



NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER - CIVIC OFFICES at 7.00 pm on Thursday, 28 October 2021 for the purpose of transacting the business set out in the agenda.

A handwritten signature in blue ink, appearing to read 'G Blakemore'.

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

Gary Woodhall / J Leither Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

BUSINESS

1. WEBCASTING INTRODUCTION

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Democratic and Electoral Services Team Manager will read the following announcement:

“The chairman would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. FORMER COUNCILLOR H TAYLOR

The Council is invited to stand for a minute’s silence in tribute to the memory of former District Councillor and Chairman of Council Harry Taylor, who recently passed away.

Former Councillor Harry Taylor served as a Conservative District Councillor representing the High Beach Ward of Waltham Abbey from 1974 to 1987 then representing Waltham Abbey West from 1991 to 1995 and 1999 to 2003. Former Councillor Taylor became Vice Chairman of Council in 1978/79 and he was elected as Chairman in the 1979/80 municipal year. During his terms of office former Councillor Taylor served on various committees, sub-committees and working groups, including the Development Committee, Plans Sub-Committee C as Chairman, Public Health Committee as Vice Chairman and the Grange Farm Management Sub-Committee as Vice Chairman.

Former Councillor Taylor also sat as the Council’s representative on various outside bodies, Association of District Councils (Essex Branch), Citizens Advice Bureau Cheshunt and Waltham Abbey, Waltham Abbey Community Association and Waltham Holy Cross Old People’s Welfare Committee.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

4. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

5. MINUTES (Pages 9 - 28)

To approve as a correct record and sign the minutes of the meeting held on the 29 July 2021, as attached.

6. ANNOUNCEMENTS

(a) Chairman’s Announcements

7. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained within Part 4 of the Council Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Leader of the Council;
- (b) to any Portfolio Holder; or
- (c) to the Chairman of the Overview and Scrutiny Committee.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

8. QUESTIONS BY MEMBERS UNDER NOTICE

To answer questions asked after notice in accordance with the provisions contained within the Council's rules in Part 4 of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to any Member of the Cabinet; or
- (d) the Chairman of any Committee or Sub-Committee.

The Council's rules provide that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

Question by Councillor C C Pond to the Portfolio Holder for Planning Services, Councillor N Bedford

To prevent the uncontrolled exercise of inappropriate and deleterious development, will the PFH for planning please give 12 months public notice of issuing article 4 directions to prevent the use of permitted development rights in respect of the following:

- Conversion of shops to residential units;
- Conversion of offices and similar buildings to residential units; and

- Any works to frontages, boundaries, roofs and the surfacing of front gardens in conservation areas and heritage assets, similar to those imposed by EFDC on two CAs 25 years ago.

9. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET (Pages 29 - 82)

To receive reports and any announcements from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Community and Regulatory Services Portfolio Holder (attached);
- (c) Report of the Corporate Services Portfolio Holder (attached);
- (d) Report of the Customer and Partnerships Portfolio Holder (attached);
- (e) Report of the Environmental and Technical Services Portfolio Holder (attached);
- (f) Report of the Finance, Qualis Client and Economic Development Portfolio Holder (attached);
- (g) Report of the Housing Services Portfolio Holder (attached); and
- (h) Report of the Planning and Sustainability Portfolio Holder (attached).

10. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Council's rules provide for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under the previous item; or
- (ii) any other matter of a non-operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

The Council's rules provide that answers to questions without notice may take the form of:

- (a) a direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Service Director.

In accordance with the Council's rules, a time limit of thirty minutes is set for questions. Any question not dealt with within the time available will receive a written

reply. The Chairman may extend this period by up to a further ten minutes at their discretion.

11. MOTIONS

(a) Universal Credit and Working Tax Credit

Proposed by: Cllr Stephen Murray

Seconded by: Cllr Steven Neville

“That Epping Forest District Council notes that:

- (1) The Government has, as from 6th October 2021, cut universal credit and working tax credit by £20 a week;
- (2) This weekly cut is equivalent to £1,040 a year;
- (3) Epping Forest Food-bank estimates that here in Epping Forest this decision is likely to have a serious impact on more than 9,000 people; and
- (4) That Epping Forest District Council resolves to ask our three local MP’s to actively seek the reinstatement of this £20 cut as soon as possible.

12. APPOINTMENT TO OUTSIDE BODY - WHIPPS CROSS JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

(Leader) At the last meeting of Council on 29 July 2021, Councillor A Patel was nominated to be the Council’s representative but it was suggested that under primary legislation the nomination of an Executive Member to this panel was debarred. However, as this was an observer position clarification would need to be sought.

Clarification has now been sought and Councillor J Share-Bernia is nominated instead of Councillor A Patel to represent the Council as a non-voting member to sit on the Joint Health Overview and Scrutiny Committee. The Council is asked to consider this, and any other nominations from the other Groups, before deciding who the Council’s representative should be.

13. COUNCILLOR D PLUMMER - RESOLUTION TO EXTEND 6-MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972

Recommended:

That Council approves an extension of the 6-month rule for Councillor D Plummer on ill-health grounds until the 24 May 2022.

(Leader of the Green Party, Councillor S Neville) To consider an extension of the 6-month rule for Councillor D Plummer, having regard to the circumstances of his absence from meetings.

Section 85 of the Local Government Act 1972 requires a Member to attend a meeting no longer than six consecutive months from the date of their last attendance, failure to do so unless approved by the authority before the expiry of that period, means that the member ceases to be a member of the authority.

Councillor D Plummer has been unable to attend meetings since May 2021 on family

matters and ill health grounds and has requested an extension for absence until 24 May 2022. This would not prevent Councillor Plummer from returning to meetings at any time, if his health allowed, but would give flexibility and prevent further recourse to Council.

14. AUDIT AND GOVERNANCE COMMITTEE - ANNUAL REPORT 2020/21 (Pages 83 - 90)

(Chairman of the Audit and Governance Committee) To consider the attached report recommending that the Annual Report of the Audit and Governance Committee 2020/21 be noted.

15. CONSTITUTION WORKING GROUP (Pages 91 - 130)

(Chairman of the Constitution Working Group) To consider the attached report recommending that the Constitution be amended as detailed in the report.

16. OVERVIEW AND SCRUTINY COMMITTEE (Pages 131 - 132)

To receive the report of the Chairman of the Overview and Scrutiny Committee and to answer any questions without notice asked in accordance with Council Rules.

17. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS (Pages 133 - 134)

(a) To receive from Council representatives the reports (attached) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

18. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council

Date: 29 July 2021

Place: Council Chamber - Civic Offices

Time: 7.00 - 9.17 pm

Members Present: Councillors H Kane (Chairman), R Balcombe, P Bhanot, P Bolton, R Brookes, L Burrows, I Hadley, S Heap, S Heather, R Jennings, J Jogia, S Kane, H Kauffman, P Keska, J Leppert, A Lion, T Matthews, C McCredie, J McIvor, L Mead, R Morgan, S Murray, C Nweke, M Owen, A Patel, J Philip, C P Pond, C C Pond, S Rackham, B Rolfe, M Sartin, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse, K Williamson and D Wixley

Apologies: Councillors J Share-Bernia (Vice-Chairman), N Avey, R Baldwin, R Bassett, N Bedford, D Dorrell, J Jennings, S Jones, Y Knight, J Lea, S Neville, D Plummer, K Rizvi, C Roberts and P Stalker

Officers Present: G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), A Small (Strategic Director Corporate and 151 Officer), G Woodhall (Team Manager - Democratic & Electoral Services), J Leither (Democratic Services Officer), A Hendry (Democratic Services Officer), T Carne (Corporate Communications Team Manager), P Seager (Chairman's Officer), A Buckley (Communications Officer), P Hewitt (Qualis Group Operations Director), B Johnson (Managing Director Qualis Management) and S Rutter (Development Director, Qualis Commercial)

16. WEBCASTING INTRODUCTION

The Democratic and Electoral Services Team Manager reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

17. WELCOME

The Chairman welcomed Members and new Members back to the Council Chamber for the first Council meeting to be held there in 15 months.

18. FORMER COUNCILLORS M BOATMAN AND P BURNS

The Chairman informed members that former Councillors M Boatman and P Burns had recently passed away.

Maureen Boatman had represented the Loughton Roding Ward of the District as a Labour Councillor from 1996 to 2006. She had also served on many of the Council's committees, working groups and outside bodies during this time.

Peter Burns had represented the Epping Hemnall Ward of the District as a Conservative Councillor from 1992-1996. He also served on many of the Council's committees and working groups during this time.

Members paid tribute to the memory of former Councillors Maureen Boatman and Peter Burns and a minute's silence was held in their honour.

19. DECLARATIONS OF INTEREST

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

20. MINUTES**RESOLVED:**

- (a) That the minutes of the Council meeting held on 29 April 2021 be taken as read and signed by the Chairman as a correct record, subject to the following announcement made by the Chairman informing Members that the attendance on the minutes when published was incorrect but this had now been updated and was correct on the Council's website.
- (b) That the minutes of the Council meeting held on 25 May 2021 be taken as read and signed by the Chairman as a correct record.
- (c) That the minutes of the Extraordinary Council meeting held on 24 June 2021 be taken as read and signed by the Chairman as a correct record subject to the following:

Councillor S Heap advised that under Item 14. Declarations of Interest the declaration that was recorded was not correct, his declaration was as below:

Pursuant to the Council's Code of Member Conduct Councillor S Heap declared a prejudicial interest in item 4 – EPF/2503/19, Land North of Dowding Way, Waltham Abbey. He advised that a complaint had been made against him by unknown voices but he did not think that he had predetermined the application. A letter sent in by Mr O'Rourke to Legal Services concluded that he had only predisposed himself but there was a risk that he might vote against the application and therefore fail the public perception test and for that reason, he would withdraw from the meeting and the voting thereon.

21. ANNOUNCEMENTS**(a) Chairman's Announcements**

(i) The Chairman was pleased to announce that she had at last been able to attend community events and had recently opened a community garden. She had also given out certificates to volunteers that had worked throughout the Covid pandemic and had met with some very remarkable people. She stated that after the last 15 months she was very pleased to be able to attend these events personally.

(ii) Pétanque, 31 July 2021

If any members were available on Saturday 31 July at 3pm a Pétanque game had been arranged between Epping Town Council and Epping Forest District Council at the Jack Silley Pavilion. All members were invited to join the Chairman and her team to support and help the District win the cup.

22. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions under notice that had been submitted for consideration at this meeting.

23. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no questions by members under notice that had been submitted for consideration at this meeting.

24. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET

The Council received written reports from Portfolio Holders. The Chairman invited the Leader of Council to provide an oral report and the opportunity for other members of the Cabinet to give updates on matters concerning their relevant portfolios.

(a) Leader of Council

The Leader stated that he would like to make a short announcement regarding a change of committee placements for the Conservative Group, he advised that he had checked this out with Democratic Services before the change was made.

Councillor T Matthews was the Vice-Chairman of the Stronger Council Select Committee and was also a member of the Audit and Governance Committee, therefore he would remain as Vice-Chairman of the Stronger Council Select Committee and stand down from the Audit and Governance Committee. He advised that he was pleased to announce that Councillor R Morgan would be replacing Councillor T Matthews on the Audit and Governance Committee.

The Leader reported that he had numerous meetings in recent weeks including those with the Harlow & Gilston Garden Town Board, the new Leader of Harlow Council, Councillor Andrew Johnson and the Leader of the East Herts District Council and reported that good progress was being made with the plans for this area.

Boundary Commission Review

He advised that he had recently met with the Boundary Commission who advised that Epping Forest District were overdue a review as the last review was carried out in 1998. The review will commence in the Autumn, along with five other Districts across Essex, the process is a review of council size and warding pattern and not a review of boundaries. The process will culminate with all elections in May 2024. Information will be distributed shortly to all members and there will be a briefing for all members by the Boundary Commission in September 2021. He stated he would instigate a Portfolio Holder Group and look for representation from all parties and independent members to be on that group to progress with the Boundary Commissions work.

Flash Flooding

On Sunday 25 July 2021 the rain was exceptionally heavy, an Amber Weather Warning was issued for the area, there was cause for concern as parts of the District were affected by flooding to which I am sure members will raise during the meeting.

Civic Offices

Officers have been working hard to get the Civic Offices open again as the Covid-19 restrictions had now been lifted. Precautions should still be adhered to and it was advisable to take a lateral flow test before coming into the Civic Offices as we have a duty to keep each other safe. The Covid-19 numbers are increasing so encourage people to have their vaccines and stay safe over the summer, the last thing anyone of us would want was another lockdown.

(b) Commercial and Regulatory Services Portfolio Holder

Councillor A Patel advised that the Community Resilience Team recently took part in the UK's first ever anti-social behaviour awareness week. The theme was making communities safer and Epping Forest Districts Community Partnership co-ordinated a week of engaging with residents, providing information and action from Council services and partner agencies to highlight the issues of anti-social behaviour and how to report and deal with them. Three multi-agency events were held that week at Hillhouse, Waltham Abbey, Bricklamps Path, The Broadway, Loughton and Blenheim Square in North Weald. Police Officers were in attendance to listen to any concerns, to provide policing updates and to give crime prevention advice. Activities included proactive anti-social behaviour and noise patrols by the Community Resilience team, doorstep visits by the Neighbourhoods team offering advice on how to report anti-social behaviour, proactive visits to housing estates by the Land and Estates team engaging with residents' associations and the community, getting them involved in reporting any concerns they had to the officers attending.

The Community, Culture and Wellbeing team promoted their work in bringing communities together whilst the Highway Rangers proactively cleared graffiti and litter.

(c) Corporate Services Portfolio Holder

Councillor D Sungen advised that a pilot scheme the Council and other local authorities had been involved in would be rolled out in October/November 2021. The scheme was to do with local authority searches, training had been given by the HM Land Registry and local authority searches would now be reduced to 5 days online.

He also advised that the Council may be entitled to an award up to the value of £75,000 and although not confirmed he hoped that the Council would secure some of this sum.

(d) Finance, Qualis Client and Economic Development Portfolio Holder

Councillor J Philip referred to his report, page 82 of the agenda and advised where he had highlighted the Civic Offices accommodation, for members that did not attend Cabinet or watch the webcast and haven't yet seen the decision. The decision notice had been published and a decision was made to lease out the second floor of the building excluding the public gallery of the Council chamber to a franchisee named Regis for a 10-year lease. This was a very good deal for the Council covering both rental and service charges and was a significant income coming into the Council. He reminded members that the second floor of the Civic Offices was never intended to be a money-making exercise when the refurbishment was planned and started but due to the increased flexibility in working, a significant contribution could now go towards the Council's accounts.

(e) Housing Services Portfolio Holder

Councillor H Whitbread stated that there were four big policy consultations which the Housing department are currently undergoing:

- The Overarching Housing Strategy;
- The Allocations Scheme;
- The Tenancy Policy; and
- The Homelessness and Rough Sleeping Strategy.

She advised that this was included in her report but that there was a simple online survey and she asked if all members could encourage their residents to take part in this really important piece of policy and strategy survey.

Following the last Stronger Council meeting and the subject around temporary accommodation a discussion arose around one of the KPI's about a future change of temporary accommodation provision in the district. She clarified that this was a very long-term strategic view that the Council were looking at in providing temporary accommodation and there were no plans at present but were obviously always looking at the most modern and best approach possible. She stated that at present there were no people in bed and breakfast accommodation therefore there was no pressure on the general fund and it was better to have people in Council accommodation which EFDC owned and was in the HRA. Special thanks to Jennifer Gould and the Homelessness team for the work they have done around the prevention of homelessness.

25. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Chairman thanked Members for giving notification of their intention to ask a question without notice.

(a) Qualis Community Limited

Councillor S Heap stated that his question was to the Finance, Qualis Client and Economic Development Portfolio Holder and asked what the connection was between Qualis Community Limited and Primera Voluntary Limited. He stated that Primera Voluntary Limited was incorporated on the 10 March 2021, between the 10 and 23 March they were known as Qualis CIC, on the 12 March all directors of Qualis were appointed as directors of Primera, between 15 and 22 March all Quails directors resigned or were terminated. On the 21 March, Qualis Community was Incorporated and EFDC were recognised as a person with significant interest, on the 22 March all of the Qualis directors were appointed to Qualis Community CIC and Mr Casey ceased to be a person with significant interest. On the 24 March Qualis became Qualis Community. Could the Portfolio Holder explain what this was about and did this have an easy explanation also did it account for the £10,000.00 of other expenses that were mentioned in the report.

Councillor J Philip advised that he recognised the Community Interest company as part of Qualis which members were made aware of. In terms of the directors of the Community Interest company it was correct that they should also be the directors of the over arching Qualis Group. Until Councillor Heap mentioned the other company, he stated that as far as he was aware it did not have any relationship to the Qualis Community Interest company and nor would it have going forward.

(b) Loughton Library

Councillor S Murray advised his question was to the Leader of Council and asked if he could help the residents of Loughton to save the Library as he was a leading member of Essex County Council. He stated the Library should be allowed to stay as it was and not be moved to a much smaller community space and urged the Leader to help the many hundreds of residents of Loughton to save their library.

Councillor C Whitbread advised that this was an issue that was already under consultation and did not think it would be right or proper for him to state either way what he thought about the consultation. He did however state that the best way to save a library was to reinvest in a library and that was what the consultation would achieve, you need modern buildings and modern libraries. The Loughton Library was a Local Plan site and members should be careful when they object to planning applications of sites that are within the Local Plan as they weaken their own position. He therefore advised that members of the public should respond to the public consultation.

(c) Spraying regime for the extreme pavement and road weed growth

Councillor D Wixley advised his question was to the Environmental and Technical Services Portfolio Holder but due to his absence he would ask the Leader if he was able to answer on his behalf. The Leader, Councillor C Whitbread advised he was happy to take the question but if he could not satisfactorily answer the question a written answer would be provided at a later date.

Councillor D Wixley advised the Leader that he was receiving a lot of complaints and comments from residents in Loughton about the weeds that were growing in the pavements and the road gullies. This year the weeds seem quite exceptional and he wondered if something had happened regarding the spraying regime as the roots of these weeds could damage and weaken the under surface of the pavements and during the winter with the rain and ice the weeds can help to break up the structure of the pavement. Some of the weeds have taken up the appearance of a hedgerow and he asked what the way forward was.

Councillor C Whitbread thanked Councillor Wixley for his question and informed him that as Councillor Avey had prior knowledge of the question he had been working on an answer to give at Council, but was, from today self-isolating. He stated this year there seemed to be an epidemic of weeds growing in between pavement blocks and along roadsides all over the district. The growth of the weeds was caused by a lot of sunshine followed by a fair amount of rain. The Council undertook weed spraying on behalf of Essex County Council and they had a set number of sprays each year, he believed that they were in the process of spraying at the present time. He advised that he would get a full answer and come back to Councillor Wixley with details of the spraying regime but did agree that there were more and more weeds this year due to the weather conditions that the district has had. The Council were aware of this problem and many Councillors were also receiving the same complaint from residents.

(d) Disability Discrimination Act Accessibility and Compliance – Transport for London

Councillor C C Pond advised his question was also for the Environmental and Technical Services Portfolio Holder but maybe another member of the Cabinet would be able to answer his question. He asked if any discussions had been held with Transport for London about making further facilities at their tube stations in Epping Forest for a Disability Discrimination Act (DDA) Accessibility and Compliance. I am aware that there were discussions regarding this some years ago. The Central Line

was a vital resource to get from one end of the district to the other and around the loop. Many of the stations are simply relics from a previous time with absolutely no disabled access. Therefore, if no such discussions had recently taken place with TfL were any planned in the near future.

Councillor C Whitbread advised that this came under the remit of the Environmental and Technical Services Portfolio Holder, Councillor N Avey and that he would speak to him to find out if any discussions had taken place. He suggested that this could go to an Overview and Scrutiny Committee meeting and invite Transport for London to attend.

(e) Flooding in the District

Councillor M Sartin referred to the flooding that had recently taken place in the district and advised that Roydon had been one of the areas that was badly hit and asked if the Leader would join her in expressing his concern for the residents of Roydon and also Nazeing, who were affected by the flooding that occurred on Sunday 25 July, which was the result of exceptionally heavy rainfall but did cause problems for quite a number of residents. Could the Leader also assure the residents in those areas that were affected that a full multi-agency investigation would be carried out to establish the real issues around the various drainage systems in the district and find resolutions for these problems. This was not the first time that concerns had been raised regarding the drainage systems but on this occasion a number of residents experienced flood water entering their properties and causing serious damage to their homes. Could I also ask the Leader along with the relevant officers to meet with me as soon as possible, in Roydon, to highlight some of the problem areas and to get a better understanding of why and what happened on Sunday.

Councillor C Whitbread stated that no member of Epping Forest District Council could not have been more shocked and saddened to see the damage done to properties in the district in particular Roydon and Nazeing and had much empathy for the residents of those properties that were so badly affected.

He advised that on Sunday 25 July 2021 the rain was exceptionally heavy an Amber Weather Warning was issued for the area, which was extremely rare. Officers responded to several flooding calls in the area but did not receive calls from the out of hours service at Mears regarding the properties reported to Members.

EFDC were not the Lead Local Flood Authority for this area, the responsibility remained with Essex County Council. The mechanisms for flooding can be complex and involve agencies including the sewerage undertaker and the highway authority whose systems all take surface water.

EFDC provide an out of hours flood response service and will provide sandbags and assistance to the most vulnerable residents with staff and a contractor (Pearls). 1000 sandbags are stored by our contractor (Pearls) at their site in Bobbingworth as part of a wider watercourse maintenance contract on our behalf.

An officer from the Environmental Protection and Drainage Team was on-call 24/7, 365 days per year to advise and respond to incidents of flooding affecting residents.

EFDC officers were members of the ECC Flood Officers group and the Portfolio Holder was a member of the flood board where climate was a regular topic and discussion point.

He confirmed that EFDC have requested Essex County Council as the Lead Local Flood Authority undertake a Section 19 flood investigation to help in determining the mechanism of the flooding. ECC Flood team have responded to the request and will be working with EFDC to investigate the issues.

EFDC will liaise and work with ECC and the various parties involved in the flooding e.g. highways, riparian owners, EFDC, Thames Water to reduce the impact of any further incidents. The out of hours process will be reviewed and any training needs will be addressed with the contractor.

The Leader advised that he was more than happy to meet with officers other agencies and residents in the coming week to discuss the recent flooding in the district.

(f) Social Lettings Register

Councillor R Brookes advised her question was to the Housing Services Portfolio Holder and stated that the report on the social lettings registers was an excellent and asked if the Portfolio Holder could clarify when looking at the number of active bidders, listed for the last five years, and looking at the number of active bidders from 2020 to 1 April 2021 it had gone up by almost 300, was there any reason for this increase.

Councillor H Whitbread thanked Councillor Brookes for her question and advised that although she was aware of an increase in active bidders, particularly during the Pandemic, she would have to liaise with officers and come back with a detailed response.

(g) Small Businesses in the District

Councillor P Bhanot advised that his question was to the Finance, Qualis Client and Economic Development Portfolio Holder and stated that the high streets and shopping parades were the economic heartbeat of the communities across the district, notwithstanding the Governments support packages, the last 18 months had been particularly testing for small local businesses and asked what plans were there by EFDC to ensure small businesses in our district bounce back and recover from the financial hardship they face as Covid-19 restrictions are relaxed.

Councillor J Philip advised that the Cabinet passed town centre improvement plans for six town centres and he would be reporting on the progress of those various actions this was something that EFDC were a significant leader in but were not doing it alone, it involved working with other organisations including Parish and Town Councils. A good example that happened earlier this week was putting planters into Waltham Abbey, the Council were looking to supply the planters but the actual planting in the planters and the maintenance of them would fall to Waltham Abbey Town Council. Added to that two particular initiatives that the Council have put in place are Click It Local and a loyalty application for across the district called Loyal Free which will hopefully encourage people to shop within the district and be able to see some benefit in doing so.

Click It Local was launched but unfortunately local businesses are not proving very keen to sign up to it. As we lead up to Christmas time, which was clearly one of the major business events in the calendar, EFDC want to be able to support businesses as much as possible therefore the Click It Local initiative will carry on for the full 12 months. He added that if more local businesses did not sign up and people were not using the service to drive more revenue through the districts businesses, we would

have to consider next year whether investing the money in keeping going for the future was a wise investment or not. I would encourage members to read about Click It Local and encourage local businesses to sign up to this initiative

(h) UK Vaccination Programme

Councillor J McIvor advised his question was to the Community and Regulatory Services Portfolio Holder and asked with the UK vaccination programme proving to be a huge success across our district, county and country, does the Portfolio Holder agree with his concerns, and indeed the concerns of National Government with the lack of take-up of the vaccination with the under 30's, which may be due to the amount of incorrect and inaccurate information which was shared online and people are putting their safety and the safety of others at risk. I would be interested to know what steps this Council would be taking to encourage all adult age groups, but in particular, the under 30's age group to get vaccinated so that we can very quickly go from pandemic to endemic.

Councillor A Patel advised that he first received an update from the person who was leading the rollout of the vaccinations across the Epping Forest district and the end of November 2020, it was a very ambitious programme that they were setting out and they were firstly targeting the elderly and most vulnerable adults first and then rolling out the vaccination to the younger adults. It was always part of the thought process, at that time, that it would be more difficult to get the younger age group to take up the vaccine. Some of the reasons and rationale around why it was proving to be difficult was that there are a lot of myths that are being circulated around having the vaccination. The NHS are trying to tackle these myths by putting statements on their website and there was information on the Essex County Council website and the Epping Forest District Council website all trying to tackle these myths. Some of the younger Councillors who have been vaccinated could help by doing a promotional video on why the younger adult should be vaccinated. Members would have also received an email from the Corporate Comms team about circulating messages of positivity amongst the residents in their wards and circulating this information especially around the areas where there are vaccination centres. The key to this vaccination rollout was working together as a partnership and spreading the positives especially to the younger adult.

