Committee for approval until June 2020 due to the delay of the Committees recommencing virtually. The start dates should all be 11 and 25 January 2021 but there was a delay of c4 months associated with getting the tender approved.

D Fenton added that there was sometimes a delay with a tender being received and a meeting being two or three months later.

Councillor H Whitbread advised that if this was the case and Members had no objections then an extraordinary meeting could always be convened to fit in with approving tenders.

Councillor A Patel asked when some sites were waiting for planning permissions they were being used for anti-social behaviour, there was a particular site in Buckhurst Hill and could you update the Committee on what steps were taken to alleviate the problems and what would be done to stop this occurring on all the other sites that were or had been vacated.

J Cosgrave stated in respect to the previous approach with the garage sites many of the sites in Phases 4.1 and 4.2 had planning consent in 2016/17 and as part of that original process, garage doors were removed to enact what was believed to be the planning consent at that time. Since then the Planning team has considered that was not an appropriate process as it entailed a 3 part process by removing the garage doors the sites then needed to have a contamination survey carried out and then the garages were then partially demolished leaving the rear walls in place because these often formed boundaries with adjoining properties. Going forward we were looking at as soon as the garages are vacated and the contamination report has been carried out, the sites will be demolished immediately and will be sealed off and secured to avoid this continuous anti-social behaviour and fly tipping.

D Fenton added that the sites would have hoarding erected with signage showing the good work the Council were doing, providing new properties in areas where people wanted to live.

Councillor A Patel asked about sites that have not been given planning permission due to parking stress and had noted that the Council are looking to bring forward those sites again so what work had been done to alleviate the parking stress in those areas.

J Cosgrave replied that for the same observation some of the sites in Phase 5 had been chosen as the issues with parking stress was a national issue, given the age of these developments and the time when they were designed and carried out. We are now engaging with the Local Town and Parish Councils and trying to find parking stress solutions and also with any landscaping and environmental issues.

Councillor A Patel asked how the consultation with local Town and Parish Councils and residents would take place.

J Cosgrave replied that he would give an example of how consultation with local residents had taken place. Phase 5, Shelley in Ongar there was currently a development, Queensway, that has just commenced in terms of development for four units. Previously when we reviewed the potential development site for Phase 5, one of the starting points was to revisit and review some of the sites previously assessed and to also take a view as to what worked and what didn't work. A pattern started to form as to what Officers were asking to be granted and what Members were willing to grant and these issues needed to be addressed within the application that was sought.

Shelley was one of the first sites in phase 5 to be addressed, previously a feasibility study was carried out by Pellings which identified a potential 7 units on the site and when the site was revisited it was identified that there was scope for 30 units or more on that site. Certain historical issues needed to be confronted and addressed one being the road network system where the road narrowed in parts and on street parking was a problem also there were a number of flats in the area that were controlled by EFDC that did not have sufficient parking arrangements and therefore residents were resorting to parking on the carriageway. A way to alleviate some of these parking problems was to have driveways but the cost from Essex County Council was around £2,500 plus VAT. This would be cost prohibitive to a great many residents and a meeting with ECC needed to take place to understand why these charges were so high and if anything could be done to bring them down.

This site will be coming back to the Council Housebuilding Cabinet Committee for approval to progress and these issues will be dissected, analysed and presented in detail so you can see the issues and what the cost benefit was in terms of an approach that may or may not be able to be resolved.

**Decision:**

- (1) That the contents of the Progress Report on Phases 3 to 5 of the Council House Building Programme be noted and presented to the Cabinet in line with the Terms of Reference of the Council Housebuilding Cabinet Committee.

**Reason for Decision:**

Set out in its Terms of Reference, the Council House Building Cabinet Committee was to monitor and report to the Council, on an annual basis, progress and expenditure concerning the Council House Building Programme. This report sets out the progress made over the last 12 months.

**Other Options Considered and Rejected:**

This report was on the progress made over the last 12 months and was for noting purposes only. There are no other options for action.

**25. TENDER APPROVAL REPORT FOR PHASE 4.3 AND VARIATIONS TO 4.1 AND 4.2**

Deborah Fenton, Service Manager (Housing Revenue Account), presented a report to the Cabinet Committee, she advised that as part of the Epping Forest District Council Phase 4 Council House Building Programme, Airey Miller undertook a competitive tender process with Epping Forest Framework Contractors for the phase 4.3 sites, consisting of 8 separate developments, however 5 Single Unit Sites were later excluded pending further review.

Tenders were invited from four Contractors from the Epping Framework Alliance Contract – Council House Building Programme; Indecon Building Ltd, Neilcott Construction Ltd, Roof Ltd and TSG Building Services PLC.

- Indecon Building Ltd confirmed their intention to tender;
- TSG Building Services PLC confirmed their intention to tender;
- Roof Ltd declined the tender process due to their resource constraints after initially confirming their willingness to tender; and
- Neilcott Construction withdrew from pricing citing pre-construction resource constraints.

Tender returns were received on the 14 August 2020 as instructed within the Invitation to Tender.

**Decision:**

- (1) That acceptance was recommended of the tender submitted by TSG Building Services PL in the sum of £4,039,436.45 including a £53,750 provisional sum for contaminated material removal. In addition a £197,655 provisional sum for statutory connections and diversions together with the proposed construction period of 52 weeks;
- (2) That acceptance was recommended that Pick Hill was issued as a variation on Phase 4.1 and a new JCT Design and Build contract was placed, once planning was determined, for Woollard Street and Pentlow Way; and
- (3) That acceptance was recommended that a contract was placed with Keith Peattie Associates for £28,230.00 for the Clerk of Works role on the Phase 4.2 group of sites.

**Reasons for Decision:**

To ensure progression of the Council House Building Programme.

**Other Options Considered and Rejected:**

Not to progress with the Council House Building Programme.

**26. PURCHASE OF LAND AT MASON WAY, WALTHAM ABBEY TO BUILD UP TO 10 UNITS**

Deborah Fenton, Service Manager (Housing Revenue Account), presented a report to the Cabinet Committee she advised that the report set out the opportunity to purchase discounted land which was at present land locked. This report follows on from a Portfolio Holders Report in August 2020 which sought consent to appoint Metaplan to carry out a feasibility study and provide EFDC with an options appraisal. The findings of the appraisal were favourable when proposing a mix of one and mainly 2 bed properties. This would form part of phase 5 of the Council House Building Programme. The cost of the land will come from the HRA account however the build costs (estimated at £2,347,671) will be part funded by a grant either from Homes England or from RTB receipts.

The historical context was contained in the report attached to the agenda.

**Decision:**

- (1) That approval be given to purchase the land at Mason Way (subject to planning approval) for the purpose of building up to 10 units for affordable rents. At a cost of £800K (land cost) and approval be given to build out the scheme (subject to planning approval) total cost £2,347,671.

**Reasons for Decision:**

Set out in its Terms of Reference, the Council House Building Cabinet Committee was to monitor and report to the Council on an annual basis progress and expenditure concerning the Council House Building Programme.

**Other Options Considered and Rejected:**

Not to purchase the land, and build out, subject to planning. This would mean the council would miss out on the opportunity to provide 10 much needed units for affordable rent.

**27. ANY OTHER BUSINESS**

The Cabinet Committee noted that there were no other matters of urgent business for consideration.

**28. EXCLUSION OF PUBLIC AND PRESS**

The Cabinet Committee noted that there was no business for consideration which would necessitate the exclusion of the public and press from the virtual meeting.

**CHAIRMAN**