(i) The Council's Social Recovery Plan

Councillor K Williamson asked the Community and Regulatory Services Portfolio Holder to provide an update on the progress of the Council's social recovery plan.

Councillor A Patel advised that the Council were making very good progress on the social recovery, it was this time last year when the Council moved out of response to recovery and Councillor Philip and his team worked very hard on the economic recovery plan but the Communities team in particular have also worked very hard on the social recovery plan. We are now moving away from the term 'social recovery' thinking and it has been identified through working in partnerships with our health partners and the focus was on tackling health inequalities as a result of Covid and this was the key area of focus of the Epping Forest Health and Wellbeing Board. The work that they are delivering upon was through the three action groups that we have underneath the main board who are multi agency. The way in which we will achieve success again was working with our partners and in particular our health partners in delivering upon this. We as a District Council have very good representation in the health environment and our Chief Executive was on the Essex Health and Wellbeing Board, I am a member on the West Essex CCG Board, Gill Wallis from the Communities Directorate was chairing the West Essex Health Inequalities Board and

Jennifer Gould from Housing Services was on the One Health and Care Partnership. It was fair to say that the Council were supporting the direction of the Health and Wellbeing agenda across West Essex.

In order to answer this question fully I am happy for a report to go to the relevant Select Committee subject to the Chairman's agreement.

The Chairman agreed that a full report would be a good idea to go to the relevant Select Committee.

(j) Regulation Order for Measures in Epping High Street

Councillor J M Whitehouse stated that in December 2021 the traffic regulation order for measures in Epping High Street expires and asked the Community and Regulatory Services Portfolio Holder if there was any update of when the consultation would take place.

Councillor A Patel advised that this question was not under the remit of his Portfolio and suggested that it might fall under the Environmental and Technical Service Portfolio.

Councillor C Whitbread agreed that it did fall under the remit of the Environmental and Technical Service Portfolio Holder, Councillor N Avey and in his absence he would be asked to give a written response.

(k) Council House Building Programme

Councillor R Morgan asked the Housing Services Portfolio Holder to provide an update on the Council House Building Programme and especially about the opening of Cyril Hawkins Close in North Weald.

Councillor H Whitbread advised she recently visited Cyril Hawkins Close for a sneak preview as Councillor McIvor, Councillor Burrows and Councillor Bolton joined her in visiting the community allotment opening which backs onto the programme. Cyril Hawkins Close had not yet officially opened but the official opening was next week and would be opened by the Chairman, Councillor Helen Kane with other members in attendance.

The development consisted of 12 family homes situated in the heart of North Weald on a previously used site which was once garages. In terms of the rest of the Council House Building Programme Phases 4.1 and 4.2 they were on site and that was going well, the only slight issue has been a delay in some the building material supplies which was an issue across the building trade. The Council's programme was still on schedule with a number of completion and hand overs coming up between September and November. She advised that she had recently had the opportunity to name some of the properties and with the Pick Hill development this has been named after her predecessor Syd Stavrou, which would be a good opportunity to remember Syd.

The Housing Strategy and Policy consultation was due soon and this would be a good opportunity to think about how our Council House Building Programme was going and whether the Council's stock was meeting the needs of local residents.

(l) Epping Forest Holocaust Education Trust

Councillor H Kauffman advised that he was the Chairman of the Epping Forest Holocaust Education Trust and we are going to bring forward a memorial in the district that we can all be proud of but a big part of that was about education. The Trust were planning and setting their heart on an element of the new library being available to us for a permanent school education facility and in the new plans, despite having discussed this with Essex County Council, they have not put in those plans even a small area for the Trust. I would therefore be really grateful, as Councillor C Whitbread has personally been very supportive of this initiative, if he could have a word in the right ear to provide the Trust with some space in the new library for this to go ahead.

I would also like to give a big shout out to Waltham Abbey Museum who are currently holding an exhibition, which was not being that well attended, it was available until the 4 September and it was about 30 survivors who came to Loughton and were cherished. It was a fabulous exhibition and well worth a trip to Waltham Abbey to see this exhibition.

Councillor C Whitbread advised that he certainly would have a word in the right ear and thought the memorial in Loughton was really important to this district. He was really pleased that this Council had been able to support the memorial and would continue to support it. Celebrating our heritage and remembering some of the worst atrocities that have happened in our history are so important to this district and country.

26. MOTIONS

(a) Litter in the District

Moved by Councillor H Whitbread and seconded by Councillor J Philip

“In light of the extent of littering in the District, which has increased during the current pandemic, the Council hereby declares that:

- (i) The Council will sponsor an annual competition named “Pride in Epping Forest District”, which aims to acknowledge the individual, group or local Parish Council which makes the greatest local contribution to the removal of litter from the District’s streets and countryside;
- (ii) The Council will join “Keep Britain Tidy” and become involved in “the Great British Spring Clean” and comparable initiatives. The Council will also reach out to other local organisations such as the Corporation of London (Epping Forest) and Transport for London to encourage joint initiatives to tackle littering;
- (iii) The Council will continue to promote and support locally organised litter picks and supply advice, equipment and support;
- (iv) The Council will examine ways in which by means of social media, postings on the Council’s website and other channels to promote residents’ awareness of littering and why this anti-social behaviour should be stopped. This may also involve reaching out to schools through the Youth Council;
- (v) The Council will survey the provision of bins across urban conurbations in the District, including main thoroughfares, to assess

whether more bins are needed to avoid littering. Advice will be sought from Parish Councils as part of this survey; and

- (vi) When available, the Council will evaluate the use of CCTV technology as an enforcement tool to identify rubbish discarded from vehicles primarily on main roads throughout the District.”

Amendment moved by Councillor C McCredie and seconded by Councillor J Philip

To amend section (iv) to include dog waste:

- (iv) The Council will examine ways in which by means of social media, postings on the Council’s website and other channels to promote residents’ awareness of littering and the health dangers of badly handled dog waste and the need for it to be cleared up in a responsible manner and why this anti-social behaviour should be stopped. This may also involve reaching out to schools through the Youth Council;

Carried

Motion as amended ADOPTED

RESOLVED:

- (i) That the Council will sponsor an annual competition named “Pride in Epping Forest District”, which would aim to acknowledge the individual, group or local Parish Council which makes the greatest local contribution to the removal of litter from the District’s streets and countryside;
- (ii) That the Council will join “Keep Britain Tidy” and become involved in “the Great British Spring Clean” and comparable initiatives. The Council will also reach out to other local organisations such as the Corporation of London (Epping Forest) and Transport for London to encourage joint initiatives to tackle littering;
- (iii) That the Council will continue to promote and support locally organised litter picks and supply advice, equipment and support;
- (iv) The Council will examine ways in which by means of social media, postings on the Council’s website and other channels to promote residents’ awareness of littering and the health dangers of badly handled dog waste and the need for it to be cleared up in a responsible manner and why this anti-social behaviour should be stopped. This may also involve reaching out to schools through the Youth Council;
- (v) That the Council will examine ways in which by means of social media, postings on the Council’s website and other channels to promote residents’ awareness of littering and why this anti-social behaviour should be stopped. This may also involve reaching out to schools through the Youth Council;
- (vi) That the Council will survey the provision of bins across urban conurbations in the District, including main thoroughfares, to assess

whether more bins were needed to avoid littering. Advice will be sought from Parish Councils as part of this survey; and

- (vii) That when available, the Council will evaluate the use of CCTV technology as an enforcement tool to identify rubbish discarded from vehicles primarily on main roads throughout the District.

27. QUALIS 4 YEAR BUSINESS PLAN 2021-2025

The Finance, Qualis Client and Economic Portfolio Holder, Councillor J Philip introduced the 4 Year Qualis Business Plan. He noted that this had also been keenly debated at the previous Overview and Scrutiny Committee meeting and Cabinet on the 12 July and no amendments had been considered necessary.

He emphasised that nowhere in the 4 Year Business Plan was there any mention of handing over the Council's housing stock to Qualis as this was not part of the 4 Year Business Plan and should be made clear to members.

This report presented the 4 Year Qualis Business Plan and sought the Council's permission to approve this as its direction and focus. As a four year business plan it would inevitably change every year according to circumstances but there would be a one year interim plan submitted each year.

The Council were asking Qualis to look at potentially regenerating areas of the district, to do this, they would require an additional loan potentially up to £35 million and that led to the recommendation (2). To vary the Council's Capital Programme which was brought forward in February 2021 to include the £35 million loan. The loan was not expected to be taken as one tranche and would not necessarily be taken all in this municipal year. The Audit and Governance Committee are requested to review the operational boundaries and the approved limits in the Treasury Management and Investment Strategies and to give approval to these being increased up to the requested £35 million, if they consider it necessary.

He stated that he was happy to take questions but as it had been thoroughly debated at Overview and Scrutiny and Cabinet he would therefore ask members to support the recommendations.

Councillor S Murray stated that he had three points:

- (a) Could Councillor Philip give assurance that no other service of this Council will be transferred to Qualis without proper scrutiny;
- (b) Did Councillor Philip have any comment on the news that broke on Everything Epping Forest on 26 July regarding the confirmation of the third property acquisition of an office space by Qualis in Coventry for £9 million. Did Councillor Philip know about that prior to the purchase or was that not how it worked at Qualis, as an independent organisation; and
- (c) Regarding the 4 Year Business Plan one of the issues I have with Qualis is their day to day influence on particular services that used to be with the Council that have now been transferred to Qualis, what was the mechanism of accountability for these services to be transferred. I received an email from an unhappy tenant who said 'they would be interested to know who the Qualis repair team answered to as they felt they needed a bit of retraining'. Normally, as

a Councillor, I would have been able to answer that but on this occasion, I had to reply that I did not know and would have to find out. Councillors need to be made aware of where and who that accountability lies with so that we are able to answer our residents.

Councillor J Philip reassured Councillor Murray on service transfer and referred to page 141 of the agenda where there was a Service Review Framework which would be the approach that would be taken to look at any proposals that the Council want Qualis to be taking on for the Council. Essentially what the Council were looking at was a service that could be done better by Qualis than the Council could do not necessarily better than the Council are doing. The Council are in no different situation now than when Mears was running the housing repair service, it was the same responsibility within the Council, the Council had a responsibility for the repairs and maintenance, the actual carrying out of that service was contracted out to Qualis which would be exactly the same approach as if we had continued contracting out to Mears. There was still the scrutiny within the Council and the Council still had the responsibility for the service. Therefore, you could still go through the Housing Team or the Housing Portfolio Holder.

With regard to the third property acquisition I was aware that there was a new acquisition, but that he did not have any details and did not know it had completed. The Managing Director of Qualis was currently on annual leave so my regular Thursday meeting with her this week was cancelled.

Councillor M Owen referred to page 118 of the agenda and stated that on the balance sheet of Qualis the debt was going up by quite a lot and it looked like they were just sitting on the money going up to £126 million and then up to £132 million. Therefore, my question was, why do they need the £35 million loan if they already have so much money that they are sitting on.

Councillor Philip advised that the loans were what was generating the money and was also to do with the status of the work and when it goes from being pre-planning to going into work in progress and you can change things on the account sheet by that point.

Mr N Dawe, Chief Operating Officer stated that in the paperwork an illustration was done in that some more of the loan was aid off rather than reapplied the money to the projects that would then be in subsequent years, so there was an understanding that it did show that but what we would do with the cash bounce was either reinvest it on further projects or paying down the loans, that decision has yet to be made.

Councillor J M Whitehouse stated that it was clear that this report was created some time ago as it had been around for some time, things do change so were there any other post-publication events that members should be aware of which would potentially have an impact on the business plan. The crux of the recommendations includes the £35 million additional loan and what conditions would be attached to the loan in the terms of how that money was spent and ensuring that money was spent in line with the overall objectives and aspirations of the Council. Also the service transfer issue to Qualis, there were some quite big assumptions in the 4 Year Business Plan both about what might happen and the benefits as seen by Qualis of how that would happen. Members would need very clear evidence to justify and understand any transfer proposals. It was important that members had a lot of clarity on those issues.

Councillor J Philip advised in terms of the £35 million loan it had been covered before at Overview and Scrutiny and Cabinet. The Council would be looking for a sensible

proposal coming from Qualis as to what they intend to do with the money, given that the Council would be funding through the Public Works Loan and can clearly only be allocated if it was to do with regeneration and the Council would want to see clear evidence that what was being proposed was for regeneration policies within the district. In terms of the service transfer at Overview and Scrutiny one of the things that was looked at was the asset management side of the Council and a proper view of what could be done and what could be improved if it were to transfer to Qualis and that is the reason why the Council are doing a secondment before any form of transfer and hopefully a very strong business case would show the benefits to the Council of transferring the service to Qualis.

Councillor S Heap highlighted that the report stated that all profits are to be retained for 4 to 5 years to build equity and asked when EFDC could expect to see any return on these loans.

Councillor Philip advised that EFDC were getting a return at the moment because they were providing the loan at a commercial rate which is a higher interest rate than the Council were borrowing at. Also discussed at Overview and Scrutiny there was a balance between at what point EFDC start taking dividend money out of Qualis rather than allowing them to reinvest the money to improve the profitability of the company. That is something that has not yet been decided this was an indication of where we are going over the next 4 years. The important thing to remember was that EFDC were the sole owners of Qualis and therefore whether the money is put into the general account or whether it stays within Qualis, the money still belongs to EFDC and it has to be decided year on year where that money goes.

RESOLVED:

- (1) That the Qualis 2021/22 to 2024/25 4 Year Business Plan be approved;
- (2) That a variation to its approved Capital Programme so as to include £35 million for a regeneration loan as requested by Qualis in 2021/22 be approved; and
- (3) That as requested the Audit and Governance Committee review both the Operational Boundary and the Approved Limit contained within the Treasury Management and Investment Strategies and approve these to being increased by up to the requested £35 million if the Committee considers this necessary.

28. AUDITED STATEMENT OF ACCOUNTS 2019/20

Mover: Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

Councillor J Philip presented the Audited Statement of Accounts for 2019/20. He thanked the Auditors and the Finance Department for all the work they had put in preparing the accounts to which had been a challenge this year due to the Pandemic restrictions. He also thanked the Audit and Governance Committee for the scrutiny that they gave to the accounts at their meeting on 15 July 2021.

The external auditors gave an “unqualified” audit opinion on the Statement of Accounts 2019/20 and also acknowledged a significant improvement in the 2019/20 Statements and supporting records compared to 2018/19. An issue had been found with the 2018/19 accounts which had a roll forward issue into the 2019/20 accounts

and would have impacted on the 2020/21 accounts. Page 151 of the agenda, section 1.3 advises of the recommendations from the Section 151 officer of the changes that need to be made.

The Audit and Governance Committee recommended to Council that the Statement of Accounts for 2019/20 be approved including the adjustment recommendation made by the Section 151 officer.

There was a significant challenge going forward in terms of getting the accounts completed and approved by the official date, which was 30 September 2021. Therefore, Council were encouraged to ask the Constitution Working Group to look at whether the Audit and Governance Committee could, in future, approve the annual Statement of Accounts instead of bringing them back to Council.

Report as first moved ADOPTED

RESOLVED:

- (1) That the Audited Statement of Accounts 2019/20, as recommended by the Audit and Governance Committee, be approved and adopted; and
- (2) That the Constitution Working Group be requested to consider the proposal for the Audit and Governance Committee to be given delegated authority to approve the Council's Annual Statement of Accounts in future years.

29. TREASURY MANAGEMENT STRATEGY 2021-22

Mover: Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

Councillor J Philip presented a report on the Council's Treasury Management Strategy and the Annual Investment Strategy. He advised that the Audit and Governance Committee considered these strategies at their meeting on the 22 March 2021 and recommended that the Council approve and adopt them.

Report as first moved ADOPTED

RESOLVED:

That the Treasury Management Strategy and the Annual Investment Strategy for 2021/22 be adopted.

30. APPOINTMENT TO OUTSIDE BODY - WHIPPS CROSS JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Mover: Councillor C Whitbread, Chairman of the Appointments Panel and Leader of the Council.

Councillor C Whitbread presented a report to members advising that the London Borough of Waltham Forest had extended an invitation to Epping Forest District Council to appoint a non-voting member from the Council to their new Whipps Cross Joint Health Overview and Scrutiny Committee (JHOSC).

He advised that there were two nominations for this position, Councillor A Patel and an LRA Member. Councillor C P Pond advised that the LRA Member nomination had been withdrawn.

Councillor C C Pond stated that under the primary legislation Executive Members were debarred from serving on Joint HOSC's but as this was an observer position clarification would need to be sought as to whether Councillor A Patel, being an Executive Member would be able to take up this position.

Councillor C Whitbread advised that he would seek clarification before a member was appointed to this position.

RESOLVED:

That clarification would be sought as to whether an Executive Member could be appointed as a non-voting representative to the JHOSC.

31. OVERVIEW AND SCRUTINY COMMITTEE

(a) Overview and Scrutiny Annual report

The Council received the sixteenth Annual Report of the Overview and Scrutiny Committee, its Select Committees and Task and Finish Panels for 2020/21, to be approved, by the Chairman of the Committee Councillor M Sartin.

Councillor S Murray asked for it to be put on record the excellent way in which Councillor M Sartin chaired the Overview and Scrutiny Committee. He then advised that he would abstain from approving the report due to the way in which the report covered call-in requests as he didn't feel the understanding of the importance of the decisions and the heat of the debate on some of the issues raised.

He then went on to point out on pages 282, 283 and 284 of the agenda, External Scrutiny, that there were three really positive pieces of scrutiny that were done during the year, Epping Forest Youth Council, Local Mental Health Services and Young People's Mental Health Services.

Councillor Murray stated that the Stronger Communities Select Committee, at their first meeting in July 2020, had an excellent presentation from the Grow Community Garden which was documented on page 288 of the agenda to which he would like to bring to the Council's attention.

Lastly he highlighted that the Stronger Council Select Committee scrutinised the Council's Accommodation review as reported on page 297 of the agenda and asked where it was documented the breakdown of the £5 million spent on the refurbishment of the Civic Offices and was it possible to have one list detailing where and how the money was spent.

Councillor M Sartin thanked Councillor Murray for drawing to members attention some of the areas on the report, it was quite a full report that did cover and show the work that was carried out over the last year by the Overview and Scrutiny Committee and also by the three Select Committees.

Councillor C Whitbread thanked the Overview and Scrutiny Committee and in particular Councillor M Sartin and Councillor B Jennings for all of the hard work that had gone into this committee over the last year and also gave thanks to the three Select Committees as they all did essential work for the Council. He was pleased to

report that a lot of new policies were emerging, particularly around housing, which were now going to the correct committees and being scrutinised efficiently before they came to Council.

With regard to the Civic Offices refurbishment, the second floor of the Civic Offices had now been let out and this income will not only be to the benefit of the Council but to the benefit of local residents. The project was very heavily documented through its many phases to which the Pandemic played a great part in changes and the new ways of working for Council staff.

The refurbishment had been on time and in budget and a final report with all the costings will go to the Overview and Scrutiny Committee or the Stronger Council Select Committee at a later date.

The Council are one of the leaders at the forefront of technology and once the Civic Offices were fully functioning it would be a great asset to the whole community of Epping Forest and will deliver fundamental savings and a greener working environment for Epping Forest.

Councillor J H Whitehouse asked if the report could include how decisions were made and how they were changed. Before the consultation closed I attended many of the briefings and were shown things like working pods to be included which are now not in the offices and the building was somewhat different to what members were led to expect, therefore it would be interesting to know how this all changed along the way and why.

Councillor C Whitbread agreed that it had changed as things had moved on as the building was developed. Originally all three floors were going to be used by the Council, apart from part of the ground floor, which was hoped to be used as a community hub. Where possible members have been kept informed but obviously some things had to move very quickly. He pointed out that there were various pods situated throughout the first and second floors of the building. The refurbishment work was not fully completed as another entrance was hoped to be opened up for access to the café area and where it was hoped the library would also go.

The Civic Offices was an old building and with all the new refurbishment works it was now a building for the 21st century.

(b) Report of the Chairman of the Overview and Scrutiny Committee

The Council received a report from Councillor M Sartin, the Chairman of the Overview and Scrutiny Committee regarding the three meetings held in June and July 2021 and the business that was discussed.

RESOLVED:

- (a) That Council approved the annual report of the Overview and Scrutiny Committee; and
- (b) That the report of the three Overview and Scrutiny Committee meetings held in June and July 2021 be noted.

32. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

- a) There were no updates from council representatives on any other business of joint arrangements and external organisations; and

- b) There were no requests made for written reports by representatives on joint arrangements and external organisations for the next meeting.

CHAIRMAN

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Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Community and Regulatory Services Portfolio Report
Portfolio Holder: Councillor Aniket Patel

Recommending:

That the report of the Community and Regulatory Services Portfolio Holder be noted.

Community Resilience:

We currently have two vacancies in the team at present, recruitment of permanent and agency staff is proving difficult with no successful candidate being appointed.

EFDC Policing Team

Activity:

Waltham Abbey – enforcement of current closure orders, disruption of criminal activity, developing and acting upon any relevant intelligence. The partnership meetings between Police, ASB and Housing continue and are highly valuable, there has been significant impact on the problems there as a combination of the work done by EFDC, the funded-team and Operation Raptor (drugs & gang team)

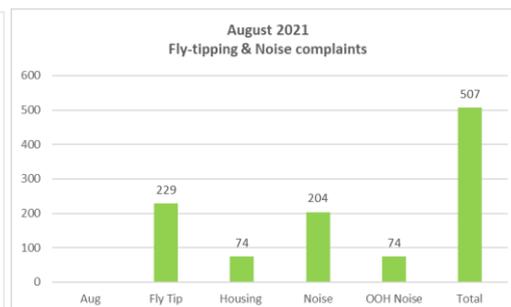
North Weald – medium to long term ASB problem solving at Blenheim Square, targeted patrols continue, and the ASB appears to have subsided. The team issued a CPW against a tenant who was allowing youths inside their property and there have been no reported breaches to date.

Debden Broadway - medium to long term ASB problem solving, targeted patrols being carried out, no ongoing issues reported.

Environmental Enforcement:

Ex Job Ltd have been assisting with the current shortfalls in the OOHs noise team. Our next shortfall will be 24th Nov – 1st Dec. Recruitment is ongoing to fill the current rota.

The noise policy and procedure has been reviewed and the new policy introduced in September. A prosecution is being sought for breach of a noise abatement notice as well as a licence review for a premises in the Loughton area.



Numbers of cases reported have decreased slightly, however stage 1 complaints have increased. The combination of the summer period always being our busy period, staffing resources and unreasonable expectations have spotlighted this current trend.

Anti-Social Behaviour:

Two resident meetings have taken place with officers regarding anti-social behaviour in North Weald, advice was given and leaflets on how to report ASB handed out

The team have carried out joint visits with Essex Police to North Weald to identify hotspots and Police tasking made based on identified hotspots

Activity

- Epping Gangs meeting to discuss properties at risk of being cuckooed, gang nominals in the district.
- Possible cuckooing case investigated at Loughton Way, Buckhurst Hill. Enquiries and visits undertaken, and it was confirmed not to be the case.
- A Closure Order Extension has been obtained for a property in Waltham Abbey.
- A Closure Order is being prepared for an address in Loughton.
- 2 Community Protection Notices have been served for cannabis odour.
- Joint working with Neighbourhoods regarding ASB and criminal activity occurring at Barfields, Loughton.
- 5 incidents of graffiti jobs responded to.
- Continued work to reduce ASB at Blenheim Square, North Weald.

Safeguarding

A Domestic Homicide Review is to be carried out over the tragic death in Loughton last month. We have completed our Section 11 Audit on behalf of Essex Southend & Thurrock Children's Board

There were 40 new safeguarding cases received and 18 that rolled over, current 'live' cases include 2 children only; 24 adults only; 14 both adult and children. There were 33 opportunities for children to be harmed and 39 opportunities for adults to be harmed

Referrals.

- 8 to Social Care
- 2 to Police
- 1 to the Mental Health Team
- 6 Internal referrals
- 8 External referrals

The Private Sector Housing Team Manager has once again done some excellent work with a leaseholder who has issues with hoarding and self-neglect. He has no apparent toilet/hot water facilities and lives in a square meter cleared patch in his living room with his two dogs. The manager and colleague have gained his trust and are slowly working with him enable essential repairs to be carried out and the garden rubbish removed, more progress than anyone has achieved since 2018 (including social care).

CCTV:

A mobile CCTV camera was deployed near to the Marriot hotel in WA after numerous acts of criminal damage to vehicles. Since the camera was introduced the incidents have all but ceased.

CCTV requests have increased since July by 47%, insurance requests continue to be low, although it is expected that requests will rise as more people return to work. Fees for CCTV

requests will rise to £125 per request, a rise of £5 that will come into effect in the new financial year.

Significant savings on completed projects have been made across the CCTV budget for the past financial year.

There are 6 Rapid Deployment Cameras in operation

- Hillyfields Loughton to identify suspects fly tipping in the area.
- Rear car parking area at Epping Civic Offices.
- Blenheim Square, North Weald Bassett to address ASB issues at location.
- Honey Lane, Waltham Abbey to identify suspects who trespass and release livestock from enclosure.
- Vicarage Lane West, North Weald to help combat problem motorcyclists.
- Lodge Close Car Park Lambourne End Chigwell to combat Fly Tipping issues at the location.

The Team have actively worked with the Police to identify suspects on the following.

- Various windows smashed in Queens Road Buckhurst Hill.
- Shop keeper assaulted Broadway Debden.
- 2 males fighting outside shopping parade Coopersale.
- Suspect vehicles involved in criminal activity Oakwood Hill.
- Juvenile stabbed North Weald Bassett.
- Catalytic Convertor removed from vehicle Bakers Lane car park Epping.
- Range Rover stolen Loughton.
- Expensive watch taken Loughton.

The Team have also assisted with a Car Park Credit Card scam targeting older persons at Epping & Debden Broadway EFDC car parks.

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Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Community and Regulatory Services Portfolio
Portfolio Holder: Councillor A Patel

Recommending:

That the report of the Community and Regulatory Services Portfolio Holder be noted.

Community, Culture & Wellbeing

Community Health and Wellbeing event

The Community, Culture and Wellbeing teams organised a Health and Wellbeing Day at the Civic Offices on Monday 11 October showcasing the wide variety of positive activities, workshops and programmes the service provides for residents. Using the newly configured community space on the ground floor of the building, the interactive day ran from 10am through to 8pm and incorporated the Epping Forest Health & Wellbeing Board's themes of "Start Well", "Stay Well" and "Age Well."

The NHS West Essex CCG contributed £1,700 towards the day which kicked off with a "Stay Well This Winter" morning for older residents with informative talks from pharmacy professionals, community nurses and specialist health advisors; a seated exercise session, information stands, free goodie bags, entertainment and lunch. Health checks and flu vaccinations were available.

Early afternoon saw craft sessions, jumbo party games and activities for children and families drawing inspiration from Epping Forest District Museum's latest exhibition "Game Plan: Board Games Rediscovered." The Museum team installed a wonderful temporary exhibition in the café area the ground floor which was enjoyed by visitors throughout the event.

The evening session included; floral art, crafts and low impact exercise taster classes for adults, all designed to encourage participation in cultural, physical and social activities to highlight how engaging in positive activities can support overall physical and mental health and wellbeing.

Limes Farm Estate Community Initiatives

Funding of £8,966 has been secured from the BBC to spend on community initiatives on the Limes Farm estate in Chigwell following the filming of a documentary in the area during July and August. The CCW team is leading on work with the Limes Farm Residents Association and wider community to implement a number of innovative wellbeing initiatives including; establishing community football training and

associated coaching qualifications for residents, the design and installation of a rainbow pathway, the cultivation of planters outside the shops and a Christmas Craft Camp for families. The funding has already enabled the Limes Farm Youth Club to resume running from The Limes Centre for the estate's young people.

Cycling for Health

CCW are pleased to announce that funding totally £963 has been secured from Lee Valley Regional Park Authority to enable staff to provide further Cycling for Health sessions for beginners on the first Sunday of the month between October 2021 and March 2022 at 10am to 12pm. Full details about these sessions can be found at: <https://eppingforestdc.bookinglive.com/book/add/p/521>

Ongar Puzzle and Games Club

CCW are excited to announce the launch of the Ongar Puzzle & Games Club which started on Thursday 16 September and meets weekly, from 10am to 12noon at St Martin's Church Rooms, Castle Street, Ongar. The club helps to address social isolation bringing the local community together again to form new and lasting friendships. Feedback has been positive, with participants saying "Laughing, talking, and chatting with friends is just lovely", 'This is just what we need' and 'Put a smile on our faces'. For one resident this was the 'first time I have socialised outside the house in months.'

Waltham Abbey Festival of Light

CCW are collaborating with Waltham Abbey Town Council, Town Partnership, churches, local businesses, clubs, societies, residents' associations, schools and the Police and Fire services to a "Festival of Light" to Waltham Abbey. This incorporates the annual Cavalcade of Light and the Museum will open late as part of the event on Friday 26 November.

Ninefields Financial & Mental Health Wellbeing Hub

Headed up by Epping Forest Citizens Advice, CCW are supporting a newly established weekly Ninefields Wellbeing Hub based in Waltham Abbey Leisure Centre on Tuesdays. Advice and guidance will be on offer with partners and resources including CA, the DWP, the DevelopMe upskilling programme and the NHS Mental Health Team all aimed at supporting individuals' long-term pathways to good mental and physical health and routes into employment.

Community Gardening Initiatives

In collaboration with the Council's Land and Estates team and with support from local residents, CCW have installed a variety of planters and new growing areas at sites including; Greenyards and Paradise Road in Waltham Abbey, by the shops in St Peter's Road, Shelley and at Hyde Mead House and Jubilee Court Sheltered Housing Schemes, enabling the growing of a wide variety of food in many instances.

Two new sensory garden spaces have been established at Hillhouse, Ninefields in collaboration with the Residents Associated with 850 lavender plants provided and an associated Grand Lavender community event organised on 19th October. The community allotments at Longfields, Waltham Abbey and Wheelers Farm, North Weald have been keeping volunteers busy, producing a wide variety of fresh organic foods. Community Development Officers engaged with Ongar Primary School to

show 540 children how to make wildflower meadow seed bombs for the Cripsey Brook Community Meadow. These were planted by the children at the site. Meadow clearance sessions were also organised with local Shelley residents with the vision to enhance the area and make it a place of calm and reflection for the community.

Community Champions

Community Engagement Officers have recruited two new Community Champions from Roydon and a further one from Waltham Abbey in conjunction with ward Members. A further two Champions from Chigwell will shortly come on board bringing the total number of Community Champions for the district to 22.

Information Trailer

The Culture & Community Team has mobilised an 'Information Trailer' which can be shared with wider Council directorates, partners and organisations to bring local key messages to the community. The trailer was recently used for a 'Chatterbox Live' event in Shelley to consult with residents about their estate, and also engage positive with residents in respect of their health and wellbeing.

Summer Holiday Activity Programme for Children and Young People

In an unprecedented year, the 2021 Summer Holiday Activity Programme delivered beyond all expectations with a total of 2,339 local children and young people taking part. Over 50% of participants reported that this was their first experience of the programme providing clear evidence that new families engaged with services this year. Over 70% of participants rated their experience as "excellent" and total profit achieved was in excess of £9,000.

Additionally, the Council's first ever Bronze Arts Award programme was developed and delivered as part of the Summer Programme. Arts Award is a nationally recognised qualification for young people age 7 – 25 years and all participants passed with flying colours. Certificates were presented on 16 October by the Chairman of the Council.

Young Citizen of the Year

This annual award recognises young people living in the district who have made an exceptional contribution to their community. This can be in terms of outstanding courage, service to the community, showing extraordinary commitment, energy and effort in towards a particular cause or in achieving a particular goal. Nominations are invited for young people 11-18-year-olds, living in the Epping Forest district. The finalists will be invited to the District Council's Civic Awards in March 2022 where the winner will be announced and will receive £100 and a certificate of achievement

Epping Forest Youth Conference

The theme for 2021 will be Climate Change. The Youth Councillors will be hosting the conference at the civic offices on Friday 19 November.

Epping Forest Youth Councillors celebrate their heritage

As part of the Epping Forest District Museum's 'The Boys' exhibition, six Youth Councillors presented their family history stories to invited guests including Angela Cohen MBE. Youth Councillors talked about their family's origins being from; Greece,

India, Iran, Ireland, Italy, Singapore, Romania, Bulgaria, Namibia, Netherlands, England, Germany, Poland.

#consequences and “Stop & Think” Secondary School Roadshow Programme 2021/2022

#consequences is a community safety awareness roadshow aimed at Year 9 pupils. Facilitated by CCW staff, specialist service providers deliver in all the district's secondary schools. Issues such as County Lines, gangs, healthy relationships and online safety are all explored. The #Consequences Project is being delivered in this current school term and in the Spring Term 2022.

“Stop & Think” roadshows are being delivered in schools to Year 7 pupils. The focus for these sessions is Police stop and search and `stop and account` scenarios and aims to raise awareness of this and build positive relationships between young people and the Police.

Museum Movers and Dance Connect

In September Museum Movers returned to full “in person” sessions at the Museum. The team worked extremely hard during lockdown to keep the group, all older people, engaged. Some attended Zoom sessions but many had regular calls to keep in touch.

Dance Connect is part of the Dementia Friendly Communities Programme in Waltham Abbey. A variety of music from the last seven decades is played to stimulate memories and discussion and get toes tapping! The sessions have recently changed to weekly classes and now that Dementia cafes are reopening staff will be visiting these to promote the sessions.

Rainbow Mural in Princess Alexandra Hospital

The CCW rainbow mural has been installed at Princess Alexandra Hospital, in the children's A&E department. The mural brings together numerous rainbow pictures created by young people from across the district during the Covid pandemic in gratitude to our NHS and Key Workers. The artwork will be officially opened by Cllr Aniket Patel later in the year with a presentation at the Civic Offices.

The Boys Project

The Museum exhibition and associated programme on The Boys has engaged with a wide variety of people across the district and beyond. The exhibition itself was visited by over 4,500 people and the associated events programme included a special day for 3 of the Loughton Boys themselves, their families and other survivors which included a private view of the exhibition and an afternoon tea at Holmehurst House where they stayed when they first came to the country. This event received coverage from various media both local and nationwide. The project is due to come to a close in December and the Museum team is currently working on a touring version of the exhibition itself which can be hired by local venues and beyond and alongside the education resources will be the lasting legacy of this project.

External Funding

The team have recently submitted a funding bid for £120,000 to Arts Council England for the ‘Greater in Spirit, Larger in Outlook’ project. The project will look at the

ethnographic collection at the Museum to better understand and interpret the story around its origins, the Buxton family who collected the items and the way these items are displayed at the Museum. If successful the project will include the recruitment of officers from diverse backgrounds to support the project, co-curation projects with source communities, engagement work and activities as well as training and support for museum staff.

Museum Education and Outreach

The Museum Education Service has been in high demand with schools. Although some sessions are still taking place remotely there is a great demand for both in person sessions in schools and in the Museum itself. In total, since April 2021, the service has engaged with 3,954 pupils.

Collections Rationalisation Project

To date, the Rationalisation Project team have reviewed all items at the Museum in Store 1 and the North Weald store. Work is nearly complete on the initial review stage of both Store 2 at the Museum as well as the offsite store at the Cr@te. The next few months will focus on continuing the to review items at the Museum's remaining stores as well as the research phase of the items that have already been through this initial phase. So far 10 new volunteers have been recruited for the project with a total of 19 volunteers currently supporting the work. To date, collections volunteers have contributed 556 hours working on this specific project, equating to nearly £5,500 investment into the district.

Exhibitions

The Museum has just opened its next exhibition 'Game Plan', which is on loan from the Victoria and Albert Museum of Childhood, and explores the history of boardgames in a highly interactive display. Following this, the Museum will host the Wellcome Collections exhibition 'Georgie Meadows: Stitched Drawings' which brings together 24 textile artworks exploring personal experiences of ageing and dementia. The exhibition will be accompanied by a full programme of both public engagement as well as professional development and training. The Museum itself has just been recognised by the Epping Forest Dementia Action Alliance as working toward being a Dementia Friendly venue with a clear action plan to support this work. Part of this will include Dementia Friends information session for partners, local businesses and other colleagues in the council as well as ensuring all staff at the Museum are Dementia Friends trained.

Workspace Wellbeing for Staff

The Wellbeing Room at the Civic was kitted out by the team in August to be used as a tech-free space for staff to relax. The room includes yoga mats, a music dock, air-purifying plants, comfortable seating with cushions and blankets.

A new programme of staff activities was launched at the Civic Offices from mid-September. It includes both weekly activities (yoga, stretching, jogging, walking, book club, music appreciation), and workshops (floristry, learn to draw, cushion-cover making, guided walks, make Christmas decorations). The Council's Workspace Health Champions have been engaged in developing the programme and many activities are run by the champions themselves.

Project You

Project You is a six-week programme co-facilitated by CCW and the Essex Partnership University NHS Foundation Trust (EPUT) The pilot at Leverton School in Waltham Abbey saw individuals participate in workshops including advice on how to improve their mental health along with the opportunity to participate in physical activities. Participants reported improvements in their anxiety levels, confidence levels improving and increased awareness and utilisation of self-coping strategies in day to day life. There are plans to roll the project out further and the team have applied for Find Your Active funding from Active Essex to cover the next round of delivery.

West Essex Adult Lifestyle Inclusion Project

CCW have been awarded £100K to lead a project to improve the health and wellbeing of adults with Learning Disabilities across West Essex. The project includes the recruitment of an Occupational Therapist and Support Officer. Working in partnership with Essex County Council to recruit the Occupational Therapist, it is anticipated that both vacancies will be filled in November enabling the project to commence at that time.

COMF for Reconditioning Activities

CCW has been awarded an additional £22,600 of COMF funding from Essex County Council to support the physical and mental reconditioning of the district's Clinically Vulnerable residents. The funding will be used to offer residents one to one support to overcome barriers that stop them accessing community-based physical activities and services.

West Essex Health Inequalities

The Council continues to take a leading role in addressing health inequalities across West Essex with the Service Manager for Community, Culture & Wellbeing chairing the multi-agency WE Health Inequalities Committee, which feeds directly into the One Health & Care Partnership. Four medium-term thematic work strands have been developed and are moving at pace to implement partnership initiatives to address health inequalities. The groups are themed around Healthy Lifestyles, Socio-Economic, Clinical Care and the Built Environment, the latter is headed up by the Council's Health Improvement Officer.

The work of the Epping Forest Health & Wellbeing Board continues to be recognised as a model of best practice across Essex, in particular the place-based approach and the links to the Robert Wood Johnson social determinants of health model.

Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Commercial and Regulatory Services Portfolio Holder
Portfolio Holder: Councillor Aniket Patel

Recommending:

That the report of the Commercial and Regulatory Services Portfolio Holder be noted.

Regulatory services:

Environmental Health: Private Sector Housing and Grants

Fit and Proper Person Test: the team have introduced a F&PP test for mobile home sites in accordance with new requirements imposed under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

This legislation applies to all ‘relevant protected sites’, which in simple terms means all our permanent residential park home sites but not our holiday caravan sites. The fit and proper person requirement will ensure that site owners, or their managers, have integrity and follow best practice. Additionally, it provides the safeguard that such individuals will not pose a risk to the welfare or safety of park home-owners living on the site.

The Council will charge a fee of £95.00 per application. Applicants had until 30 September 2021 to submit their application and persons deemed to be fit and proper may be included in the register, for a maximum period of 5 years with any relevant conditions attached.

I am pleased to advise that applications and full payment have been received from all site operators and officers are currently verifying them before processing and deciding on suitability for inclusion on the register.

First Tier Tribunal

An appeal has been lodged with the First Tier Tribunal against Civil Penalty Notices issued to the manager of 3 large unlicensed HMOs which were created as a result of unlawful sub-letting in a “rent to rent” scam uncovered by Environmental Health Officers in the Private Sector Housing Team. The properties in Buckhurst Hill and Chigwell had been rented as single-family occupation by gentlemen masquerading as the tenants, who then sub-let the rooms without the property owner’s permission, creating overcrowded unlicensed HMOs without adequate fire precautions.

Following an extensive investigation Civil Penalty Notices on the person having control and the HMO manager (totalling £90k & £135k) were issued in accordance with our fees and charges policy. Had the unlawful renting continued the annual rental income would have been

£112,000 therefore the fines were considered proportionate but also of a level to provide a deterrent.

The hearing was set for 20th & 21st September and our officers and their legal team were ready to defend the case. Unfortunately, the appellant requested an adjournment as he was in hospital and so the appeal is now due to be heard on 8th & 9th November 2021.

Energy Efficiency

LAD2: I am pleased to inform that the Council is working in partnership with the Great East Energy Hub and Warmworks to deliver more energy efficiency improvements for our residents. We have a budget of approximately £360K which will enable us to install measures in 30-50 properties. The primary purpose is to raise the energy efficiency of low income and low EPC rates homes (those with EPCs of E, F or G, although D is also in scope subject to a cap of Band D homes upgraded across each region). The project is to be delivered by March 2022.

Whilst the scheme is available to all tenures, certain conditions apply, including a £10,000 cap per privately owned property and a £5,000 cap per rented property with the landlord required to meet 33% of the total costs. The works may include, but not is not limited to:

- Wall insulation
- Loft insulation
- Underfloor insulation
- Low carbon technologies
- Solar photovoltaics

Officers are currently working hard to arrange meetings between Warmworks and external agencies working in the Epping community who can assist in the promotion and take-up by residents.

Safeguarding:

I am proud to inform you of the results of our involvement with 2 recent Safeguarding cases. The first was initiated following neighbour complaints about a foul smell from a home within a block of flats. Our officers investigated and, unable to get support from the residents GP or district nurses, they spent 2 days talking and winning over the confidence of the gentleman, in order to gain access. They found him to be terribly poorly and immediately called an ambulance. The gentleman had lymphoedema and hadn't had his leg dressings changed in over 6 months, having been lost/dropped out of the system during Covid-19. Whilst he was in hospital, officers arranged for his flat to be deep cleaned under the provisions of the Public Health Act 1936 and he returned home in much better health. Officers have since visited him to see that he is ok and still doing well. He was so very grateful for our intervention, that it is suggested, may well have saved his life.

The second case involves a leaseholder in a council owned block of flats. The gentleman has mental health issues and is known to the council. Neighbours were complaining about an accumulation of rubbish sacks and a very overgrown garden (some trees are taller than the 3-storey building). Following several attempts, officers were allowed access and the flat was found to be badly cluttered from hoarding, there was no heating or hot water, and the occupier slept on the floor with his 2 dogs and was living on bread, cold beans etc. which he stored in a trolley outside his front door. To date, the team have arranged for all the rubbish to be taken away and they are supporting the leaseholder, in stages, and with the assistance of our Grounds Maintenance Team, towards the cutting back and overhaul of his gardens to make more manageable in the future.

This leaseholder has previously refused to engage with the Council but by ensuring that we kept him fully informed and involved at all stages, officers have been able to build his trust in them and the Council, so that he is more likely now to cooperate and carry out works that will ultimately improve his health and lifestyle outcomes.

In both cases, our officers liaised throughout with our Council's Safeguarding Team.

Grants Team:

I am pleased to advise that we have been able to end a temporary contract in the team which was created 12 months ago to deal with a backlog of cases caused by Covid-19. This will lead to cost savings for the council.

Officers have received some very complex DFG cases for young children recently; these are quite challenging but rewarding and officers work with health professionals to develop a project/scheme of works to meet the needs of the child which also provide help, support and comfort for parents and other siblings whose lives are also affected.

I am pleased to update on the following grant expenditure. From 1st April to 31st August, there have been:

- DFG Approvals £369,089.70
- DFG Payments £239,858.59

These figures are slightly lower than hoped for this point in the year, but it is proving very difficult currently, for our contractors to source materials due to national supply-chain issues which is holding up works and therefore affecting our spend/payments.

Environmental Health

Covid

With the emphasis moving away from compliance and enforcement of covid restrictions and towards prevention, our covid marshals are active across the district distributing Lateral Flow Tests and giving positive messaging and information about vaccination. This is particularly targeted where vaccine take-up is lowest, such as Waltham Abbey, Grange Hill and Loughton and Debden. They also continue checks that residents that have tested positive and have been notified by the NHS, are self-isolating as required.

For the Environmental Health Team, there has been a return towards 'business as usual'. I am pleased to report that Food Inspections have re-commenced, and the Food Standards Agency have provided a structured restart to the inspection programme which they expect will take two years before full recovery. It is considered that this time frame is reasonable for our district to achieve based on current staffing levels.

I am pleased to report that applications for Special Treatment Registration (Tattooing, cosmetic piercing, micro-blading etc) are now fully automated at the application stage, including payment of Registration fees, leaving Environmental Health Officers to determine the application with either physical or virtual inspections prior to the issuing of the Registration certificate. The process has been streamlined such that the Licencing Team no longer have to undertake the administration of this process and the applicant now deals with just one officer.

New food businesses are also now able to register their business on- line. Due to the current version of our data base, we are unable at this stage to fully integrate this process with the

Food Standards Agency as they request, but this will be established in due course and there is a workaround for the time being.

The new allergen labelling for foods which are 'prepacked for direct sale' (PPDS) (Natasha's Law), came into force on the 1st October 2021. Whilst food labelling regulation resides with Essex Trading Standards, the Environmental Team have supplied social media materials from the Food Standards Agency to our comms team to promote and raise awareness with the public and businesses.

Licensing

I am pleased to inform that the Licensing team and Environmental Enforcement Team successfully prosecuted the owner of 29 Orchard Gardens, in Waltham Abbey on 18 August 2021, for selling kittens in the course of a business without the necessary licence granted by the Council, and for breaching a Noise Abatement Notice that had been issued on 17th July 2020.

Officers across Planning, Licensing and Environmental Enforcement have together, been investigating for many months, allegations of illegal structures, animal breeding and selling without a licence and noise and odour nuisances. This has been, and continues to be, a challenging case because, whilst successfully prosecuting for the above, the level of penalty issued has not been an effective deterrent and the issues continue. Residents are justifiably unhappy and continue to complain. Officers continue with their investigations towards further enforcement action and a final solution.

Commercial services:

North Weald Airfield:

Aviation: I would like to report that 2 of the NPAS aircraft have now been relocated to Lippitts Hill which has resulted in a large reduction in helicopter movements at NW.

I am pleased to report that the official opening of the new Essex & Herts Air Ambulance base takes place next week with the Chairman of Council and Chief Executive representing EFDC.

General aviation continues to be very busy with the flight training schools and landing fees bringing in good levels of income, approximately £4-5k per month.

Market: I am pleased to report that the negotiations with the operator have started with regards to the renewal of their lease. It can be anticipated that there will be an increase in revenue for the Council.

HMRC site: I am pleased to report that the HMRC site continues to operate without disruption to any of the local road networks as the number of vehicles attending the site remains low.

General: Casual bookings for activities such as driver training have picked up significantly in the last 2 months with income at almost pre-pandemic levels.

I am pleased to report that the Airfield is due to host 2 public events in the coming months, subject to contract, that will attract £8k in income.

NWA Master Plan: I am pleased to report that the latest master plan will be discussed at Cabinet on Oct 11th.

Building Control:

Amy Pretty joined Epping Forest Building Control as a Graduate Surveyor at the end of September. Amy completed her initial training with Harlow and is on a career development programme with Epping Forest that will bring her knowledge and experience up to that of a Senior Surveyor over a three-year period.

I am pleased to report that Zoe Tolley has now moved from the Technical Officer role to that of a Trainee Building Control Surveyor and has commenced an apprenticeship degree programme through the University of Wolverhampton which has an end point assessment accredited by the Chartered Association of Building Engineers. The cost of the degree programme is funded from the Council's Apprenticeship levy contributions. As a first-time trial of this scheme we will be closely monitoring how effective it is compared to the traditionally funded placements at Anglia Ruskin University.

Income through fees and charges in Q2 have been at approximately 86% of 2019 figures (£142,000 vs £165,000). Stronger performance in Q1 partly offsets this putting overall income to date at around 97% pre-covid levels by month 6 of the financial year (£271,000 in 2021 vs £278,000 seen in 2019).

The service became subscribed to an ISO9001 Quality Management system at the end of September having implemented procedural changes to align to a national operating model for Local Authority Building Control. Several opportunities for improvement remain to be implemented. The majority of these are tied in with the replacement of the back-office software system, as the incumbent system is currently unable to report on certain key performance indicators. The service can now expect regular quality audits from both LABC's performance and standards team and the external auditor Alcumus Isoqar.

As secondary legislation is being drafted to support the Building Safety Bill, LABC are also preparing a second inspection regime for Local Authority Building Control teams which will include technical competency assessments. This aims to support teams as they become subject to external reporting on effectiveness by the newly formed Building Safety Regulator. Investment in structured training of Building Control professionals and focus on enforcement against breaches of Building Regulations is a priority across the sector.

The project to implement a new digital system for Planning and Building Control is ongoing with a target implantation date of March 2022. The main challenges with this project include the migration of data and configuration of the system with the suite of communications issued by each service.

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Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Corporate Services Portfolio
Portfolio Holder: Cllr Darshan Sunger

Recommending:

That the report of the Corporate Services Portfolio Holder be noted.

People Team

Common Operating Model

Consultation and recruitment are still underway for the remaining teams/positions to finalise the restructure process;

- Legal Team restructure - New role profiles being produced for Job Evaluation. Proposals for consultation will be launched in October 2021
- Housing Asset and Property Team review - proposals costed, awaiting final approval
- Housing Strategy Team restructure -on hold pending further review

People Strategy 2020 – 2022

Attracting, On-Boarding and Retaining Talent

- iTrent - iRecruit Phase 2 – letter templates are now in the test environment within the system. Further automation and efficiencies are being scoped to optimise the experience for prospective employees. The automatic issuing of provisional offers, reference requests etc. will begin on the 1st October 2021. Contract templates will shortly follow and will be in the test environment in 2022.
- iTrent - iRecruit Phase 3 – Onboarding through iRecruit is on hold until MidlandHR are able to apply the relevant system upgrade which is expected to happen towards the end of 2021 early 2022. Once the upgrade is in place, the onboarding portal will be built and rolled out by mid-2022.
- Our exit interview questionnaire has been launched, the Register of Interests questionnaire is undergoing final tests and will also be available by 1st October 2021.
- Onboarding/Induction documentation is currently being reviewed to include any learnings through Covid and links to member induction documents.

Developing our skills and behaviours

- Strengths Finder workshops for all our Leadership Team began in September providing a new perspective to leadership, (strengths based leadership).
- All Team Manger workshops have been arranged and Lunch & Learns will be run to support them to ILM 3 qualification.

- Our eLearning system Litmos continues to be built. The team are investigating the use of features such as gamification, and links to Social media.
- Skill Pills & MS Teams sessions - A new series of Skill Pills is being run for all employees between Sept 21– Mar 22. These are 60-90 minute sessions accessible by all employees. They will cover a variety of topics to support hybrid working skills, wellbeing, resilience and mental health.
- A series of MS Teams training is being rolled out. These are 60-minute sessions, helping employees use all different elements of Teams. These are provided free by Microsoft.
- Excel skills is still our top requested training, so more courses are to be provided.
- In total we now have 32 Apprentices in the workforce. Our Public Sector target is 14.

Engagement and Wellbeing project

- We have an additional cohort of Mental Health First Aider (MHFA) training in September 2021 taking us to approx. 90 trained MHFA for the organisation.
- Leadership Programme – Wellbeing workshops have taken place for the wider Leadership Team with excellent feedback received. One of our directors has volunteered to be a MHFA.
- The Perkbox sign up is sitting at just over 90% of the organisation, a total of 524 employees out of 582 have logged into the site to access the fantastic employee benefits and tools with over 4809 perk redemptions so far which is up 24% compared to the previous report. The free treat perk is the most popular downloaded perk so far – 621 redemptions.
- Now that Perkbox Insights has retired, in September, we launched a new tool called WorkBuzz. Like Perkbox Insights, employees will have the opportunity, on a quarterly basis, to tell us what's working well and make suggestions for improvements. The first survey was launched on 27 September. Once the new system is embedded, we can start to produce engagement dashboards, these can be just for respective teams or for the full organisation. To help showcase our new platform, we have produced a short presentation about the WorkBuzz platform and WorkBuzz onboarding. We encourage our employees to complete the surveys and be an important part of organisational change at EFDC.
- Perkbox Recognition launched on 1 December 2020 continues to gain momentum, we have had overwhelming engagement on the platform and this trend is continuing.

Our Ways of Working (OWOW) – Creating Our Tomorrow

- Our employees are moving away from traditional styles of management and approaches, to more agile, creative ways of working, thinking and leadership. Embedding the changes that OWOW and the Accommodation Project started, empowering employees to evolve the culture of the organisation, ensuring we embed the changes and achieve the desired outcomes:
 - Making Best Use of our Assets – Training Change Champions and using a Train the Trainer (TTT) approach to use the Audio-Visual Equipment and Booking Tools in the Civic Office. To maximise the number of employees that know the capabilities/functionality of these tools and can train others on how to use them.
 - Embedding the Change - Assessing & Monitoring Adoption (benefits realisation) – Understanding where we are today (our current state) against where we want to be (future state) and applying interventions that will close the gaps
 - Continued Employee Engagement and Wellbeing, including a Beyond the Pandemic Phase 2 survey
 - Enhancing skills and flexibility of our workforce – including Inspiring Great Performance and a refresh of EFDC Values & Behaviours – currently with SLT to approve taking forward
 - Review of Collective Agreement, Terms and Conditions and Employee Consultation

Internal Communications Strategy 2021 – 2023

- An internal communications strategy has been developed to enable effective engagement and communication with our employees so that they can flourish. The Strategy will help us take a fresh approach to internal communications and employee engagement, one that is flexible, intuitive, and interactive and will cover three key focus areas:
 - Providing employees with reliable, accurate, and accessible information, that educates and informs employees about the council's priorities and strategies
 - Creating opportunities to collaborate and contribute thoughts, ideas, and stories through our content to reflect and drive EFDC's culture in line with our values
 - Empowering our people to represent the council in a positive and informed way to their colleagues, family, friends, and within their local communities
 - There are six key areas for development over the 3-year period, including content creation, corporate information platform, channels, engagement and insights, content management and recognising and celebrating success. Further details on the first 4 areas include;
- 1. Content creation and the introduction of Communication Ambassadors**
 - Initial protocols for Communication Ambassadors have been developed
 - During October we will be carrying out an audit of our existing communications activity to identify where our most active content producers are within the organisation and the harder to reach areas
 - 2. Supporting the development of a new corporate information platform**
 - We're in the discovery phase for the organisation's new intranet/information platform, initial desk-based research into different solutions available was carried out in July
 - The team have had meetings and initial conversations with potential providers to discuss platform functionality, price point and options
 - In October, once meetings have all taken place, the information will be collated to provide an overview for the project sponsor and ICT
 - 3. Channels**
 - As part of the Civic Offices refit, five digital screens were installed (2 customers facing and 3 internal), Our brand-new digital signage is now LIVE with up-to-date content and employee news, graphics, video, meeting information, messaging, and BBC news updates
 - 4. Employee engagement and insights**
 - We have supported the procurement, planning and implementation for a new employee engagement platform to replace Perkbox Insights
 - A Communications plan was created and has been delivered in time for the WorkBuzz launch on 27 September 2021

Business Support

Local Land Charges (LLC)

- All LLC data is migrating to Northgate's Cloud environment on 15 October 2021.
- All data cleansing is now completed, and we are waiting on HMLR to feedback on any enquiries they may have.

- Once migration has taken place any changes LLC make to the system will be updated overnight to HMLR
- We are on track to still migrate in Q4, our HMLR Service Delivery Manager is updating the Delivery plan to reflect this and hopefully we will meet this and receive the Transition payment.
- ICT have worked hard alongside the LLC team to ensure that the migration moves forward within the timescales.

Projects

Print to Post

- The Council continues to migrate service areas over to the PSL print to post solution. Multiple teams have already move across allowing EFDC to remove the remaining large print equipment from the Civic building and the Business Support team has seen a 60% reduction in 2nd class post. We are now entering the management and review stage, working closely with Service Areas to reduce printing and reengineer processes supported by PSL.

Accommodation - Concierge Project

- The Concierge Service is up and running providing support to users of the building. Work is ongoing to understand the needs of our tenants and partners.
- The Concierge Service is being organised to support the requirements of the new building and ways of working.
- Process and policies are being developed for the management of the Conference Suite. Owing to word of mouth communication external partners have made booking enquires. A plan exists for developing the usage of the Conference Suite over the next six months.

Soft Facilities Management

- Soft Facilities Management moved to Business Support on the 1st September 2021.
- The Corporate Cleaning contract for the Civic and Corporate estate is out for tender. The closing date is the 8th October 2021.
- Site contacts, regular reviews and site visits are being introduced to manage soft facilities across the Corporate estate.

Storage and Archiving

- A contract has been awarded to Iron Mountain to provide a storage, archiving and retrieval service for EFDC. The data inventory and boxes will be transferred to Iron Mountain over the next two months. An internal document retrieval system is being put in place managed by Business Support.

Multi-Functional Devices (MFD) replacement programme

- The number of MFDs (printers) across the Corporate Estate has reduced from 26 to 15 over the last 12 months. The current contract with Xerox ended September 2021. A new project has been formed to tender for new machines incorporating current user need.

Post Room Activities

- A review is being undertaken to ensure stationery is being sourced via the cheapest provider.

- Outgoing Post is being reviewed. As usage of PSL print to post project increases cheaper alternatives for sending end of day post out is being explored.
- An initial review of the incoming post functions is being conducted to identify any potential cost savings from outsourcing.

Corporate Health and Safety

- Risk Assessment training commenced with a successful pilot course run for the Technical and Contract services in July and 4 courses are now booked starting the beginning of October which will see 40 managers trained before the end of December 2021. Further courses will resume after Christmas to complete all managers. A Health & Safety Campaign is planned to launch the new risk assessment templates and once created, a new repository for all records. This will meet legislative compliance for the council, safe systems of work, training and monitoring.
- More first aid sessions are booked in October, for Museum staff and Communities teams. Manual Handling sessions are also booked for Grounds Maintenance employees.
- The Incident Management Team for the Civic has been working well, managing the requirements to match the needs of the numbers of employees working at the Civic.
- COVID – there has been a review of the current COVID risk assessment for the Civic. Also there are separate measures in place for large meetings, gatherings and council business including members of the public. This is under constant review and follows government guidelines

Contingency Planning

- Three more directors will receive GOLD training next month and be added to our on-call rota to manage both internal and external emergencies. Three Directors have now completed the Civil Protection course. As a result, Emergency Planning and how EFDC plans and manages an incident, is to be reviewed later this year.
- Essex Police have been asked and have agreed to assist with GOLD training for Directors giving them a better understanding of joint working with emergency services, what is expected in a Strategic Command Group and their role. This will be booked and carried out once COVID restrictions are lifted.
- All Directors have received training from Essex Police, regarding their role as GOLD strategic leads for the Council in an emergency. Officers are review current plans and resources, however, we are equipped to deal with an emergency and can call upon mutual aid as necessary, meaning we will comply with statutory duty under the Civil Contingencies Act 2004.

Insurance

- The Council's insurance programme was last tendered in July 2015 on a five-year long-term agreement (LTA) with the option to extend for a further two years. The current arrangement will expire 30 June 2022. Owing to the value of this contract there is a requirement to undertake a full Tender exercise on the open market to ensure we obtain the most comparatively advantageous terms.

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Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Customer and Partnerships Portfolio
Portfolio Holder: Councillor Sam Kane

Recommending:

That the report of the Customer and Partnerships Portfolio Holder be noted.

1 Revenues and Benefits

- The Revenues and Benefits team continue to provide a daily frontline presence at the Civic Offices, as they have done since re-opening in June of this year. In addition, the team provide expert advice as part of the work being carried out by the Community Hub.
- The Revs and Bens team continue to process the business support grants currently being made available by Central Government and the County council. Further information on all business support schemes, as well as the application forms, is available on the council website.
- The Revs and Bens team continue to provide support for families through the Government's Test and Trace Support Payment scheme, which has now been in place since October last year. In addition, the team also administers the County council scheme, which is less prescriptive than that of Central Government. Further information on these schemes, as well as the application forms, is available on the council website.
- Housing Benefit and Local Council Tax Support caseload numbers continue to remain stable; however, it is too early to gauge the effects of the ending of the Government's Furlough Scheme, which came to an end 30 September 2021.
- The end of furlough and the £20per week uplift in Universal Credit will likely result in customers experiencing financial difficulties. The Revs and Bens team can make online referrals for a food parcels from the Epping Forest Foodbank Project. These food parcels contain at least 3 days' worth of nutritionally balanced food, with a minimum of 10 meals for the household; as well as household essentials, toiletries, sanitary products, pet food where requested and can even take account of dietary requirements. The foodbanks are available at the following places:

- In Debden at St John's on the Broadway, 66 The Broadway, Debden on Saturday for collection 10.30-12noon
- In Epping at Civic Offices Community Hub on Monday 3.30-5pm. Food parcels can be prepared then and collected by arrangement
- In Loughton at St Mary's Church, High Road Loughton on Wednesday 10-12noon
- In Ongar at St Martin's Church Rooms, Castle Street, Chipping Ongar on Thursday 10-11.30

Deliveries can be arranged for people unable to get to a centre via the e-referral website - <https://eppingforest.foodbank.org.uk/>

- During the second quarter the Revs and Bens team have issued over 6,500 reminders and final notices, which has further resulted in the issuing of approximately 600 summonses in respect of unpaid Business Rates and 3,000 summonses in respect of unpaid Council Tax. This is almost double in numbers from that of previous years. This has proved to be a challenging and stressful time for the staff and created an enormous amount of work for the team; however, the council and precepting authorities are reaping the rewards from this:

- Business Rates collection end of Q2 2021/22 - 46.80%
- Business Rates collection end of Q2 2020/21 - 44.91%
- Business Rates collection end of Q2 2019/20 - 53.78%

- The collection rate for the current year is skewed as a result of the Government's relief granted for the months of April, May and June. There are signs that we are reducing the gap each month between the current year and 2019/20, which is a more realistic yardstick against which to measure performance than last year. The current Business Rates collectable debit is £30,342,753.

- Council Tax collection end of Q2 2021/22 - 51.56%
- Council Tax collection end of Q2 2020/21 - 50.37%
- Council Tax collection end of Q2 2019/20 - 52.14%

- Bearing in mind the current economic climate, to be less than 0.6% down on the collection rate for 2019/20 is testament to the work of the team and other support services. The current Council Tax collectable debit is £102,961,445.

2 Customer Services

Welcome Lounge Launch

- Our Welcome Lounge launched to the public on 19th July, after a slow start we are seeing an average footfall of 90 visitors a week (in comparison to an average of 300 pre-Covid). Visits are mainly for Housing and Revenue and Benefits. Visitors requesting recycling sacks have been more than happy when advised of all the local outlets around the District to collect sacks.

Community Hub Launch

- Our Community Hub opened 13th September following familiarisation tours for Partners. As a reminder partners who joined us include Food Bank, Phoenix Futures, Nacro, VAEF, ECC Family Solutions, DWP, CAB, CHES Homeless, Changing Pathways and Peabody. Whilst initial footfall has been slow, we are ramping up our marketing campaign including posters and communications out to all Town and Parish Councils plus our partner from VAEF is looking into advertisement via his session on Essex Radio station. The aligning service areas are in attendance in the Hub on the same days/times as partners providing a one stop multi agency approach for our residents.

Cash Payments

- The cash office continues to see steady usage since reopening on 12th April, with over a thousand unique customers and £660,000 income, of which nearly £320,000 has been cash. The kiosk at Waltham abbey has taken £182,000 in total of which £100,000 was cash. The kiosks at Epping Civic offices reopened on 21 July, taking £34,000 total of which £16,000 was cash.
- In June we launched a touch tone telephone payment service to replace our end of life voice recognition system. This replacement has resulted in a significant increase in the number of successful automated payments, with far fewer customers struggling to use the system and requests for additional Officer support down by approximately 70%.
- With regards to the paper on the future options for cash paying customers, final analysis is being completed prior to the publication of this report. This is expected towards the end of October.

Customer Strategy Update

In Your Shoes' customer service behavioural training

- The last planned seminar will be held on 13th September with thirty colleagues attending the training session run by the training provider the Impact Factory. Experienced Officers and Managers attended to hold a Q&A session and experience share how they deal with very difficult and challenging customer conversations. Colleague feedback on the session scored an overall nine out of ten in terms of usefulness and value add from the training. The intention is to provide an edited version of this recording and launch to all staff in the coming months. This is module one of three in place to support colleagues with challenging conversations. Module two focusses on telephone aggression and module three conflict management.

First Line Migration to the Customer Contact Centre

- Revenue and Benefits first line contact was due to transition quarter 3 this year however due to capacity issues this transition has moved back to quarter 3 2022/23. The final five percent transition for Community Culture and Wellbeing is dependent on the automation of the venue hire bookings platform. This automation will be incorporated into an ICT project to develop a

corporate system for all booking systems. In the meantime, the venue hire bookings process remains a manual process enabling our customers to continue to book room hire.

Multi-Channel Digital Platform

- Our customer call centre faces the challenge of having to use nine different applications to access information to serve our customers. We are investigating potential suppliers for a multi-channel customer engagement platform which will provide our residents with the ability to interact with us via live chat, artificial intelligence, telephone and email as well as self-serve via our website.

Customer Service Failures

- Whilst the above digital platform project has been on hold due to capacity it's now recognised that the requirements need to be broadened. We are receiving feedback that there is dissatisfaction with either a delay or lack of response from some technical service areas to customer queries and calls. We currently do not have any way of tracking our end to end customer journey for queries not resolved by the customer contact centre to identify service failures. In addition to a new telephony system we will be investigating a case management system providing a single view of the customer. A collaborative approach with ICT and other service areas will ensure that all new systems introduced across EFDC are fully integrated.
- In the interim, Members, Parish and Town Councillors have been invited to provide feedback on specific examples of customer service failures for investigation, root cause and service improvements to be made.

Customer Contact Centre Performance

- Our overall service has been impacted by significant resourcing challenges, this is due to long term sickness, bereavement and leavers. Officer vacancies are being filled and we continue our campaign to recruit to our Team Manager vacancy for Members and Delivery Solutions. A receptionist is also being appointed on a three months fixed term contract to alleviate the pressure of the Contact Centre Officers covering reception duties in the Welcome Lounge.
- Our overall customer satisfaction for quarter 2 was 58% (target 80%). Our residents are unhappy with the wait times due to the resourcing issues as well as not being able to get through to our technical teams. As previously mentioned, this is being investigated and we encourage ongoing specific feedback.
- We resolved 88% complaints within 10 working days (target 85%). Quarter 2 has seen a 33% increase on complaints, with an increase for Revenues due to grants, final demands and summons. Community and Resilience has also seen an uplift due to noise complaints.
- Whilst our customer contact centre has been hit by resourcing issues, the remaining team are still doing very well in terms of resolving queries at first

point of contact achieving 62% first point resolution (target 45%). This is a 13% increase on the previous quarter.

Digital Community News Platform

- September saw the launch of our digital online community news application District Matters, which draws on a range of local third-party content providers in support of news items reproduced from the EFDC website and social media. Evaluation and modifications are planned for January 2022
<https://paper.li/District-Matters>

New Web Page for Members

- We have developed a new web page for Members in the absence of a Members Portal which gives you access to everything you need in the one place. This link can be found on the front page of our website, at the bottom under 'Contact Us'.

<https://www.eppingforestdc.gov.uk/your-council/members-portal/>

Simplified Member Contact Form

- We have simplified the Member Contact Form used to log enquiries. Changes include shortened and simplified questions when logging an enquiry, the option to view the enquiries you logged via the 'My Requests' tab and the option to log a new enquiry immediately after submitting one. By logging your enquiry using the Member Contact Form, we can monitor the progress of your enquiry and ensure you receive a timely response. If you need assistance using the form, please get in touch with the Member Contact Team.

http://eppingforestdc-self.achieveservice.com/service/Member_Contact

Local Government Signposting

- Following feedback received we have developed a 'who does what' page on our website to give clarity on our local government structure as Members and Residents told us that it's not always easy to know which Council to contact. The link can be found under 'Your Council'

<https://www.eppingforestdc.gov.uk/your-council/local-government-structure-in-essex/>

3 Car Parking

- Works are progressing for Electrical Vehicle (EV) charging in Oakwood Hill East Car Park. Lease negotiations are currently taking place between EFDC and InstaVolt and EFDC have successfully negotiated reducing the length of the lease from 20 years to 15 years. InstaVolt and EFDC are working towards installing rapid chargers at Oakwood Hill East by Christmas this year.
- The overall parking income levels are on average 75% of pre-pandemic income figures since restrictions have been lifted. Whilst short stay car parks

are reaching pre-pandemic income levels, long stay commuter car parks are still affected as people are predominantly working from home. The Car Parking Team are monitoring current income levels against pre-pandemic income levels per car park.

- The Car Parking Team are conducting a review of the off-street car park tariffs and a Parking Consultant has been appointed to explore possible tariff recommendations. All recommendations will be discussed with Members and Sustainable Transport/ Climate Change/ Economic Development teams.

4 ICT

Service Management

- Service management continues to be a focus for the team. The number of incidents and requests continues to be high, particularly on a Monday. All tickets are managed through the on line HOTH system. There is some concern that the number of tickets being closed is online the number being opened, but it is expected that this will resolve itself once the team is fully up to speed.
- The current SLAs for tickets are being closely managed, and the daily stand up process helps to provide focus on this. Customers will be contacted if tickets are due to breach and new dates agreed.
- The problem management process is being used more extensively to investigate the underlying issues. Rather than just fixing the symptoms (via tickets) , problem records are used to delve further and get to the route cause of issues. This is expected to reduce overall call volumes going forward and improve customer satisfaction.
- Customer satisfaction for tickets in September is shown below

Sept Feedback	Customer service	Technical Skill	Ticket Handling	Time taken
Very Satisfied	88%	86%	86%	84%
Satisfied	12%	14%	14%	14%

Projects

- The project governance process is in full flow and an increasing number of projects require ICT input. Where there are bottle necks, such as with Granicus forms, priority lists are agreed with business areas, or, if funding is available, external resource is used to assist.
- There are several large business projects in flight, such as digital planning, housing and efinancials upgrade. These are consuming large amounts of the teams' time, and in some cases external resource will be used to provide the additional support required.
- There are a significant number of infrastructure projects in flight. This is to modernise the current environment and get things ready for the move to Azure.
- The continued flexible working model is putting the team under increased pressure to provide support and services to a large number of locations, and

individuals. Projects are being explored to help simplify this, such as improving the remote management of software, and the use of auto pilot services for building laptops.

Strategy

- The ICT strategy paper is complete and covers the work the team need to focus on to deliver against the council's objectives. This is being used now to plan out the projects that need to be done over the next few years. The move to Software as a Service for many business applications, and Microsoft Azure cloud, for those services left, are key to this.

Accommodation Project

- The accommodation project has now formally closed. The ICT team are now supporting the technical elements of the implementation, supported by third parties for elements such as the AV and booking system.

ICT Team

- Christine Ferrigi has returning from maternity leave and will resume her role as Service Manager for Business Support and ICT. Maryvonne Hassall will continue to provide support.
- Changes have been made to the service desk team to modify 2 roles to provide second line support (rather than just first line). This is expected to reduce the number of tickets needing to be passed on to third line teams. It is also expected to assist the mobile team by providing alternative resources. The new team members will take a while to get fully up to speed as they learn the EFDC systems and processes.
- The 'shift left' principle is being used across the whole team to try to get the work to the right person in the team and resolve issues at the earliest (and cheapest) occasion.
- A vacancy has opened in the business application team, and this is being filled temporarily with contract resource while the team manager decides what best skills the team now need to be filled.
- A vacancy is also open currently in the infrastructure team, and this too will be filled in the short term with temporary resource while the changing skill sets of the team are clarified.

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Report to the Council

Committee: Cabinet
Date: October 2021
Subject: Environmental and Technical Services
Portfolio Holder: Councillor Nigel Avey

Recommending:

The report of the Environmental and Technical Services Portfolio Holder be noted.

Waste Management

Services continue to run well despite the major national issue of the shortage of qualified HGV drivers. Wage costs have continued to increase as our contractor is in competition with other employers to recruit and retain existing qualified staff.

We are in the process of extending the collecting of textiles, batteries and small electrical items using a 340 wheeled bin to more blocks of flats, where the current use of recycling facilities is at a good level with reasonable levels of contamination. We will publicise this to the residents of flat blocks where this is extended to.

We are currently experiencing supply chain issues with the supply of wheeled bins and the wait time for orders have increased from 8 weeks to 16 weeks. At present Biffa have stocks available but, in the future, there may be issues with the replacement of lost and stolen wheeled bins.

Litter Picking

The Waste Management team have standardised the information that is given out to litter picking groups, residents, and parish/town councils. To aid local groups undertaking Voluntary litter picks, a standard information form and information sheets with a risk assessment that can be adapted by the various groups to help them cover all the relevant issues concerning litter picking has been developed and is available.

EFDC can provide hi vis vests, litter pickers, sack hoops (hold the sacks open) available to lend to litter picking groups. Gloves and sacks will be provided free of charge and the waste/recycling will be collected as well. The council will only take waste from the public highway and not from private land. The council will not take responsibility for either the insurance for these groups or their supervision while the activity takes places. Further information can be found on the Council's website at:

<https://www.eppingforestdc.gov.uk/recycling-and-rubbish/volunteer-litter-picking/>

Leisure Management

All four leisure centres are now operating without any COVID-19 restrictions in place. The usage of the centres is good, swimming is proving to be very popular. Attendances are still below pre-pandemic levels, but we are now receiving a management fee from Places Leisure and no longer providing any financial support to Places Leisure.

Environmental Protection and Land Drainage

The team have continued to investigate and follow-up flooding incidents from recent heavy rainfall events. Officers have been assisting Essex County Council as the Lead Local Flood Authority (LLFA) with Section 19 investigations under the Flood and Water Management Act to determine the mechanisms of flooding in Chigwell and Roydon where many residential properties were flooded. A new scheme for charging for private water supply sampling and risk assessment has been implemented for residents and businesses who use a private water source including wells, boreholes, and springs where EFDC have a statutory regulatory duty. Officers have been responding to planning applications for key Qualis development sites in Epping.

Highway Rangers

The rangers continue to work on reported issues from both Essex County Council and those reported by Members and residents. Recent jobs include installing two of four historic oak gates and new replacement bins in Waltham Abbey Sun Street and Market Square. There is a planned day on the 5th of October to paint bollards with the wider team in Loughton High Road. We continue to receive a number of requests that are rejected as they are works that the rangers cannot undertake such as defective streetlights, potholes or private hedges which remain the responsibility of Essex Highways.

<https://www.eppingforestdc.gov.uk/environment/highway-rangers-service/>

Fleet Operations

The team continues to provide a valued service to staff, internal teams, members of the public and provides an income stream for the Council and provides licence compliance testing for the councils approved 450 taxis. The team is leading on the drive to support teams to replace existing fleet with new electric/hybrid vehicles to reduce our carbon footprint and contribute to the Councils ambition to be carbon neutral.

MOT monthly income has increased by 61% in the last 5 years from £15,156 to £24,732 per month and continues to grow, the service has a 4.8 Star rating out of 5 rated by customers.

Grounds Maintenance

The warm wet weather over the summer period has encouraged continued vegetation growth and kept the Teams busy with grass cutting throughout the district. Shrub and hedge cutting continues at a pace with priority being given to highways site lines and sheltered housing accommodation. Where possible removed hedge pruning's are recycled at a local Biogen centre in North Weald where they process the green waste and turn it into compost suitable for commercial and domestic use.

The fleet of ride on mowers continues to perform well with few breakdowns or mechanical issues however there has been some delay in the replacement of the transit tippers and electric vehicles due to manufacturing issues. The replacement vehicles are currently due towards the end of the year.

The nursery team continue to provide a good service, a local supplier has been sourced to grow suitable bedding plants for display and the nursery team collect and plant the flowers as required. The summer bedding is currently being removed across the district with the spring displays to be installed over the coming weeks. The nursery team also provided additional support for the improvements along Epping high road with the installation of 5 new planters.

The team undertake the marking and maintenance of the many football pitches located on Roding Valley Recreation Ground. The specialist team responsible for this work have now completed all the new line-markings required and installed the goal posts to ensure the pitches are ready for the new season.

Countrycare and Landscape

The team have been busy maintaining the districts nature reserves, cutting the grass of meadows, raking, and removing it to reduce competition of the wildflower species growing there. Among other work, maintenance of the heathland at Norton Heath was also conducted as the area was surveyed and new heather saplings were discovered.

Surveys conducted in recent months include: Butterfly transects, Barn Owl surveys, Special Roadside Verge plant surveys and reptile surveying using refuge mats. Unfortunately, Oak Processionary Moth (OPM) has been identified on some of the Nature Reserves. Where found they were recorded, submitted to the Forestry Commission, and will be checked early next year. CountyCare's list of sites with protected reptile species has increased from eleven to twelve after the discovery of a new population of Great Crested Newts, previously thought to have died out.

Throughout the summer the volunteers have been operating at full capacity, the volunteers have worked on 13 nature reserves accumulating approximately 930 volunteer hours. Their work included fixing a bridge, raking meadows, installing new benches, building a bug hotel, digging new ponds and drainage channels to reduce surface water flooding on site and much more. Regular contact is maintained with all the volunteers, both those that attend regularly and those who cannot, by the fortnightly Good Newsletter that the team produces.

In September the team hosted Mad about Moths & Batty about Bats, 20 people attended and took part in moth trapping, identifying, and releasing as well as enjoying a bat walk around Bobbingworth Nature Reserve detecting bats.

In addition to the Summer edition of Countrycare Catch-up, the Countrycare Kids!' was relaunched, a fun, educational publication designed to engage children in nature while playing games and learning quick facts and are also shared on the EFDC website, Countrycare's website, social media. We maintain an active presence on social media posting about interesting species found on the nature reserves, information about upcoming events and what the team have been up to. Countrycare can be found on @EFCountrycare on Twitter and Epping Forest Countrycare on Facebook.

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Report to the Council

Committee: Cabinet

Date: 28 October 2021

Subject: Finance, Economic Development and Qualis Customer
(Asset Management)

Portfolio Holder: Councillor John Philip

Recommending:

That the report of the Finance, Qualis Client and Economic Development Portfolio Holder be noted.

Asset Management: Firstly, I'd like to report that the Asset Management team were seconded, as planned, to Qualis on October 1st as part of the due diligence exercise.

Epping Forest Shopping Park: Progress is being made on rectification of roofing defects – our specialist drainage and roofing surveyors have agreed a timetable of works with the original contractor McLoughlin & Harvey.

The work is to be completed in two Phases to account for work required to be carried out externally on the roof, outside the retailers normal trading hours and with Health & Safety considerations paramount.

Phase 1 is underway and is scheduled for completion by the end of October, so as not to clash with the traders' run-in to Christmas; Phase 2 will be completed in early Spring 2022 once weather conditions allow external work to be safely completed.

Landmark Building: Units B, C & D are let to a local boxing gym and is now open & trading. The use has been well received and the Tenant has received over 250 applications to become members.

Unit A had been a difficult unit to let due to no rear loading and the fact that it is in the corner of development and is partially beneath the surrounding pavement level. We have been marketing for over a year with no firm interest but due to membership take-up and the award of a BTEC course from a local college, the Boxing Gym operator at Units B, C & D would like to take this space and terms have been agreed at a rent of £30k rising to £35k in year 5. He is currently liaising with the Building Control team regarding his extract system.

Unit E has now been let to a local business operating as a suntan salon and is fully refurbished and open.

Unit F is operating as the public House 'The Hub'. The tenant has submitted the necessary planning and building regulations applications. Following the recent refusal at planning committee, the tenant is working with the Council on the best way to secure consent for its mechanical and engineering works.

Unit G is now let to Wenzel's The Bakers, a good covenant with 60+ stores. The tenant has now completed their fit-out to a high standard and is trading and is trading very well.

Brooker Road Industrial Estate Waltham Abbey: I am pleased to report that a number of Asset Management Initiatives are underway or have come to fruition.

Ground floor 168c Brooker Road as previously reported has been under offer for several months. Delay to completion caused by tenant not providing enough details of their fit out for the accompanying licence to alter. The final details were submitted to Assets 4/10 and so we should be in a position to complete within the next week or two.

The proposed acquisition of Units 152, 153 and 155 Brooker Road and ground lease extension of 180 Brooker Road has taken longer than anticipated. The ground tenant has agreed to pay EFDC a premium of £600,000 for the lease extension, although its bank finance is still awaited to conclude the transaction

Formal planning was granted in late 2020 for a proposed scheme of four modern light industrial units on the site of Units 10, 50, 51 and 60 Cartersfield Road. This proposed scheme was formally approved and therefore budgeted for in the most recent Full Cabinet in February. The Commercial Assets Team is undertaking the process of ending any remaining tenancies, anticipated by September 2022, whilst in the meantime receiving an income from the units of approx. £50,000pa. In conjunction, a formal procurement process for the full project by suitably qualified professional project managers, surveyors and architects will be undertaken, with an ITT currently being drafted.

The long leasehold interest of 114 –116, Brooker Road has been bought in by the Council to procure a strategic land holding in an area of the Brooker Road estate adjoining existing Council assets. A price of £900,000 was paid. The property comprises approx. 11,500 sqft of single storey units which will be leased back to the previous tenant for two years at a peppercorn. The units will be refurbished and re-let at a market rent following expiry of the short term lease.

Tertiary Retail Units

17 Market Square is now on the market following the passing of the former tenant. The agents have received numerous offers in a short amount of time but from businesses that conflict with existing users on the parade or from uses that would not help footfall and so are continuing to show.

15 Market Square - Recently completed for use as a convenience store at a rent of £15,000 pa. This is a £3000 uplift from the former tenant pa.

220 High Road, Loughton – Have recently agreed terms with a Dry-cleaners for a new 10-year lease at £36,000 p.a. (previous rent was £27,250 p.a.)

46 Pyrles Lane – Matter with solicitor terms agreed with South Indian food take-away. Terms agreed for new 20-year lease (no breaks) at £12,750 p.a. (Previous rent £9,108 p.a.). Tenant has submitted planning application for extraction system, that is currently under review by the planning team.

The Broadway, Debden, Loughton

I am pleased to report that on 4 May 2021 the letting of 64 The Broadway completed, meaning that all 68 units on The Broadway are now fully let.

Oakwood Hill Industrial Estate

Unit 27 is under offer for a scrap metal business with no materials to be broken up on site. Rent achieved is £27,500 pa, previous rent £15,500 pa and should complete within the next fortnight.

Civic Offices 2nd floor

The tenant failed to consider planning/listed building consents for their fit out when the Heads of Terms were agreed several months ago. They have come to realise that this will now add on approximately 3 months to their timescales and have requested an additional 3 months rent free incentive. We have liaised between planning/conservation and the tenant on an informal basis hopefully to get the tenant's formal application to a point where rejection should not be an issue. It was agreed under to grant them the additional 3 months rent incentive to the end of April on the condition that the lease term be extended by 3 months for a total term now of 10 years 3 months. In addition, the tenant must also sign an agreement to lease which is currently being drafted. There will be a provision that this is subject to the tenant achieving listed building consent. Via the agreement for lease we are proposing completion on 13 December 2021 however, there is a 6 week cooling off period where the listed building consent may still be challenged and so it is possible that the tenant will not agree to said proposal until after that period has elapsed in the new year.

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Report to the Council

Committee: Council

Date: 28 October 2021

Subject: Finance, Qualis Client & Economic Development Portfolio Holder

Portfolio Holder: Councillor John Philip

Recommending:

That the report of the Finance, Qualis Client and Economic Development Portfolio Holder be noted.

Covid Economic Development Programme & Business support grants

Welcome Back Fund:

The Economic Development team are striving to deploy funding allocated by central Government by the end of March 2022. The Welcome Back Fund supports temporary programs to encourage the recovery of town centres following relaxations on Covid lockdown restrictions. A Deputy Town Centre Project Manager has been recruited to the end of March 2022 to administer and coordinate Welcome Back Fund projects, these include:

- Purchasing of footfall monitoring toolkit to build intelligence about the performance of local town centres.
- Distribution of planters in Waltham Abbey, Loughton High Road and Loughton Broadway to improve the appearance of town centres.
- Developing a Christmas shop local campaign, including purchasing of banners in the district to encourage residents to shop local during this critical period.

Economic Resilience Fund:

With top up funding accessed through the Additional Restrictions Grant scheme the economic development team are also supporting other programmes to help develop the local economy.

- In partnership with 'Loyal Free' the council on the 8th October is launching a free app which showcases vital area information for locals and visitors including exclusive deals and loyalty schemes, fun local events and interesting trails. This will run in tandem with Click It Local scheme, which is also being deployed in the District.
- In partnership with 'Best Growth Hub' the economic development team will be sponsoring a series of events across the district to provide support to local businesses.

Business E-newsletter/Database:

The Economic Development Team have released the latest October edition of the 'Business Matters' e-newsletter with topics focusing on the launch of the 'Loyal Free' app, the new Essex Business Adaptation Fund grant scheme and updates on projects relating to the Welcome Back Fund.

Plans are now being developed to look at ways of improving the reach of the business contact database.

Attracting Inward Investment:

While the district remains vibrant economically, the council is anxious to continue to promote the area for business growth and relocation to other businesses, particularly in London. It is anticipated that a new inward investment website developed by the economic development team and external partners will be completed and launched in October.

General Economic Briefing;

Council Officers continue to review available economic indicators assessing the health of the local economy now Covid restrictions have been relaxed. These focus on key areas such as unemployment, furlough and SEISS (Self-employment income support scheme). Since the last portfolio holder report in July 2021, the unemployment count has been steadily falling. It has fallen from 3,680 in July 2021 to 3,565 in August 2021. The highest unemployment count since the pandemic began last year was in August 2020. Unemployment that month reached 4,985 and unemployment this year has now fallen for six consecutive months. Latest figures on furlough are provisional but state that 4,800 local people or (8% of the total working population) in Epping Forest are furloughed. These statistics are only available up to the 31st of July, new figures are expected to be released in October. This is a fall from 5,600 local people furloughed or (10% of the total working population) to the end of June 2021. For the fourth SEISS grant, as of July 2021 63% of eligible individuals (9500) claimed the support. So, 6000 claims were made. For the fifth SEISS grant as of September 2021 28% of eligible individuals (9500) claimed the support. So, 2,700 claims were made.

Visitor Economy:

Tourism continues to rebound nationally as the unprecedented demand of staycation has proved a financial lifeline, but supply problems have hampered delivery for the UK hospitality industry. As those that traditionally travel abroad, turn their attention to holidaying at home, fully booked destinations have seen growing interest to travel to other, less explored, parts of the country. This has included East Anglia, led by Norfolk, but felt throughout the region. Visit Essex has run campaigns to highlight the delights of 'hidden' Essex, attract visitors from the Capital and encourage local people to discover what is on their doorstep.

The Visit Epping website has provided clear evidence that the staycation effect has been felt in our district. Page hits have seen a significant increase where visitors are looking for general information about the district, specific travel information and, most tellingly, details of accommodation including camping and self-catering. The number of website visitors from across the UK has also increased with strong interest from the north of England and as far away as Scotland. The poor provision of accommodation in our district is restricting the economic advantage we can expect from overnight stayers but the increase in visitors is benefitting our hospitality industry and those attractions that have been able to reopen to capacity.

Essex + Herts Digital Innovation Zone (DIZ): Essex + Herts Digital Innovation Zone (DIZ): BDUK Local Full Fibre Network project – Delivery of the £1.7m DCMS funded Herts + Essex Ultrafast GPs broadband network is now complete with all 74 GP sites (48 in Essex including 20 in Epping Forest) connected.

DCMS Digital Connectivity Infrastructure Accelerator project – The DIZ has taken part in one of four DCMS co-development groups to help shape the Digital Connectivity Infrastructure Accelerator challenge and, following the formal launch of the programme in September, is exploring the potential to form a consortium to bid for one of the seven or eight pilot projects to be funded in 2022. Each pilot area will receive £5,000 of Government funding.

External Engagement: The DIZ Programme Manager and Programme Director were recently invited to speak at the Western Gateway 'Smart Region' event, sharing the DIZ experience to date and the benefits of a 'place-based' collaborative approach to digital. A Western Gateway white paper prepared by Commwise Group that references the DIZ can be downloaded here: <https://commwisegroup.co.uk/creating-a-smart-region/creating-a-smart-region-main-download/>.

The DIZ PM also took part in a panel discussion on 'The role of digital infrastructure in the delivery of critical public services' as part of the Connected Society stream at Connected Britain 2021 alongside Tech UK and JT Group Limited (Jersey Telecom). The DIZ PM is also attending the Connected Places Catapult Innovation Summit, with the DIZ exploring the potential to establish the area as a hub or place of innovation.

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Report to the Council

Committee: Cabinet
Date: 28th October 2021
Subject: Finance and Economic Development Portfolio Holder
Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Finance and Economic Development Portfolio Holder be noted.

Finance

The Cabinet received a paper in October on the Medium-Term Financial Plan which highlighted that next year is likely to be a very challenging budgetary year.

Financial pressures, caused largely by COVID-19, have created both cost pressures and reduced income streams. Added to this, higher inflationary factors resulting from supply issues are also creating strain on service budgets. To a large extent, the government covered the financial impacts of Covid-19 last year (with further support this year) but all Government support looks set to end from 31st March. Consequently, the council will need to set a budget which accommodates these pressure factors without any external support. Combined, these factors amount to a real and significant gap between the Council's predicted income and expenditure.

Alongside the known challenges there are still many factors on which lower certainty exists, including Government revisions to Grant support (for which the revised allocation methodology is still not resolved), the lasting impact of Covid-19 on income sources and running costs and the actual pressure to be exerted from rising inflationary factors.

Closing this gap is the largest financial issue facing the council at this moment and the officers are working closely with cabinet portfolio holders to find solutions. All potential options that protect key council services are being explored, but the challenge is both structural and large and is therefore likely to result in some difficult choices for Cabinet and Council.

The revision downwards of General Fund Balances, as a result of the Audit for 2019/20, further reduces the options available to the Council.

Further papers on the budget for the Housing Revenue Account and the Capital Programme also went to Cabinet in October and draft proposals will also appear for these functions alongside those for the General Fund in the December report to Cabinet.

The paper to cabinet in December will set out the Cabinet's draft proposals for scrutiny by the Stronger Council Select Committee.

The Audit of the Council's financial accounts for 2020/21 was not completed by the 30th September 2021 deadline. A number of factors have contributed to this situation including the late publication by the Council of its draft accounts. Reviewing the regional and national position, the situation has been replicated widely. More than a quarter of all councils missed the draft publication deadline and a much larger proportion were not been signed-off by their auditors ahead of the September deadline. This points to the position that has been emerging over the past couple of year around increasing complexity, additional requirement being placed upon the auditors and staffing shortages across the sector. The PSAA has recently commenced the exercise of re-procuring audit contracts for 2023 and this issue will feature heavily in their discussions with potential bidders.

Qualis

The financial performance of Qualis is being regularly reported to the Council. Qualis has just completed its second full trading year and the Council awaits its trading results. It is not expected that these will deviate far from the position reported in Quarter 3.

Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Housing Services
Portfolio Holder: Councillor H Whitbread

Recommending:

That the report of the Housing Services Portfolio Holder be noted.

Cleaning and Caretaking

A project to improve the working environment for the staff has been ongoing for 6 months and is now nearing completion. The following has been implemented:

- The team will have a relaunch in October with new ways of working in teams and new uniforms
- Investment in specialist cleaning equipment
- As part of the relaunch we now have an all-electric fleet of the 4 vehicles we use.
- For the first time the vans will have sinks installed and will have hot water on demand to clean blocks.
- The Cleaning team are also receiving specific hoarding training to aid them in the extra works they now undertake in relation to hoarded properties level 1-5.

Neighbourhood team

The team have been working with colleagues to improve compliance. Some of the excellent achievements include

- The Neighbourhoods team have now fully integrated all our ASB work on to M3 PP to allow a more joined up approach with safer communities.
- Neighbourhoods got the Councils first injunction to force entry to a property to allow a gas safety check and have another 1 awarded with another two due at court. This is to continue our commitment towards ensuring we are a 100% compliant with gas safety.
- In the last 3 months we have had two very successful high level hoarding cases completed one resulting in our specialist working with a tenant and bring the property to a successful conclusion with the tenant returning home and continuing to keep there home in good order. The second case was dealt with by an officer who spotted a desperate need for two elderly tenants to move from a level 9 hoarded property and have now been relocated to a sheltered scheme and are receiving support daily.

- The Neighbourhoods team in conjunction with safer comms have issued another 3 closure orders in the past 3 months and another 3 due at Court in the coming month.

Council Housebuilding

Our council House Build programme is well underway with 4.1 and 4.2 on site. 4.3 schemes are intended to start on site in January. We are affected by the industry wide problems with material and trade supply, but we are working closely with our contractors to work through these challenges. We are additionally currently reviewing phase 5 plans of a total of approx. 12 schemes which we are working on with our architects. Project teams will be developed internally to involve all internal stakeholders in our plans whilst sharing our early proposals with residents.

Estate and Land

Resident Involvement

A new Resident Involvement Strategy is under development, which aims to deliver a new framework for resident involvement, offering a wide range of resident involvement opportunities, enabling opportunity for residents to be involved and empowered as much or as little as they may wish.

We are working on a new Microsite (webpages) to handle resident involvement appertaining to the Council's Landlord function, which will offer a one stop shop, promoting resident involvement opportunity, keeping residents informed about housing related projects and that affect them, handle consultations, showcase past projects, promote resident involvement and much more.

Our new Resident Involvement Facebook page is gaining momentum, with more followers joining every week. If Members would like to join this group, please search our Epping Forest District Council Resident Involvement page @EFDCGetInvolved.

We continue to arrange our Property and Housing webinars for residents. Our next Housing Webinar is 21st October 2021 at 12:30pm and Members are welcome join this session if they wish. To request an invitation, please email our Resident Involvement Officer at GetInvolved@eppingforestdc.gov.uk. The intention is to arrange a dedicated Webinar for Members in due course.

Leasehold team

The team having been working with the asset and property team to understand the direction of travel with Major works over the next 5-10 years.

There are blocks of flats throughout the district which require major works to maintain the structure and the fabric of the building. There are also areas throughout the district which require regeneration.

The Council appreciate that such programmes of work can prove costly to the leaseholder and therefore the Home Ownership Team are working alongside colleagues to produce a policy

"Improving Payment Options for Leaseholders".

The Council are working towards offering more affordable payment plans in the future reducing any financial pressures to Leaseholders whilst creating a more desirable area to live.

Income Team

The team have achieved amazing results, rent arrears are now down to 1.39% this is excellent performance by the team.

The team is continuing to work closely with our tenants to support them and working closely with our partners to take a collaborative approach. Working alongside this is the focus on embedding a prepayment culture so that our tenants develop financial resilience.

Home visits are taking place again, we feel that this is the best way to support our residents (lynchpin of the Income Recovery Strategy and Policy).

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Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Housing Services Portfolio
Portfolio Holder: Councillor Holly Whitbread

Recommending:

That the report of the Housing Services Portfolio Holder be noted.

Executive Summary

The following report provides an update on progress in the following areas:

Housing Strategy and Policy

Review of the Big Four Housing Strategies and Policies

We have achieved several milestones in the review of the 'Big 4' Housing Strategies and Policies and we are on target to complete all four reviews by April 2022.

The stage 1 consultation to capture initial views closed on 30 August 2021. The results have been analysed and used to inform the recommendations in the four reports that were presented to Stronger Communities Select Committee on 21 September 2021 for scrutiny, prior to being published for detailed stage 2 statutory consultation.

The key proposals include introducing five cross cutting priorities in the overarching Housing Strategy, five priorities in the Homelessness and Rough Sleeping Strategy, 13 changes to the Allocations Policy, of which at least 5 would be considered to be major changes, and no changes to the Tenancy Policy. All 4 reports received a favourable response from the committee.

Stage 2 consultation will be open from 18 October 2021 to 3 December 2021 and will include widescale publicity and a breakdown of the results of the Stage 1 consultation.

Appointment to Career Graded Housing and Communities Strategy Officer role

Charlotte Wright has just been appointed as the Housing and Communities Strategy Officer. This is a career graded post which will include a bespoke professional development plan.

Charlotte joined the Council as a Housing apprentice in 2020 and is a student member of the Chartered Institute of Housing. We are delighted that she has the skills and ambition to continue her career development with EFDC in such a challenging and exciting role.

Housing Needs

Homelessness

Following accommodating a number of rough sleepers during the pandemic, we are really pleased to have completed an HMO (house of multiple occupation) conversion of one of our own properties to lease to CHESS - our commissioned rough sleeper service. The HMO will provide supported accommodation to 4 clients at any given time, nominations will be made solely through the Homelessness Team at EFDC and CHESS will manage and provide the support to clients for the duration of their tenancy. The support provided will attend to mental and physical health needs, substance misuse and alcohol dependency issues along with education and employment aspirations.

We are extremely excited to have recently appointed a Domestic Abuse Support Specialist (Karan Morgan-Jones) into the Homelessness Team funded by the new burdens allocation from MHCLG designed to help local authorities meet the new requirements of the Domestic Abuse Act. The new postholder will work across Community Culture and Wellbeing, Community Resilience and Housing and Property providing support, guidance and expertise to officers on cases involving domestic abuse. The postholder will also work closely with the Safeguarding Team developing a Domestic Abuse Strategy.

Norway House (Temporary Accommodation)

The team are currently making plans for this year's Halloween party, which we will be hosting for the children at Norway House at the end of the month. This will include food, music and spooky games.

Preparations are also well underway for Christmas at Norway House and we have already secured funding for:

- Visit from Santa and a grotto at Norway House on 2nd December
- 76 tickets for the Harlow Playhouse pantomime on 12th December, funded by Epping Upper Clacton Rugby Club
- A Christmas present for each child to the value of £25, funded by Epping Upper Clacton Rugby Club
- Christmas food hampers for each family, donated by Epping Forest Food Bank
- Chocolate selection boxes for all children being donated by Kelsey Taverner of EFDC, via her Just Giving page

Afghan Aid

Portfolio holder authorisation was obtained to offer 2 x family sized accommodations from our own Council stock for the ARAP (Afghan Resettlement Assistance Programme) scheme. Two properties have been identified and details sent to the Home Office via our liaison at Essex County Council who are coordinating both the accommodation and support offer for those Afghans eligible for assistance through the ARAP scheme. We are currently waiting for information on the families who have been matched to those accommodations.

Report to the Council

Committee: Cabinet
Date: 28 October 2021
Subject: Planning and Sustainability Portfolio
Portfolio Holder: Councillor Nigel Bedford

Recommending:

That the report of the Planning and Sustainability Portfolio Holder be noted.

1. Local Plan progress update

Following the hearing sessions for the Independent Examination of the Local Plan, the Inspector released her Advice on 2 August 2019. Within her advice the Inspector set out a number of actions which needed to be addressed in the form of Main Modifications (MMs) to the Local Plan.

The proposed Main Modifications are set out in a single document. This includes modifications relating to the Local Plan Submission Version (LPSV) 2017 and all its appendices, including Appendix 6 (site specific requirements).

The MMs do not alter the strategy of the LPSV (2017) (i.e. that focus of growth is in the Garden Communities around Harlow and at the larger settlements within EFDC) with a strong emphasis on the use of previously developed land and minimising the loss of Green Belt. The MMs do not propose any new residential, traveller or employment site allocations to the LPSV (2017). Some MMs are also made to address drafting inaccuracies or are factual updates required.

The MMs consultation commenced on 15th July 2021 and closed at 5pm on 23rd September 2021.

Specific elements of the consultation included a District Member, Local Council and Developer Forum briefing sessions, presentation of all consultation materials and guidance on the Plan Examination/Council website, ensuring the availability of hardcopy materials at points within the District (taking into account any COVID19 restrictions), communication with the consultee database, a series of Council press releases and communication via social media. Officers responded to individual questions and provided support in navigating the material during the consultation.

Although work is ongoing to review the representations, initial analysis suggests that approximately 228 representators have submitted 877 separate representations on the Main Modifications and the supporting documents. The number of representations from members of the public total 289, the number from Statutory Consultees total 252, the number from Landowners and Agents total 212 and 'Others' total 124.

The full representations will be forwarded to the Inspector together with a summary report which has been requested by the Inspector to help navigate through the documentation and

collate representations by Main Modification. The representations and the summary report will be available on the EFDC website.

Once the Inspector has considered the responses, including the evidence presented throughout the duration of the Examination, she will determine whether the Local Plan is 'sound' and produce a written report outlining her final recommendations. Following receipt of the Inspector's report and providing it is determined the Plan is 'sound', it will be considered by the Council and can be adopted if it makes the Main Modifications recommended.

2 Neighbourhood Planning

Neighbourhood Planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Local Planning Authorities are required to facilitate Neighbourhood Planning and constructively engage with communities throughout the process.

On 16th September, 2021, Ongar Parish Council resolved to submit the Ongar Neighbourhood Plan to Epping Forest District Council. The Planning Policy Team are currently in the process of checking that the submitted Neighbourhood Plan has followed the proper legal process and that the legal requirements for consultation and publicity have been followed. The Council's HRA and SEA screening opinion will be updated to reflect the most recent version of the Neighbourhood Plan. The Council will commence a 6 week consultation (known as a Regulation 16 consultation) shortly. Following the consultation period, the Neighbourhood Plan will be submitted for examination.

The Planning Policy Team are also working with the Rural Community Council of Essex (RCCE) to deliver support to Town and Parish Councils in producing Neighbourhood plans and also Design Statements. RCCE takes on the role of enabler and facilitator, ensuring that local residents genuinely lead the decision-making process.

3 Harlow and Gilston Garden Town (HGGT)

Work has been progressing at pace, to set a new direction for designing and implementing effective governance for the Garden Town. A Task and Finish Group of Lead Members and Officers from the five authorities was established to review HGGT Governance options, with a preferred option of the establishment of a 5 Council Joint Committee using a Lead Authority model to deliver the Garden Town Vision and programme. Further work by officers and members to consider outcomes and recommendations is ongoing, with Officers continuing to work towards Members' request that a Joint Committee go live for April 2022.

A report setting out the endorsement process for Strategic Masterplans and Planning Applications within the Garden Town is going to the HGGT Board in October, which gives further clarity on the process and programme for how the EFDC Garden Communities sites engage and brief the HGGT Board. The HGGT Transport Strategy and Rolling Infrastructure Fund MoU are also going to the HGGT Board in October for endorsement and these will each then return to the EFDC Cabinet in December for endorsement.

The HGGT Infrastructure Delivery Plan Review is in its final stages of completion with partners currently being engaged. Work is ongoing on Sustainable Transport Corridors design work and engagement, the Garden Town LCWIP and Stewardship arrangement proposals.

The HGGT Communications and Engagement Strategy was approved by the HGGT Board on July 27 with a recommendation that the Senior Management Teams of all five Garden Town

council partners receive a copy for endorsement. This has been reviewed by EFDC Leadership Team and relevant Portfolio-Holders and endorsed for use at EFDC in relation to all communications directly and indirectly related to the HGGT project.

The HGGT Sustainability Guidance and Checklist has been shortlisted as a finalist for the Urban Design Group Awards – it will be published as an example of Best Practice in their forthcoming Urban Design Journal.

Homes England are yet to announce the Capacity Fund Bid Round for 2021-22 and advise that this is still with Ministers at DLUHG for consideration.

4 Development Management

Planning Applications

The Special Area of Conservation (SAC) backlog consisted of about 260 planning applications where decisions had not been issued, which were split into three separate tranches to reflect the agreed sequence for release in the approved protocol of the Interim Air Pollution Mitigation Strategy (APMS). The agreed sequence was firstly, cases that had been previously reported to Planning Committees, secondly the Local Plan allocated/designated sites and thirdly, all remaining applications in date order of their validation.

The first tranche of backlog cases (committee cases) have been either issued or are pending awaiting from applicants the finalisation of the s.106 agreement. The remaining 230 applications have been reviewed by Planning Application & Appeals Team Manager and the SAC project planning officer to ensure they are consistent with Local Plan policies. This part of the process took approximately 4 months to complete.

To date, 58 planning permissions have been successfully released equating to 132 dwellings. 14 applications have been withdrawn and 5 have been refused planning permission. Where delays in releasing decision have and/or continue to occur is largely attributed to the following factors:

1. Officer review of cases (now complete);
2. Having to regularly explain the process to applicant's agents, despite clear and consistent messaging from the Project Officer and updating on releasing decisions on the Council website;
3. Incorrectly completed S106 Agreements or requested information being returned by Applicants/Agents;
4. Some of the third tranche cases requires planning committee's determination before progressing S106s and decisions (50 in total). Additional planning committee meetings will be required to those timetabled.

We anticipate that the backlog will be cleared by the end of this financial year.

Planning Enforcement

The updated Local Enforcement Plan will be published during October, committing the service to amended priority categories and associated site visit target dates. The Development Management Service Manager was invited to attend the North Weald Bassett Parish Council meeting on 6 September 2021 to speak about planning enforcement matters, and a useful general update on enforcement activities was given, with specific updates on current enforcement investigations in the Parish area subsequently provided in writing.

5. Climate Change

Finally, to end on a positive note, consultation on the Climate Change Action Plan was fully launched 12th October and will run until 26th November. Events planned and attended include a Stay Well event 11th Oct, Members briefing October 14th, Youth Council in November and a Community Q&A on October 26th. The climate change webpages are now live on our Website.

Report to the Council

Committee: **Audit & Governance** **Date: 28 October 2021**

Subject: **Annual Report of the Audit & Governance Committee**
2020/21.

Chairman: **Councillor I Hadley**

Recommending:

(1) That the Annual Report of the Audit & Governance Committee for 2020/21 be noted.

1. The Annual Report of the Audit and Governance Committee outlines the Committee's work and achievements over the year ending 31 March 2021. The Annual Report helps to demonstrate to residents and the Council's other stakeholders the vital role that is carried out by the Audit and Governance Committee and the contribution that it makes to the Council's overall governance arrangements.

2. The Annual Report is attached as an Appendix to this report, and we recommend as set out at the commencement of this report.

EPPING FOREST DISTRICT COUNCIL

ANNUAL REPORT

OF THE

AUDIT AND GOVERNANCE COMMITTEE

2020/21

INTRODUCTION

The purpose of the Audit Committee is to:

- provide independent assurance to the Council in respect of the effectiveness of the Council's governance arrangements, risk management framework and the associated control environment; and
- independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment.

Whilst there is no statutory obligation for a local authority to establish an audit committee, they are widely recognised internationally across the public and private sectors as a key component of effective governance. Similarly, it is considered good practice for the Committee to report annually to the Council on its work.

The key benefits of an effective audit committee are:

- increasing awareness regarding the effectiveness and continued development of the Council's governance arrangements;
- providing additional assurance on the robustness of the Council's governance arrangements through a process of independent and objective review;
- reducing the risks of illegal or improper acts;
- increasing public confidence in the objectivity and fairness of financial and other reporting;
- contributing to performance improvements in assurance levels and awareness of the need for strong internal control including the implementation of audit recommendations; and
- reinforcing the importance and independence of internal and external audit and similar review processes.

1. ASSURANCE ACTIVITY 2020/21

To help the Committee draw conclusions about the effectiveness of the Council's internal control framework, governance and risk management it gained assurances from the following sources:

Internal Audit

The Accounts and Audit (England) Regulations 2015 require the Council to maintain an adequate and effective internal audit which is discharged by the Section 151 Officer. Internal Audit is a key source of assurance for both Members and management on the effectiveness of the control framework. The Committee has a responsibility for ensuring that Internal Audit is effective in the provision of this assurance and has worked with the Chief Internal Auditor to ensure the agreed Audit Plan for 2020/21 was delivered.

The Committee considered and agreed reports regarding the Internal Audit Strategy, Internal Audit Charter and Annual Plan 2020/21, and progress by management in implementing audit recommendations. The annual plan was revised in June 2020 to take into account a change in the Council's risk profile due to Covid-19. It also received regular progress reports on the work and performance of Internal Audit. These reports have helped in ensuring that reported weaknesses have either been

addressed or the identified risks adequately mitigated by management and that there is an effective system of governance and internal control in place.

Assurance Framework / Annual Governance Statement

The Committee's terms of reference include advising on the effectiveness of the Council's assurance framework including the production of the Annual Governance Statement.

During the year, the Committee has received reports on the control framework and how the annual review and assurance process is undertaken. The Assurance Framework is compiled from various sources of assurance, for instance Directors and other key officers.

The Chief Internal Auditor provides an annual report and opinion regarding the Council's control framework. This opinion is considered by the Committee alongside other sources of assurance.

The Committee reviewed the Annual Governance Statement (AGS) for 2019/20 which identified governance issues requiring further ongoing improvement or oversight relating to:

- Risk Management and lessons learnt due to Covid-19
- Financial resilience
- Ensuring the health and safety of staff, partners and the public in the way it delivers its services with regards to Covid-19
- Qualis governance arrangements
- Project management
- procedures and guidance notes to support critical functions
- Mandatory training

The assurance framework remained unchanged during 2020/21. The Council's Code of Corporate Governance was reviewed by the committee in January 2021 to ensure it remains compliant with the CIPFA/SOLACE Framework - Delivering Good Governance in Local Government. Only minor changes were proposed (and agreed) to reflect the impact of Covid-19 on the Council's Code.

The Committee was able to satisfy themselves that there is a robust assurance framework in place to safeguard the Council's resources through reliance on the annual review of the Council's system of internal control and the Chief Internal Auditor's annual opinion.

Anti-Fraud and Corruption

Countering fraud and corruption is the responsibility of every Member and officer of the Council. The Committee's role in this area has been to monitor and support the actions taken by officers to counter fraud, particularly as the Council has its own in-house Corporate Fraud Team, who work in tandem with Internal Audit.

The Committee receives reports and presentations on such work undertaken in the Council and proactive fraud work, for example participation in the National Fraud Initiative (NFI).

The Council continues to send out a strong message that fraud will not be tolerated and that where fraud is proven the strongest possible actions of redress will be taken.

Based on the work to date, coupled with no major incidences of internal fraud and corruption being highlighted by management, the Corporate Fraud Team or Internal

Audit, the Committee concludes that there is a sound anti-fraud and corruption framework in place. The Council's anti-fraud and corruption strategy was approved by Council, following approval by the Audit and Governance Committee in January 2020.

Risk Management

The Committee receives and discusses reports relating to risk management. Work continues to enhance monitoring and reporting mechanisms to ensure there is adequate scrutiny and challenge of risk across the Council and aligning this with the service planning process. Committee members are routinely presented with the corporate strategic risk register.

Treasury Management

In accordance with its Terms of Reference, the Committee reviewed the Council's Treasury Management Strategy and considered the risks associated with the Council's treasury activity and how these are managed. The Committee also considered progress reports on the treasury management function and performance against prudential indicators.

Statement of Accounts and External Auditors

At its July 2020 meeting the Committee reviewed and approved the 2019/20 Annual Governance Statement.

The Committee has been kept abreast during the year on outstanding issues regarding the 2019/20 Accounts, seeking explanations for the delay from both the External Auditors (Deloitte) and the Council's Section 151 Officer.

At its September 2020 meeting the Committee was informed that the audit of the Statement of Accounts for 2019/20 was currently in progress and it was anticipated that the External Auditors would be able to issue their audit opinion by the statutory deadline of 30 November 2020.

The audited accounts for 2019/20 are still outstanding and the Committee has repeatedly expressed the need for these to be presented. The Committee have been informed that delays were initially due to the External Auditor's inability to meet the deadlines due to capacity issues and Covid-19 impact on the finance team. Later on there were a number of technical issues that needed to be worked through, but had been deprioritised, in part, to the Council's budget setting process.

The aim is for the 2019/20 accounts to be reported to the Committee in July 2021.

2. COMMITTEE WORKING ARRANGEMENTS

The Committee has a rolling and flexible programme of work for its main areas of activity which is proactively reviewed and amended throughout the year to reflect changes in policies, priorities and risks. The Committee met six times in 2020/21 which due to the pandemic were held virtually, which members of the public had access to. The Committee considered items which are presented annually, such as audit results, the statement of accounts, the annual governance statement, and audit plans; as well as a number of other items including treasury management as this falls under the committee's remit.

The Committee's work plan is supplemented with periodic bespoke training which is open to all councillors. Risk management training was provided in January 2021.

Members of the Committee have a wide range of both experience and professional knowledge which, coupled with it having two co-opted persons, has continued to help demonstrate its independence. At the start of the year the two co-opted posts were vacant, however, following a successful recruitment campaign one was filled with the other going out to advert after the July 2021 meeting.

In November 2020 the Committee undertook its own effectiveness review and reviewed its Terms of Reference, the results of which concluded its Terms of Reference did not need updating and the Council was able to demonstrate compliance with recommended best practice for an effective Audit Committee.

The Committee has the benefit of being well supported by Council officers. This includes the Section 151 Officer, the Monitoring Officer, and the Chief Internal Auditor as well as the Council's external auditors.

There have been no reported major breakdowns in internal control, governance and risk management that have led to a significant loss in one form or another, nor any major weakness in the governance systems that has exposed, or continues to expose, the Council to an unacceptable level of risk. This includes the period to the end of March 2021 during which the government has introduced several full-scale lock down of the country due to Covid-19.

The purpose, strategy and work programme of the Committee mitigates against any major failure by the Council to obtain independent assurance in relation to the governance processes underpinning:

- An effective risk management framework and internal control environment including audit;
- The effectiveness of financial and non-financial performance (to the extent that it affects exposure to risk and poor internal control); and
- The compilation and consideration of the Annual Governance Statement.

Outcomes / Achievements

Through its work, the Committee's main outcome is in the additional assurance provided of the robustness of the Council's arrangements regarding corporate governance, risk management and internal controls.

The Committee has added value through its activity and in particular:

- it has continued with the importance placed upon governance issues, particularly risk management, anti-fraud and the assurances sought that key risks are being mitigated; and
- it has continued to raise the profile of internal control issues across the Council and to seek to ensure that audit recommendations are implemented.

Conclusions

The Committee's remit is achieved firstly through it being appropriately constituted, and secondly by the Committee being effective in ensuring internal accountability and the delivery of audit and a robust assurance framework. The Committee has received and challenged reports including those from internal and external audit.

The agreed work programme enables the Committee to provide independent assurance to the Council as to the adequacy of the risk management framework and the associated control environment.

The Committee has continued to have a real and positive contribution to the governance arrangements of the Council. The Committee's key achievement is in the

additional assurance provided of the robustness of the Council's arrangements regarding corporate governance, risk management and the control environment.

In order to build upon its achievements to date and to raise awareness of the work of the Committee during the coming year the Committee will focus on the following:

- Continue to review governance arrangements to ensure that the Council adopts best practice;
- Continue to support the work of audit and ensure that appropriate responses are provided to their recommendations;
- Continue to help the Council manage the risk of fraud and corruption;
- Provide effective challenge, particularly to officers, raising awareness of the importance of sound internal control arrangements and giving the appropriate assurances to the Council;
- Consider the effectiveness of the Council's risk management arrangements.
- Provide existing and new members to the Committee with relevant training, briefings etc. to help in discharging their responsibilities

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Report to the Council

Committee: Constitution Working Group (Councillor S Rackham)

Date: 2 September 2021

1. Constitution Revisions and Amendments

- (1) Recommending that the Constitution be amended to give the Audit and Governance Committee delegated authority for approving the Council's annual Statement of Accounts, with effect from the 2020/21 financial year.**
- (2) That pursuant to Recommendation (1) above, the Monitoring Officer be authorised to make necessary revisions to the Council's Constitution.**

- 1.1 Regulation 9(2) of the Accounts and Audit Regulations 2015 requires the Council to consider, either by way of a committee or by the members meeting as a whole, the Statement of Accounts, and approve the Statement of Accounts, by a resolution of that committee or meeting.
- 1.2 The Council's legal responsibilities in respect of the Regulations are reflected within the Constitution by Article 4 – The Full Council, within its Terms of Reference (section 1(c)).
- 1.3 Currently Council approval of the Statement of Accounts follows the detailed consideration given by the Audit and Governance Committee when the external audit is completed. In forming its recommendation to full Council, the Committee takes account of the findings in the external auditor's report presented alongside.
- 1.4 Regulation 20 of the Accounts and Audit (Amendment) Regulations 2021 has now amended Regulation 10 of the 2015 Regulations and requires the Council to publish its 2020/21 Statement of Accounts and supporting documents (together with any external audit certificate or opinion) by 30th September 2021 (moving the deadline forward from the 30th November requirement for the 2019/20 Statement of Accounts).
- 1.5 The legislative timetable is currently very difficult for both the Finance team and the external auditors to achieve, partly due to the two-step process in place for approving the audited Statements required by the Constitution as currently drafted. Streamlining the process by delegating authority for approving the Statement of Accounts to the Audit and Governance Committee would therefore be potentially advantageous.
- 1.6 Delegating approval of the yearly Statement of Accounts to the Audit and Governance Committee (a practice common at many comparable councils) will not reduce the robustness of the scrutiny and approval process; the Committee is well resourced for, and is experienced in, this role.
- 1.7 The agreement of the recommendations set out above will require the following revisions to the Constitution:
 - Article 4 – The Full Council, section 1(c) where reference within its Terms of Reference to 'Statutory Statement of Accounts (yearly)' will be deleted (see Appendix 1 attached – section in bold);
 - Article 11 – Audit and Governance Committee, section 3(r) within its Specific functions for External Audit and Financial Reporting (see Appendix 2 attached – proposed wording in bold with deletions).
- 1.8 We recommend as set out at commencement of this report.

- 2. Covid-19 Development Projects – Local Business Suppliers / Procurement Strategy and Rules**
- (1) Recommending that the updated Procurement Rules amended August 2021, as set out in this report, be agreed; and**
- (2) That pursuant to Recommendation (1) above, the Monitoring Officer be authorised to make necessary revisions to the Council’s Constitution, Part 4 – Procurement Rules.**
- 2.1 Cabinet agreed the updated Procurement Strategy for 2021 – 2026 and the updated Procurement Rules of January 2021 (Report ref: C-045-2020/21) at its meeting on 3 December 2020 – both of which have been effective since 1 January 2021.
- 2.2 The Procurement Strategy was updated to reflect how Procurement supported the delivery of the Council’s Corporate Objectives and Covid-19 recovery plan and is provided for information only, as part of this Cabinet report.
- 2.3 The Procurement Rules of April 2018, required an update to support the Council’s new Procurement Strategy of January 2021. This ensures that the Rules are aligned with the Strategy and helps the Council achieve its objectives. The Council has made changes to its approach to procurement to recognise the broader economic and well-being impact of existing local businesses and attract new businesses to the District.
- 2.4 Further amendments to the Procurement Rules of January 2021 were made in August 2021 to replace any references to EU law with relevant UK law following Brexit.
- 2.5 These amended Procurement Rules of August 2021 were considered by the Constitution Working Group on 2 September 2021 (see Appendix 3 attached) and recommended for approval by Council.
- 2.6 The agreement of the recommendations set out above will require the updating of the Constitution, Part 4 – Procurement Rules.
- 2.7 We recommend as set out at commencement of this report.

Background papers:

Cabinet Report (ref: C-045-2020/21) Covid 19 Development Projects – Local Business Suppliers / Procurement Strategy and Rules – please see link below to:

Constitution Working Group agenda of 2 September 2021

<https://rds.eppingforestdc.gov.uk/documents/g11020/Public%20reports%20pack%2002nd-Sep-2021%2019.00%20Constitution%20Working%20Group.pdf?T=10>

ARTICLE 4 - THE FULL COUNCIL

Terms of Reference

1. The Council, and only the Council, will exercise the following functions:
 - (a) Adoption of and changes to the Constitution;
 - (b) Approval of, adoption of and revisions to the policy framework and the budget. (The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits);
 - (c) Adoption of the following:
 - Asset Management Plan
 - Capital Strategy
 - Community Plan/Strategy
 - Corporate Plan
 - Crime and Disorder Reduction Strategy
 - Leisure and Cultural Strategy
 - Local Plan and plans and strategies which comprise the Plan
 - Economic Development Strategy
 - Housing Investment Programme
 - Local Transport Plan
 - Social Inclusion Strategy
 - ~~Statutory Statement of Accounts (yearly)~~

Other plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt or are otherwise required by statute.
 - (d) Approval of any application to the Secretary of State in respect of any Housing Land transfer, which includes but is not limited to, the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985;
 - (e) Adoption of the Council's Code of Conduct;
 - (f) Subject to the urgency procedure, contained in the Access to Information Procedure Rules in Part 4 of the Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
 - (g) Election/Appointment of the Chairman and Vice-Chairman of the Council;
 - (h) Appointing the Leader of the Council;

- (i) Appointments to Committees and Sub-Committees (including Chairmen and Vice-Chairmen) by recommendation of the Appointments Panel (if required) except those relating to Executive functions which are the responsibility of the Leader of Council and those delegated to the Overview and Scrutiny Committee;
- (j) Agreeing and amending the terms of reference for Committees, except those relating to Executive functions which are the responsibility of the Executive and those delegated to the Overview and Scrutiny Committee;
- (k) Appointing representatives to outside bodies except those relating to executive functions which are the responsibility of the Leader of Council;
- (l) Adopting an allowances scheme under Article 2 as set out in Part 6 of this Constitution and setting the allowances of the Chairman and Vice Chairman of Council;
- (m) Confirming the appointment or dismissal of the Head of Paid Service;
- (n) Agreeing proposals for redundancy of Chief Executive, Directors, Monitoring Officer, Deputy Monitoring Officer and Chief Financial Officer;
- (o) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (p) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the executive;
- (q) Approval of or changes to the scheme of Council delegation set out in Part 3 of this Constitution; and
- (r) The appointment of Honorary Aldermen and Alderwomen under the procedure agreed by the Council on 20 December 2018.
- (s) The appointment of Member Champions under the procedure agreed by the Council on 30 July 2019.
- (t) All matters that fall to the Council as set out in the Council procedure rules in Part 4 of this Constitution.

Council Meetings

2. There are three types of Council meeting:

(a) The annual meeting

The annual meeting will take place within 21 days of the retirement of the outgoing councillors, no later than June each year.

The annual meeting will:

- (i) elect a person to preside if the Chairman of the Council is not present;
- (ii) elect the Chairman of the Council;
- (iii) appoint the Vice-Chairman of the Council;

- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman of the Council;
- (vi) elect the Leader of the Council;
- (vii) be notified by the Leader of the Council of appointments to the Cabinet, on the establishment of Cabinet Committees and memberships, delegation of Executive responsibilities to Cabinet members and officers and appointments to outside organisations carrying out executive functions;
- (viii) Receive a report from the Appointments Panel and determine those appointments that are the responsibility of the Council, including the Chairmen and Vice-Chairmen of Committees, Panels and Groups, and appointments to outside bodies;
- (ix) agree the scheme of delegation of functions which are not the responsibility of the Leader of Council;
- (x) approve a programme of ordinary meetings of the Council for the year;
- (xi) consider any business set out in the notice convening the meeting;

(b) Ordinary meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the Minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chairman of the Council, the Leader of the Council and members of the Executive;
- (v) receive questions from and provide answers to the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting in the following order:
 1. Public Questions
 2. Questions under Notice by Councillors
 3. Questions by Councillors to the Leader of Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee on written reports and on questions without notice on other matters in accordance with rules set out in the rules for questions set out in the Rules in Part 4 of this Constitution.
- (vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;

- (vii) receive a report from the Leader of the Council on any delegation of executive functions to Joint Committees and local Committees;
- (viii) receive written reports from the Leader of the Council, the Chairman of the Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports or any matters falling within their area of responsibility;
- (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (x) consider motions;
- (xi) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (xii) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xiii) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.
- (xiv) debate and respond to petitions where the number of signatures meets or exceeds the trigger level contained in the Council's petitions scheme

(c) Extraordinary meetings.

An extraordinary meeting of the Council shall transact the business set out in the agenda but shall exclude motions and questions. Single Issue Council meetings will be an extraordinary meeting.

Responsibility for Functions

3. The Council will keep up-to-date the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.

Article 11 - Audit and Governance Committee

Statement of Purpose

1. The role of the Audit and Governance Committee is a key component of the Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial statements and provides a forum for considering ethical issues and ensuring high standards of conduct.
2. The purpose of the Committee is to provide independent assurance to the members of the adequacy of the risk management framework and internal control environment. It provides independent review of the Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal and external audit arrangements, helping to ensure efficient and effective assurance arrangements are in place.
3. The specific functions of the Committee are:

Governance, risk and control

- (a) to review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances;
- (b) to review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account the internal audit opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control;
- (c) to note the Council's overall approach to value for money in ensuring the authority is making best use of its resources.
- (d) to consider the Council's framework of assurance and ensure it adequately addresses the risk and priorities of the authority;
- (e) to monitor the effective development and operation of risk management in the Council;
- (f) to monitor progress in addressing risk-related issues reported to the Committee;
- (g) to consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions;
- (h) to review the assessment of fraud risks and potential harm to the Council from fraud and corruption;
- (i) to monitor the anti-fraud strategy, actions and resources;
- (j) to review the governance and assurance arrangements for significant partnerships or collaboration;

Internal Audit

- (k) to approve the Internal Audit Charter;
- (l) to review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations;
- (m) to approve the internal audit strategy and plan, including internal audit resource requirements, the approach to using other sources of assurances and any work

required to place reliance upon these other sources. To approve any significant interim changes to the plan and resource requirements and make appropriate enquires of both management and the Chief Internal Auditor to determine if there any inappropriate scope or resource limitations;

- (n) to consider regular reports from the Chief Internal Auditor which:
- update on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work;
 - highlights concerns about progress with the implementation of agreed actions or where management has accepted a level of risk that the Chief internal Audit considers is unacceptable to the Council;
 - reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement;
- (o) To consider the Chief Internal Auditor's annual report, including:
- the statement of the level of conformance with the Public Sector Internal Audit Standards and results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit;
 - the opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the Committee in reviewing the Annual Governance Statement;
- (p) To support the development of effective communication with the Chief Internal Auditor;

External Audit and Financial Reporting

- (q) to consider the external auditor's annual letter, relevant reports and the report to those charged with governance;
- (r) **to review and adopt the Statutory Statement of Accounts (yearly)**. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit. ~~that need to be brought to the attention of the Council;~~
- (s) to consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts;
- (t) to be responsible for the appointment of the Council's external auditors and ensure it is in line with the requirements of the Local Audit and Accountability Act 2014;

Treasury Management

- (u) to be responsible for the scrutiny of the Council's Treasury Management Strategy, including receiving regular reports on activities, issues and trends to support the Committee's understanding of treasury management activities, risks and associated assurances;

Accountability arrangements

- (v) to report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions; and
- (w) to report to the full Council on a regular basis on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.

Membership

4. The Committee shall comprise 7 members, including 5 Councillors and 2 co-opted members. Councillors serving as members of the Committee shall be appointed at the Annual Council meeting of Epping Forest District Council for a term of office of one year and shall be eligible for re-appointment for further terms of office.
5. Seats on the Committee should be allocated so they are not all drawn from one political group and are also open to Councillors who are not affiliated to any political group.
6. Co-opted members shall serve for a period of 3 years from appointment. Such three-year appointments shall be overlapping in terms of their expiry dates. A co-opted member may serve for a total of two such terms as of right but may be considered for two further three-year terms, provided he or she is successful after open competition following public advertisement. Re-appointment for further terms shall be subject to satisfactory attendance.
7. Casual vacancies for members of the Committee who are Councillors which occur shall be filled at the next ordinary Council meeting (but not an extraordinary meeting) with a term of office expiring on the date of the next Annual Council meeting.

Eligibility for Membership - Councillor Members

8. Councillors appointed to the Audit and Governance Committee may not also be members of the Cabinet or any Select Committee appointed by the Overview and Scrutiny Committee with responsibility for reviewing the Council's finances or financial procedures.
9. A Portfolio Holder Assistant (other than any Assistant involved in any portfolio dealing primarily with the Council's finances) appointed by the Leader of the Council shall be eligible for appointment to the Committee.
10. Appointment of Councillors shall be made on the basis of evidence of the aptitude, experience or interest and for this purpose the normal rules for pro rata appointments shall not apply.
11. Formal attendance standards be operated in respect of the three Councillor members when reappointment is under consideration by the Council's Appointments Panel and the Chairman and co-opted members of the Audit and Governance Committee be consulted informally about the appointment or reappointment of Councillors at the appropriate time.

Co-opted members

12. Co-opted members, independent of the Council, shall be appointed by the Council on the basis of their professional expertise, experience and background as relevant to the role and responsibilities of the Audit and Governance Committee. Initial appointments of co-opted members and the filling of casual vacancies shall be made following public advertisement and interview, the latter conducted in accordance with arrangements agreed by the Council. If the number of suitable applicants exceeds the number of co-opted places on the Committee, the Council shall keep a waiting list of suitable applicants should casual vacancies occur.

Chairman and Vice-Chairman

13. The Chairman and Vice Chairman of the Audit and Governance Committee shall be appointed at the first meeting of the Committee in each Council year for a term of one year expiring on the date of the first meeting of the Committee of the next Council year.
14. Casual vacancies in the position of Chairman and Vice-Chairman shall be filled in the same way as required in respect of members of the Committee;
15. Both Councillors and co-opted members serving on the Committee shall be eligible for appointment to the office of Chairman and Vice-Chairman.
16. Where the Chairman of the Committee is a Councillor, the Vice-Chairman will be appointed from among the Co-opted members. Where the Chairman is one of the Co-opted members, the Vice-Chairman shall be a Councillor.
17. The Chairman and Vice-Chairman shall be eligible for re-appointment.

Meetings of the Committee

18. The Committee shall meet at least three times each financial year.
19. The Committee shall be entitled to require any Member, Level 4 or 3 Manager, their representatives or any other officer to attend their meetings in order to discuss any matters under discussion including the annual audit programme.

Decision Making

20. Only the Councillors and co-opted members serving on the Committee shall be entitled to vote.
21. All members of the Committee shall be entitled to all documents, advice and facilities relevant to their membership of the Committee, regardless of their status as either a Councillor or Co-opted member.

Other Requirements

22. All members of the Committee shall respect the confidentiality of Council information and proceedings where appropriate, particularly where exempt or confidential business is involved.

23. All co-opted members of the Committee shall be required to make a statutory registration of interests in the same form as those required of serving Councillors and to be aware at all times of the requirement to clear any interest relating to their work on the Committee.
24. Members of the Committee should seek to attend all meetings of the Committee unless there are exceptional circumstances which prevent this.
25. All members of the Committee should ensure that they participate fully in any training designed to assist them in their responsibilities as members of the Committee. Similarly, all members should act on appropriate advice and other information supplied by the Council to improve their effectiveness.

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Procurement Rules

August 2021

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Appendix 1 Table of Tendering Requirements for Nos. of Tenders, Returns and Openings

Appendix 2 Glossary and Definitions of Terms used in the Procurement Rules

Documents referred to in (and that support the Operation of) these Procurement Rules:

Council’s Corporate Procurement Checklist	[Available here]
Council’s Standard Selection Questionnaire (SQ)	[Available here]
Council’s Procedure Note on Financial Checks for Tender Processes	[Available here]
Crown Commercial Service’s Guidance on E-Procurement	[Available here]
Council’s Guidance of Electronic Tendering	[Available here]
Council’s Certificate of Bona Fide Tendering	[Available here]
Council’s Formal Declaration of Tender Offer	[Available here]
EFDC Corporate MEAT Assessment Methodology	[Available here]
Standard Procurement Process (“Regulation 84”) Report	[Available here]
Agreement for Purchase of Consultancy and Other Professional Services	[Available here]

(Note: A Glossary and Definitions of Terms used in these Procurement Rules is provided at Appendix 2. Reference to such terms in these Procurement Rules are denoted with a capital letter)

1. Introduction

- 1.1 These Procurement Rules set out the procedures that must be followed by all officers for the procurement of Contracts for any Works, Supplies or Services on behalf of the Council, including Official Orders issued through the Council's electronic ordering system. A serious/wilful failure to comply with these Procurement Rules could result in disciplinary action being taken.
- 1.2 They seek to adopt a modern and flexible approach to procurement that is easy to follow and comply with and are responsive to the Council's current and future procurement needs, whilst ensuring appropriate controls and probity to safeguard the use of public money. They are also set out in a logical, sequential order to help lead officers through the procurement process.
- 1.3 These Procurement Rules also relate to certain disposals of land and property, and other property transactions, which are covered in Section 25 below. Associated delegations to officers are covered by the Schedule of Officer Delegations within the Council's Constitution. However, these Procurement Rules do not relate to the acquisition of land or properties, which must be authorised through reports to the relevant Portfolio Holder or Cabinet as appropriate.
- 1.4 The transitional arrangements to apply when these Procurement Rules are first introduced is that, wherever possible, any procurement activities for procurements commenced before the adoption of these Procurement Rules must comply with these Procurement Rules. For example, if a Select List was formulated before the adoption of these Procurement Rules (under the Council's previous Procurement Rules 2016-2020), but Tenders had not been invited at the time of adoption, the Tenders should still be invited in accordance with these Procurement Rules.
- 1.5 These Procurement Rules represent the Council's Contract Standing Orders for the purposes of Section 135 of the Local Government Act 1972.

2. General rules

(a) Responsibility

- 2.1 It is the responsibility of the designated Budget Holder for the budget that will be used to fund the resultant Contract to ensure that these Procurement Rules are followed.
- 2.2 When the Total Contract Value of a Contract or Official Order to be issued is less than the minimum for Contract Category 1 at Appendix 1, subject to the requirements at Section 2.9 below (Total Contract Values over a 12-month period), these Procurement Rules do not have to be followed. However, it is the responsibility of all Budget Holders to try to obtain value for money, in terms of price and quality, through any Contract or Official Order that they issue, irrespective of its value. Budget Holders should therefore be aware of what constitutes appropriate price and quality for the Works, Supplies or Services sought.

(b) Approach to procurement

- 2.3 In order to help ensure compliance, and to provide a documented audit trail, Budget Holders must use and complete the Council's ["Corporate Procurement Checklist"](#) throughout the procurement process for any Contracts with a Total Contract Value within Category 1 of Appendix 1 or higher. They must also keep a copy of the completed ["Corporate Procurement Checklist"](#) on the relevant Contract file, both throughout the procurement process and for at least 3 years after the completion of the Contract.
- 2.4 Reference to "Directors" throughout these Procurement Rules also includes the relevant Service Director / Service Manager responsible for providing the service to which the relevant procurement relates, except where a Service Director / Service Manager is also the Budget Holder responsible for undertaking the

procurement. Where a Service Director is responsible for a procurement, the Strategic Directors / Chief Executive will take the role of the Director.

(c) Compliance with Regulations additional to these Procurement Rules

- 2.5 These Procurement Rules do **not** set out or duplicate the legal requirements that must be followed for Regulated Contracts with Total Contract Values above the value thresholds set out in the Public Contracts Regulations 2015. For such Regulated Contracts, officers **must** comply with the requirements of the Public Contracts Regulations 2015. If there is any conflict between these Procurement Rules and the Public Contracts Regulations 2015 or any other legislation, then the relevant legal requirements take precedence. Advice on the Public Contracts Regulations 2015 can be obtained from the Procurement and Contract Development Team. However, *these Procurement Rules do set out the Council's own requirements for complying with Regulated Contracts specified within the Public Contracts Regulations 2015, which are shown in italic text. Particular attention is drawn to Section 17 of these Procurement Rules, which explains the Council's requirements, in respect of Regulated Contracts, for Budget Holders to complete and maintain the required Procurement Process Report under Regulation 84 of the Public Contracts Regulations 2015 throughout the procurement process.*

(d) Framework Agreements

- 2.6 Where appropriate, Budget Holders are encouraged to use central contracts and existing Framework Agreements – either through the Essex Procurement Hub or with other organisations to which the Council has access. Where such central contracts or existing Framework Agreements are used, Budget Holders must inform the Procurement and Contract Development Team of their proposed use, so that they can provide guidance and advice on the Council's corporate legal requirements. Some parts of these Procurement Rules do not have to be followed – except where competitive tendering is undertaken amongst Contractors on Framework Agreement Select Lists. Budget Holders should seek advice, and receive confirmation in writing, from the Procurement and Contract Development Team on which parts of these Procurement Rules do not have to be followed in such circumstances.

(e) Exemption from Procurement Rules

- 2.7 These Procurement Rules do not have to be followed in the following circumstances:

- (a) Where a Budget Holder feels that there are good reasons why specific parts of these Procurement Rules should not be followed for a particular procurement, they may seek a waiver from compliance with that part of the Procurement Rules. Requests for such waivers must be made in writing by the Budget Holder. Approvals can only be given in writing (or through a Portfolio Holder Decision or Cabinet minute as appropriate) by the relevant person/body listed at Appendix 1 who is responsible for accepting Tenders for the Contract Category relating to the Total Contract Value of the proposed Contract.

or

- (b) Where it is essential to meet an immediate need, subject to the Budget Holder seeking advice from the Procurement and Contract Development Team where the Total Contract Value is within Contract Category 5 at Appendix 1 (i.e. above the UK Procurement Thresholds), which;

- (i) Has been created by a sudden emergency; or
- (ii) Is outside the Council's control (e.g. by order of the Courts or another body with an equivalent power), or
- (ii) Has some other over-riding urgency.

In such circumstances, the Budget Holder must provide a report to the next available meeting of the Corporate Governance Group explaining the reasons why the matter had to be treated as a matter of urgency and why these Procurement Rules could not be followed.

If it is necessary to incur expenditure outside of the Council's budgetary framework, Budget Holders must comply with the additional relevant requirements within the Council's Financial Regulations

(f) Cumulative value of Contracts

2.8 When seeking to procure a Contract, Budget Holders must:

- (a) Consider and assess the likely total value of Contracts and/or Official Orders to be provided to a potential Contractor by their Directorate over a 12 month period for similar Works, Supplies and/or Services *(or over a 4-year period where the total value would exceed the thresholds for Regulated Contracts set out in the Public Contracts Regulations 2015 and reproduced at Appendix 1)* that could, alternatively, be procured through one or more Contracts or Framework Agreements over that period; and
- (b) If the total value of such Contracts over any 12 month period is likely to be more than the threshold for Contract Category 1 listed at Appendix 1, seek Tenders and procure a Contract in accordance with these Procurement Rules.

2.9 Contracts must not be artificially separated to avoid compliance with either these Procurement Rules or the Public Contracts Regulations 2015.

(g) Breaches of Procurement Rules

2.10 If it comes to light that these Procurement Rules have not been followed, the relevant Service Director / Service Manager must submit a report to the next available meeting of the Corporate Governance Group (or successor officer group) explaining the reason for the breach and, if appropriate, the proposed remedy for correcting or mitigating the effects of the breach. The CGG will identify any breaches that it considers to be sufficiently serious to be reported to the Audit and Governance Committee (or successor member body).

2.11 The provision of in-house Council Services is excluded from the requirement of these Procurement Rules.

(h) Suspension of Contractors

2.12 Contractors can only be suspended from consideration for future contracts on the grounds of one of the mandatory and discretionary exclusions set out in the Public Contracts Regulations 2015 and only for the periods specified in the Public Contracts Regulations 2015.

2.13 If any Budget Holder considers that a Contractor should be suspended from consideration for future Contracts with the Council for a specified period, they must submit a report to the Corporate Governance Group;

- (a) Explaining the reasons for suspending the Contractor;
- (b) Recommending a proposed period of suspension; and
- (c) Seeking approval to such a decision.

2.14 If the Corporate Governance Group agrees that a Contractor should be suspended, the Budget Holder must:

- (a) Advise the Procurement and Contract Development Team of the decision, who must in turn notify all Service Directors / Service Managers of the decision; and

(b) Advise the Contractor of the reasons for the suspension and the period of the suspension.

(i) Conflicts of interest

2.15 No person or body who has given material advice to the Council, or a Consultant acting on behalf of the Council, on a proposed Contract can then submit a Tender for that Contract, where more than one Tender is required (i.e. for Contracts with a Total Contract Value within Contract Category 1 of Appendix 1 or higher).

(j) Absence of post-holder

2.16 In the absence of the post-holder, the responsibilities of specifically named posts within these Procurement Rules, can be discharged by:

(a) Their Service Director / Service Manager; or

(b) An officer designated by them.

2.17 All designations of committees, portfolio holders, other bodies and officers referred to in these Procurement Rules also include successor bodies and posts.

3. Exceptions for Central Purchasing Bodies

3.1 These Procurement Rules do not apply for the procurement of Contracts by a Central Purchasing Body, of which the Council is a member, or under which the Council is entitled to benefit by virtue of its status as a public authority. In such circumstances, the rules for procurement that relate to the member of the Central Purchasing Body undertaking the procurement on behalf of the Central Purchasing Body will apply.

3.2 However, where Tenders are invited by an officer of the Council on behalf of a Central Purchasing Body, these Procurement Rules must be followed.

3.3 In any event, if the value of the Works, Supplies or Services that the Council will be required to fund itself through a Central Purchasing Body or collaborative arrangement is:

(a) Within Contract Categories 1 or 2 at Appendix 1 - The relevant Service Director / Service Manager must be satisfied that the terms and conditions of the proposed Contract are appropriate under all the circumstances, taking any advice from the Procurement and Contract Development Team that the Budget Holder and Service Director / Service Manager considers necessary.

(b) Within Contract Category 3 at Appendix 1 or higher - The Budget Holder must report to the relevant Portfolio Holder on the proposed arrangements for the procurement of the Contract and obtain a formal Portfolio Holder Decision agreeing to the proposed arrangements;

3.4 Where the Council is considering sharing services with other public bodies or arranging for services to be provided to the Council by a company in which the Council has an interest, legal advice should be obtained.

4. Contract Conditions

(a) Compliance with Procurement Rules by Consultants

4.1 Where one or more Consultants are appointed to advise or act on behalf of a Budget Holder in respect of the procurement or administration of a Contract, the Contract for their appointment(s) must include a condition

that the Consultant must comply with these Procurement Rules and the Consultant must be provided with a hard or electronic copy of these Procurement Rules.

- 4.2 It is the responsibility of the Budget Holder to ensure that Consultants appointed by them are aware of the requirements of these Procurement Rules, and that they comply with them.

(b) Standard Contract terms

- 4.3 If the Council's Standard Form of Contract or Official Order is used, no amendments can be made without consulting the Council's Procurement and Contract Development Team. If the Council's Standard Form of Contract is not used, the Contract must include standard contract terms, which are available on the Council's Intranet, unless the Procurement and Contract Development Team, in consultation with the Budget Holder, determines that individual standard terms are not required for a particular Contract.

(c) Liquidated and Ascertained Damages

- 4.4 For Contracts with Total Contract Values within Contract Category 3 of Appendix 1 or higher, and where late completion or non-completion of the Contract would result in a quantifiable financial loss to the Council, the Contract must include a condition that Liquidated and Ascertained Damages will be payable in such circumstances.
- 4.5 In such circumstances, the Contract must set out the level of Liquidated and Ascertained Damages that will be payable, which must be the Budget Holder's best estimate of the loss to the Council for each week of late or non-completion. Advice regarding the calculation can be obtained from the Council's Deputy Section 151 Officer or their designated officer.

(d) Performance Bonds and Parent Company Guarantees

4.6 It is not a requirement of these Procurement Rules that contractors must provide either a Performance Bond for the Contract's due performance, or a Parent Company Guarantee or deposit as security. However, Budget Holders may consider it appropriate to use one of these arrangements for certain types of contracts - where they are considered to be both appropriate and beneficial for the Council.

If any of these arrangements are to be used, they must be arranged in consultation with the Council's Deputy Section 151 Officer or their designated officer.

(e) Retentions

- 4.6 Where a Contract includes provision for a Defects Liability Period, a condition must be included within the Contract allowing the Council to hold a Retention of:
- (a) 5% of the Contract Sum during the course of the Contract Period; and
 - (b) 2.5% of the Contract Sum on Practical Completion;

which must not be finally released until the end of the Defects Liability Period. Lower amounts of retention can be agreed if the Budget Holder feels it is appropriate for their project. In this situation, the Procurement and Contract Development Team must be made aware prior to proceeding.

(f) Insurances

- 4.7 Subject to Section 4.8 below, conditions must be included within:
- (i) All Contracts that require Contractors to have in effect, at the time of signing the Contract:

- A minimum public liability insurance cover of £5 million; and
- A minimum employer liability cover of £10 million; and

(ii) All appointments of Consultants that require them to have in effect, at the time of signing the Contract:

- Professional Indemnity Insurance with a minimum cover of £2million for any one claim or such other sum as may be determined.

4.8 Subject to obtaining written advice from the Procurement and Contract Team, Budget Holders may include conditions within Contracts varying levels of insurance than set-out at Section 4.7 above, dependent on the risk assessed by the Budget Holder, based on the advice of the Procurement and Contracts Team; this also includes any additional insurances deemed necessary in addition to those listed in 4.7. The Procurement and Contracts Team will liaise with the Council's Insurance Service if deemed necessary in order to provide the required advice.

4.9 The Contractor shall also be required:

- (i) To show to the Budget Holder evidence of all relevant insurance policies, both in place at the time of signing the Contract and any new policies obtained on the expiry of insurance policies, who must check that all required insurances are in effect throughout the duration of the Contract for the required levels of cover; and
- (ii) For construction contracts only, with Total Contract Values within Contract Category 4 of Appendix 1, to have the interest of the Council noted on the insurance policies.

(g) Assignment

4.10 A condition must be included within every Contract which prohibits the Contractor from transferring or assigning (directly or indirectly) any part of the Contract to another person or body without the written permission of the Council. *It should be noted that Regulated Contracts may only be assigned in limited circumstances.*

4.11 On receipt of a request from a Contractor to assign all or part of a Contract, the Budget Holder must undertake the checks of the proposed assignee required by Sections 7 and 8 below, before approving the assignment.

(h) Cancellation

4.12 All Contracts must include conditions relating to the cancellation of the Contract, in terms specified by the Procurement and Contract Development Team, either generally or for specific contracts.

4.13 *All Regulated Contracts must include a condition providing an express right for the Council to terminate the contract in specified circumstances, in the form prescribed in Regulation 73 of the Public Contracts Regulations 2015.*

(i) Appointment of Sub-Contractors and alternative suppliers

4.14 A condition must be included within every Contract which prohibits the Contractor from appointing a sub-contractor or alternative supplier to perform any part of the Contract without the prior written consent of the Council.

(j) Access to sites and documentation for audit purposes

- 4.15 When considered relevant to the requirement, tender documentation must contain a provision allowing an officer designated by the relevant Service Director, Service Manager and/or Chief Internal Auditor access, for audit purposes, to:
- (i) A site where a Contract is being performed; and/or
 - (ii) Relevant documentation relating to a Contract.
- (k) Payments to Contractors*
- 4.16 In order to comply with Regulation 113 of the Public Contracts Regulations 2015, a condition must be included within every Contract requiring that all payments made by the Council to Contractors, and by Contractors to any sub-contractors, must be made no later than 30 days from the date a valid and undisputed invoice is received. Budget Holders must then ensure that this Contract condition is complied with.
- 5. Rules for identifying and selecting Contractors/suppliers**
- 5.1 Subject to 2.9 above, where a Total Contract Value is below Contract Category 1 at Appendix 1, there is no requirement for Budget Holders to obtain competitive Tenders for procurements. In such circumstances, Budget Holders can decide the most appropriate Contractor to select to perform the Contract. However, for the avoidance of doubt, Budget Holders can seek competitive Tenders if they consider it appropriate.
- 5.2 *Except for Regulated Contracts, where the procedure for inviting Tenders must comply with Public Contracts Regulations 2015,* Budget Holders may use any of the following methods that they consider most appropriate, under all the circumstances, to determine which Contractors should form a Select List to be invited to submit Tenders, subject to a written explanation of the criteria adopted for selecting Contractors being held on the relevant Contract file and a copy being provided to the Procurement and Contract Development Team at the time of formulating the Select List:
- (a) Use of Constructionline – Budget Holders may reduce a Long List produced by Constructionline for the type and value of Contract required to an appropriate Short List (comprising the required number of Tenderers set out in Appendix 1) using a method previously considered appropriate, and approved in writing, by their Service Director or Service Manager.
 - (b) Use of an existing or new Framework Agreement – including a Framework procured by the Essex Procurement Hub;
 - (c) Use of Contractors known to be able to meet the Council’s requirements to a good quality and to provide good value for money;
 - (d) Use of Contractors who have previously been successful in Tendering for similar work for the Council in the past; and
 - (e) Through the formulation of a Select List by:
 - (i) The inclusion of Contractors considered to be able to perform the Contract; and/or
 - (ii) Advertising for potential Contractors as appropriate (but note 5.3 below).
- 5.3 Where Contractors are invited to express an interest in being considered for specific procurements for Contracts with a Total Contract Value in excess of £25,000, through the placement of an advertisement in any media, the Procurement and Contract Development Team must be notified and provided with the details of the procurement. The Procurement and Contract Development Team must then publish the required information on the Government’s Contracts Finder website, in accordance with the Public Contracts Regulations 2015.

- 5.4 Unless there are good reasons, if an in-house Council service can meet the requirements of the Specification to the required quality, they must be used in preference to an external Contractor. This includes the Council's Building Control Services.
- 5.5 When Budget Holders are deciding which Contractors should be invited to provide Tenders, they must take account of the following:
- (a) *If the Contract is for a Total Contract Value in excess of the thresholds for Regulated Contracts set out in the Public Contracts Regulations 2015, the selection of Contractors to Invite to Tender must be in accordance with these Regulations;*
 - (b) *With the exception of Regulated Contracts, where appropriate and possible, at least two business with its headquarters located in the Epping Forest District should be invited to Tender and the Procurement and Contract Team should be notified prior to tender issue if this is not the case, along with the reasons no local suppliers have been invited;*
 - (c) Contractors who have previously provided good quality Works, Supplies or Services with good value for money should be invited to Tender in preference to Contractors with whom the Council has not had any previous experience; and
 - (d) It may be appropriate to seek references for Contractors from other local authorities or public bodies for whom they have previously undertaken Works or provided Supplies or Services.
- 5.6 In accordance with the Public Contracts Regulations 2015, Selection Questionnaires (SQ's) must not be used for any procurement exercises that are not Regulated Contracts. It is still possible to ask questions relating to Contractors' suitability, provided that they are relevant to the subject matter of the procurement, are proportionate and are only used to establish whether Contractors meet minimum requirements of suitability, capability, legal status and financial standing. All candidates meeting the minimum criteria must be invited to tender.
- 5.7 *For Regulated Contracts, if Selection Questionnaires (SQs) are used, unless there are good reasons, the ["Council's Selection Questionnaire \(SQ\)"](#) should be used. If a different form of SQ is required, or the questions in the Council's SQ are not considered to be reasonable or proportionate, the amendments must be agreed with the Council's Procurement and Contract Development Team.*

6. Nominated Sub-Contractors and Suppliers

- 6.1 Nominations made by the Council to a main Contractor for a sub-contractor or a supplier must be made following Tenders being sought in accordance with these Procurement Rules to select the Nominated Sub-Contractor or Supplier, except where a supplier has previously been used by the Council and the likely overall cost to the Council of changing supplier is considered by the relevant Service Director / Service Manager to be greater than any reduced costs that could reasonably be obtained through a further Tendering process.

7. Checks to be undertaken on the experience, abilities and financial standing of Tenderers

- 7.1 If Tenders are to be invited from Contractors listed on Constructionline or an existing Framework Agreement no further checks are required, subject to the required checks of financial standing referred to in Section 8 below.
- 7.2 If Tenders are to be invited for Contracts with Total Contract Values covered by Contract Categories 1 or 2 in Appendix 1 no checks of Contractors are required, subject to:

- (a) The required checks of financial standing referred to in Section 8 below; and
- (b) If the Contract has any material health and safety implications, evidence of a good track record of health and safety and the adoption and use of satisfactory health and safety policies being obtained, to the satisfaction of the Budget Holder.

7.3 However, if the Budget Holder considers it appropriate, any (further) checks (including those listed at Section 7.3 and 7.4 below), can be undertaken for any Contracts with Total Contract Values covered by Contract Categories 1 or 2 in Appendix 1 (provided that they are in line with Section 5.6 above).

7.4 For all Contracts with Total Contract Values covered by Contract Category 3 in Appendix 1 or higher, the following checks must be undertaken of all Tenderers intended to be invited to submit Tenders, prior to issuing Invitations to Tender, in a form considered appropriate by the Budget Holder. *For Regulated Contracts, the wording provided by the Crown Commercial Service's Selection Questionnaire (SQ) must be used:*

- (a) Details of each potential Tenderer's previous experience and ability to undertake the work - to ensure that they are able to perform the Contract to the required standard;
- (b) If the Contract has any material health and safety implications, evidence of a good track record of health and safety and adoption and use of satisfactory health and safety policies;
- (c) The financial standing of proposed tenderers, if/as required by the Council's ["Procedures for Financial Checks of Contractors"](#) referred to in Section 8 below;
- (d) Details of each Contractor's approach to equality and diversity, to ensure that both the Contractor and the Council comply with the requirements of the Equality Act 2010; and
- (e) If the Contractor or their staff are likely to identify any Safeguarding issues relating to the wellbeing of either adults with care and support needs or children in the performance of the Contract, details of each Contractor's approach to Safeguarding, to ensure that the Contractor and its employees are able to assist the Council to comply with its legal requirements under the Care Act 2014 and the Children Act 2004.

8. Checks of financial standing

8.1 Checks of Contractors' financial standing should be undertaken as shown below, for the types of Contracts set out below:

- | | | |
|-----|-----------------|---|
| (a) | Supplies | Not required. |
| (b) | Works | For all Contracts with a Total Contract Value within Contract Category 2 of Appendix 1 or higher. |
| (c) | Services | For all Contracts with a Total Contract Value within Contract Category 5 of Appendix 1. |

8.2 If checks of Contractor's financial standing are required in accordance with Section 8.1 above, the checks must be undertaken in accordance with the Council's ["Procedures for Financial Checks of Contractors"](#), and which sets out:

- (a) At what point in the procurement process financial checks should be undertaken;
- (b) Who has responsibility for undertaking the checks;

- (c) What checks should be undertaken and the methodology to be followed; and
- (d) What action should be taken based on the outcome of the checks.

9. Obtaining value for money for Contracts where Tenders are not required from more than one Contractor

- 9.1 Tenders are not required from more than one Contractor for Contracts with a Total Contract Value below the Total Contract Values of Category 1 at Appendix 1. However, Tenders can still be sought in such circumstances - with the manner in which such Tenders are sought being determined by the Budget Holder and which does not have to comply with these Procurement Rules.
- 9.2 If Budget Holders do not seek Tenders from more than one Contractor, they must still take reasonable and appropriate steps to ensure that the Council obtains good value for money from Contractors, in terms of price and quality.

10. Rules for inviting Tenders where more than one Tender is required

- 10.1 For Contracts with a Total Contract Value within Category 1 of Appendix 1 or higher (including the value of any potential Contract Extensions), Budget Holders must invite Tenders from at least the number of Contractors shown in Appendix 1 for the relevant Contract Category.
- 10.2 Where Budget Holders consider that increased value for money may be obtained by inviting more Contractors to Tender for a Contract than the number required for the relevant Contract Category at Appendix 1, they should invite more Contractors to Tender as appropriate.
- 10.3 Where the Total Contract Value (including the value of any potential Contract Extensions) is close to the upper threshold for a Contract Category in Appendix 1, Tenders should be sought based on the Contract Category with the higher Total Contract Values.
- 10.4 Budget Holders must give Tenderers sufficient time to properly complete and return Tenders before the Tender Return Date.
- 10.5 *For Regulated Contracts with a Total Contract Value above the thresholds within the Public Contracts Regulations 2015 (i.e. within Category 5 of Appendix 1), Budget Holders must comply with the e-communication requirements of Regulations 22(8-21) and 53 of the Public Contracts Regulations 2015. With effect from 18th October 2018, Budget Holders must comply with the full e-communication requirements of Regulation 22 and any other provisions of the Public Contracts Regulations 2015 relating to e-communications. A copy of the Crown Commercial Service's ["Guidance on Electronic Procurement & Electronic Communication"](#), to comply with the Public Contracts Regulations 2015, can be found by using the above hyperlink.*
- 10.6 Any electronic procurements undertaken by Budget Holders on behalf of the Council must comply with the ["Council's Guidance on Electronic Tendering"](#).
- 10.7 For procurements within Categories 1-4 of Appendix 1, the following documents must be included as part of the tender documentation:
 - (a) A ["Certificate of Bona Fide Tendering"](#)
 - (b) A ["Formal Declaration of Tender Offer"](#)
 - (c) A ["Request for Insurance Information"](#) (in line with requirements as laid out in 4.7 and 4.8 of the Rules).

Please liaise with the Procurement and Contract Development Team prior to issuing tender documentation to ensure all relevant information, including any additional information not listed here, has been included for your requirement.

11. Additional rules for inviting and accepting tenders based on the Most Economically Advantageous Tender (MEAT) (i.e. price and quality) and/or a Schedule of Rates

(a) Most Economically Advantageous Tenders (MEATs)

11.1 If the assessment of Tenders is to be based on an evaluation to assess the Most Economically Advantageous Tender (MEAT), i.e. taking account of both price and quality, Budget Holders must follow the Council's ["Corporate MEAT Assessment Methodology"](#). In line with the Council's Procurement Strategy, Social Value and Sustainability must be considered as criteria wherever possible to ensure the Council are getting best value and positively contributing to both the local community and to reducing carbon emissions.

11.2 Prior to Invitation of Tenders being issued, a MEAT Evaluation Assessment must be formulated by the Budget Holder and:

- (i) (A copy) must be provided to the Procurement and Contract Development Team prior to the Invitation of Tenders being issued, for audit purposes;
- (ii) Must not be changed after Invitations to Tender have been issued; and
- (iii) Must be held on the relevant Contract file for at least 1 year after the Contract has been let.

11.3 A copy of the MEAT Evaluation Assessment must be provided to Tenderers as part of the Tender Documents.

(b) Schedule of Rates

11.4 Where Tenders are based on a Schedule of Rates, a reasonable Pre-estimate of Quantities for each of the rates contained in the Tender must:

- (i) Be produced prior to Invitations to Tender being issued;
- (ii) Be lodged with the Procurement and Contract Development Team for audit purposes;
- (iii) Not be changed after Invitations to Tender have been issued;
- (iv) Be held on the relevant Contract file for at least 6 years after the Contract has been let;
- (v) Be used to multiply the rates provided by Tenderers to reach an Estimated Tender Sum, which shall be the Tender Sum reported for consideration of acceptance by the relevant person/body specified in Appendix 1.

12. Rules for the receipt, custody and opening of Tenders with Total Contract Values within Category 1 of Appendix 1 or higher

12.1 All Tenders must be received, held and opened in accordance with EFDC's ["Guidance on Electronic Tendering"](#).

13. Alterations

- 13.1 Tenders must not be altered after they have been opened. However, *except in the case of Regulated Contracts*, the Budget Holder can recommend to the person or body responsible for accepting the Tender that it is appropriate to accept the correction of Arithmetical Errors, if the Budget Holder is satisfied that such errors were made inadvertently. *For Regulated Contracts, any proposed alterations to Tenders after they have been opened must be discussed with the Council's Procurement and Contract Development Team.*
- 13.2 If an error is identified within the Tender Documents before the Tender Return Date, all the Tenderers must be informed of the error and invited to adjust their Tenders prior to submission.
- 13.3 If an error in the Tender Documents is identified after the Tender Return Date, all Tenderers must be given details of the error and afforded the opportunity of withdrawing their Tender or submitting an amended Tender.

14. Post-Tender Negotiations

- 14.1 No Post-Tender Negotiations are permitted, unless the Contract has been advertised and Tendered under the Competitive Dialogue Procedure and the relevant Service Director / Service Manager is satisfied, and determines, that Post-Tender Negotiations are appropriate to the procurement process.
- 14.2 Seeking clarification from Tenderers on queries related to their Tenders does not constitute Post-Tender Negotiations. However, the Budget Holder must first consult with the Procurement and Contract Development Team for advice and, if necessary, seek further legal advice.
- 14.3 If the Specification for a Contract needs to be amended, due to the lowest Tender exceeding the available budget, or if the Council's requirements have changed since the Tenders were invited, all Tenderers must be given the opportunity to submit revised Tenders based on the revised Specification.

15. Rules for accepting Tenders

- 15.1 Tenders must only be accepted by the person/body listed in Appendix 1 for the relevant Contract Category relating to the Total Contract Value.
- 15.2 The report to the person/body listed in Appendix 1 on the proposed award of a Contract must seek approval from that person/body to the proposed arrangements for any proposed Contract extensions, including a recommendation on whether subsequent decisions to extend Contracts, in accordance with the Contract Terms, will be agreed by the:
- (a) The Budget Holder;
 - (b) The relevant Service Director / Service Manager
 - (c) The relevant Portfolio Holder; or
 - (d) The Cabinet.
- 15.3 Where the actual Total Contract Value of the Tender to be recommended for acceptance exceeds the expected Total Contract Value for the relevant Contract Category at Appendix 1, and results in Tenders not having been invited and/or opened in accordance with the higher Contract Category, the Tenders must be reported to, and approved by, the person/body authorised to accept Contracts for the higher Contract

Category, together with an explanation of why the actual Total Contract Value is above the expected Contract Value.

15.4 For Contracts that are not Regulated Contracts, if a Tender, other than either:

- (a) The lowest Tender (for Tenders based only on price); or
- (b) The Tender with the highest weighted Tender Evaluation Score (for procurements undertaken to assess the Most Economically Advantageous Tender (MEAT))

is recommended by the Budget Holder, it may only be approved by:

- (c) A Service Director or Service Manager - where the Tender would normally be accepted by the Budget Holder;
- (d) The relevant Portfolio Holder - where the Tender would normally be accepted by a Service Director, Service Manager or the Portfolio Holder; or
- (e) The Cabinet - where the Tender would normally be accepted by the Cabinet.

15.5 *For Regulated Contracts, there are only limited circumstances when a Tender, other than either the lowest-priced Tender or having the highest weighted Tender Evaluation Score, can be accepted. If acceptance of a different Tender is proposed, Budget Holders are required to seek the advice of the Procurement and Contract Development Team and follow the requirements of the Public Contracts Regulations, and/or undertake a further Tender exercise.*

15.6 For audit purposes, where the circumstances in Sections 16.3 and 16.4 above apply, the Budget Holder must provide an explanation in writing to the person/body accepting the Tender of why the lowest Tender or highest weighted Tender Evaluation Score should not be accepted, and must retain a copy of the written explanation on the Contract file.

15.7 Prior to a Tender being accepted, evidence of valid satisfactory insurances required under Section 4.8 above must be received from the Preferred Tenderer by the Budget Holder.

15.8 Budget Holders are authorised to instruct the Procurement and Contract Development Team to draft Contracts on their behalf, or issue Official Orders via the Council's Electronic Ordering System, that have been Tendered and approved in accordance with these Procurement Rules.

15.9 For all procurement exercises with Total Contract Values in excess of £25,000, Budget Holders must provide details of all Tenders received, and the name of the successful Tenderer, to the Council's Procurement and Contract Development Team within 5 working days of a Contract being entered into, in order to:

- (a) Maintain a central record of all procurement exercises; and
- (b) Enable the Procurement and Contract Development Team to provide the required information to the Contracts Finder website, in order to comply with the requirements of the Public Contracts Regulations 2015.

15.10 On receipt of the information provided by the Budget Holder, the Procurement and Contract Development Team must upload the required information to the Crown Commercial Service's Contracts Finder website as soon as reasonably possible.

16. Procurement Process ("Regulation 84") Report

16.1 *For Regulated Contracts undertaken with a Total Contract Value within Category 5 of Appendix 1, throughout the procurement process, Budget Holders must complete and maintain the required Procurement Process Report under Regulation 84 of the Public Contracts Regulations 2015. At the same time as informing Tenderers that their Tenders have been either successful or unsuccessful, Budget Holders must provide a copy of the completed Report to the Procurement and Contract Development Team, in order to maintain a central record. A template for the [“Procurement Process \(“Regulation 84”\) Report”](#) is available here.*

17. Contract Documentation and retention

17.1 Contracts with a Total Contract Value within Contract Category 1 of Appendix 1 can be dealt with by the use of an Official Order, provided that the relevant Service Director / Service Manager is satisfied that there is no need for more extensive terms and conditions to be specified in order to protect the interests of the Council. An Official Order (or formal Contract) is required for all Council Contracts.

17.2 All Contracts with a Total Contract Value within Contract Category 2 of Appendix 1 or higher must:

- (a) Be in a standard form of an appropriate formal legal agreement approved by the Council’s Procurement and Contract Development Team; and
- (b) Be executed as a deed under seal, unless the Council’s Procurement and Contract Development Team, in consultation with the Budget Holder, determines otherwise. This would be on the basis that it is deemed appropriate that the period of liability for breach of contract can be reduced to six years from the usual twelve.

17.3 Budget Holders (and their successors) must ensure that:

- (a) All appropriate Contract Documentation is retained in a secure location for a minimum period, following the date of final payment, of at least:
 - (i) Six years if the Contract is not executed as a deed under hand (not under seal);
 - (ii) Twelve years if the Contract is executed as a deed under seal; and
- (b) Documentation relating to unsuccessful Tenders is retained in a secure location for the same period as the successful contract (six or twelve years).

17.4 Original signed Contracts with Total Contract Values within Contract Category 2 of Appendix 1 or higher must be forwarded to the Procurement and Contract Development Team for secure storage within 28 days of signing/sealing. Original signed Contracts with Total Contract Values within Contract Category 1 of Appendix 1 can also be forwarded to the Procurement and Contract Development Team for secure storage if the Budget Holder wishes.

18. Rules for negotiated contracts

18.1 Contracts with Total Contract Values within Contract Category 1 at Appendix 1 or higher may only be negotiated where the relevant Portfolio Holder (or, for Contracts within Contract Category 4, the Cabinet) has resolved that competitive Tenders need not be invited and that a Contract may be negotiated with just one Contractor.

18.2 In such circumstances, the reason for not inviting competitive Tenders must be set out in the report to the Portfolio Holder or Cabinet, which can be for any reason considered appropriate by the relevant Service Director / Service Manager including the following reasons:

- (a) The Contract is urgent and there is insufficient time to invite Tenders;
- (b) The requirements of the Contract are of a specialist nature, where no other Contractor is known to provide them;
- (c) No demonstrable material benefit would be obtained from inviting competitive Tenders; or
- (d) Tenders have previously been sought for a similar Contract within the previous 6 months and no Tenders were received.

18.3 *For Regulated Contracts, procurements must be undertaken in accordance with the Public Contracts Regulations 2015 in all circumstances.*

19. Use of Consultants

19.1 The definition of a “Consultant” is provided at Appendix 2.

19.2 The procurement of all Consultants must be undertaken in accordance with these Procurement Rules *and, where appropriate, the Public Contract Regulations 2015.*

19.3. Budget Holders are responsible for ensuring that any Consultants acting on behalf of the Council comply with these Procurement Rules in full.

19.4 Budget Holders must ensure that prior to instructing the Procurement and Contract Development Team to produce a Contract for the appointment of a Consultant, an IR35 check is completed by HR to determine whether the appointment is outside of the scope of IR35.

19.5 Except where a recognised national Form of Contract or other accepted and standard type of agreement is used for the appointment of a Consultant, or where the Procurement and Contract Development Team determines otherwise, the Council’s [“Agreement for Purchase of Consultancy and Other Professional Services”](#) must be used for the appointment of any Consultant.

19.6 Where a national Form of Contract or other accepted and standard type of agreement is to be used for the appointment of a Consultant, Budget Holders must take the advice of the Procurement and Contract Development Team on any specific provisions to be included or excluded within the Contract / agreement.

20. Rules for Contract Extensions

20.1 Where Contracts allow one or more Contract extensions, Budget Holders are authorised to extend existing Contracts up to the maximum period allowed by the Contract in accordance with the decision of the person/body listed in Appendix 1 when they formally accepted the original Tender, as required under Section 16.2 above.

20.2 Where a Contract allows a Contract extension, but the original decision to award a tender did not specify the arrangements for proposed extensions in accordance with Section 16.2 above, and the Contract has a Total Contract Value within Category 4 of Appendix 1, Budget Holders must consult the relevant Portfolio Holder, in writing, on any intention to extend the Contract prior to the Contract being extended. In response, the Portfolio Holder may either raise no objections to the proposed extension or require that a formal decision on the proposed extension is made through a formal Portfolio Holder or Cabinet Decision.

20.3 Budget Holders must ensure that arrangements are made for any decisions about whether or not a contract should be extended in compliance with Sections 21.1 and 21.2 above in sufficient time to enable the works, goods, supplies or services to be procured through a new Contract, instead of through the extension of an existing Contract if that is the decision made.

21. Contract monitoring

21.1 For all Contracts with a Total Contract Value within Category 4 of Appendix 1, the Budget Holder must provide a written progress report to the relevant Portfolio Holder(s) at least every three months, between the Tender Return Date and the date of Practical Completion. The Progress Report must report on the progress with the required Works or Services and the current financial position, in relation to:

- (a) Contract and fee expenditure to date;
- (b) The latest anticipated Total Contract Cost and the anticipated total cost of all fees;
- (c) Any variations between the budget approved at the time of the acceptance of the Tender and the latest anticipated Total Contract Cost and anticipated total cost of all fees; and
- (d) The use of any contingency sums to date and the amount of any contingency sums remaining.

21.2 For Contracts with Total Contract Values within Contract Category 3 of Appendix 1 or higher, where the latest anticipated Total Contract Cost is in excess of 20% of the Tender Sum, the Budget Holder must submit a written report to the next available meeting of the Council's Corporate Governance Group after the date the excess has been identified, explaining the reasons for the increase and, if appropriate, any remedial action to be taken to reduce the excess.

22. Final Accounts

22.1 The Budget Holder responsible for any Contract with a Total Contract Value within Contract Category 4 of Appendix 1 or higher must produce a written Final Account and provide a copy to the Deputy Section 151 Officer or their designated officer within 3 months of all financial transactions relating to the Contract being completed. The Final Account must include details of the Tender Sum, Contract variations, Final Account sum, any deducted Liquidated and Ascertained Damages, any extensions of time awarded, and any claims agreed with the Contractor.

22.2 If considered necessary, the Chief Internal Auditor may examine and audit the Final Account and associated Contract Documentation to satisfy that the Final Account is correct and represents an accurate and appropriate summary of Contract payments and deductions.

23. Publication of procurement information

23.1 In order to comply with the Local Government Transparency Code 2015, the Procurement and Contract Development Team is responsible for ensuring that the information required by Part 2.1 of the Code is published every 3 months in accordance with the Code.

24. Disposal and freehold/leasehold property transaction

24.1 For the purposes of these Procurement Rules:

- (a) All disposals and freehold/leasehold property transactions, including interests in land (such as acquisitions, disposals, new lettings, lease renewals, lease surrenders, rent reviews, sub-lettings, assignments, licences, deeds of variations, easements, wayleaves and land covenants on land) must be dealt with in accordance with the Schedule of Delegation set out in Part 3 of the Council's Constitution and any procedures required by law; and
- (b) References to Total Contract Value within these Procurement Rules (including in Appendix 1) mean:
 - (i) The anticipated purchase price or premium for the disposal or freehold/leasehold property transaction; or
 - (ii) The annual rent.

24.2 Disposals or freehold/leasehold property transactions involving Council land and property may be through:

- (a) Formal tendering (providing for an initial deposit and binding contract if the Tender is successful);
- (b) Formal tendering (providing for no initial deposit and no binding contract if the Tender is successful);
- (c) Private treaty; or
- (d) Public auction.

24.3 These Procurement Rules must be followed in full for all disposals or freehold/leasehold property transactions where Tenders from potential purchasers are sought in accordance with Section 25.2 (a) or (b) above.

24.4 If the method of disposal or property transaction set-out in Section 25.2(a) or (b) above is followed, the person/body that will be asked to accept the Tender may pre-determine that the relevant sale particulars should make provision for a two-stage offer process, that provides the Council with the option of inviting best and final offers after receipt of initial offers, where this is demonstrated to them to be appropriate:

- (a) By the relevant Budget Holder making such a recommendation in a written report to the person/body that will be asked to accept the Tender; and
- (b) Having considered the case for adopting this method of disposal based on an assessment of the risks involved and concluding that this procedure is the most appropriate for achieving best value.

24.5 Disposals or other freehold/leasehold property transactions involving Council land or property sought through the methods set-out in Section 25.2 (c) or (d) above can only be approved:

- (a) In exceptional circumstances and if the person/body that will be asked to accept the Tender has considered a report prepared by the relevant Budget Holder which justifies the proposed procedure as the most suitable method of achieving best consideration; and
- (b) If the transaction is for less than the open market value, the report referred to in Section 25.5(a) above contains an estimate of what the value of the transaction would be if advertised on the open market.

24.6 Where disposals or other freehold/leasehold property transactions involving Council land or property are sought through the methods set-out in Section 25.2 (c) or (d) above:

- (a) The relevant Service Manager or Service Director may determine the appropriate arrangements to be followed if the anticipated Total Contract Value for the disposal or freehold/leasehold property transaction is within Contract Category 2 of Appendix 1 or lower;
- (b) The relevant Portfolio Holder must determine the appropriate arrangements to be followed if the anticipated Total Contract Value for the disposal or freehold/leasehold property transaction is within Contract Category 3 of Appendix 1; and
- (c) The Cabinet must determine the appropriate arrangements to be followed if the anticipated Total Contract Value for the disposal or freehold/leasehold property transaction is within Contract Category 4 of Appendix 1 or higher.

24.7 The arrangements referred to in Section 25.6 above may include:

- (a) Determining the most appropriate method of disposal to achieve the Council's statutory duty of obtaining best consideration; or
- (b) Deciding to sell for less than the open market value, provided that all statutory procedures are complied with, including (where necessary) obtaining the consent of a Secretary of State.

24.8 The Chief Estates Officer may agree, on behalf of the Council, to all estates acquisitions, disposals and licences set out within the Schedule of Officer Delegations in Part 3 of the Council's Constitution, where it would be in accordance with good estate management and would not adversely affect the premises concerned.

24.9 The relevant Portfolio Holder may take decisions under delegated authority for all estates management matters that, individually, have a cumulative value of between £500,001 and £999,999, subject to all other matters within these Procurement Rules being satisfied and undertaken in accordance with Article 14 (Decision Making) of the Council's Constitution.

Table of Tendering Requirements for Nos. of Tenders, Returns and Openings

Contract Category	Total Contract Value ^(*)	Minimum no. of tenders to be invited ^{(+)(@)}	Minimum number of Local** Suppliers to be invited	Designation of person/body required to accept tender
1	£25,000 - £50,000	Five	Two	Budget Holder / Team Manager ^(#)
2	£50,001 - £150,000	Five	Two	Service Manager
3	£150,001 - £250,000	Five	Two	Service Director
3	£250,001 - £1million	Five	Two	Portfolio Holder
4	Over £1million	Five	Two	Cabinet
5	Above the relevant UK Threshold for Works, Supplies or Services	As per regulations	As per regulations	As 1-4 above (dependent on contract value)

Notes:

All tenders will be opened by the Procurement and Contract Development Team using the electronic procurement system.

(*) Total Contract Value means the total value of the Works, Services and Supplies over the total period of the Contract, including all potential Contract Extensions to the initial Contract Period.

Where the Total Contract Value is within Contract Category 5, the arrangements for Contract Category 5 should be followed, and not the arrangements for any of the other Contract Categories that may also apply to the Total Contract Value.

(**) Local suppliers are defined as having a headquarters in the Epping Forest District.

(+) If the estimated Total Contract Value is in excess of the value thresholds for Works, Supplies or Services, above which the Public Contracts Regulations 2015 apply, the required number of Tenders determined by the Regulations must be applied.

(@) Includes any in-house Tenders submitted.

(#) Budget Holder means the person who is the named person responsible for the budget heading under which payments for the contract will be made and is responsible for all aspects of the procurement process for a Contract and for complying with these Procurement Rules.

Glossary and Definitions of Terms used in the Procurement Rules

Term	Definition or Explanation
Arithmetical Error	An error in addition, subtraction, multiplication or division within a submitted Tender.
Cabinet	The Leader of the Council and other councillors appointed by the Leader to form a group of councillors authorised by the Council's Constitution to make decisions on certain issues.
Central Purchasing Body	A contracting authority which either: <ul style="list-style-type: none"> • Acquires supplies and/or services intended for contracting authorities; or • Awards public contracts (concludes framework agreements) for works, supplies or services intended for contracting authorities
<i>"Certificate of Bona Fide Tendering"</i>	A form that Tenderers must complete, sign and return with their Tender to confirm that the Tender they are putting forward is the true offer that will be available to the Council if the Tender is won by the Tenderer (i.e. to confirm that the offer is genuine and is not just a competitive offer to push them forward through the Tender process). The Council's Standard <i>"Certificate of Bona Fide Tendering"</i> can be obtained here or from the Council's Intranet.
Competitive Dialogue Procedure	A formal and complex process, allowed by the Public Contracts Regulation 2015, for procuring a Contract through discussions with Contractors in a structured way.
Constructionline	The UK's leading procurement and supply chain management web-based service that collects, assesses and monitors standard company information through a question set that is aligned to the standardised pre-qualification questionnaire developed by the British Standards Institute, to reduce duplication within the construction industry.
Consultant	A person or organisation who is not employed by the Council, included on the Council's payroll or covering an establishment post, who is procured directly - through a company (or similar commercial undertaking) or an agency and is engaged to perform a specific task over a predetermined period.
Contract Award	The decision to enter into a Contract with a Contractor.
Contract Documentation	All documents related to the administration of a Contract, not just the Tender Documents
Contract Extension	The continuation of a Contract for a further period of time allowed by the Contract. There can be more than one Contract Extension for a Contract.
Contracts Finder	A service provided by the Crown Commercial Service, and referred to in

	the Public Contracts Regulations 2015, that enables Contractors to search for information about Contracts worth over £25,000 with the Government, Government agencies and local government.
Contract Period	The period commencing with the date a Contract specifies that the provisions of the Contract are to start to the date the Contract comes to an end.
Contract Sum	The amount to be paid to a Contractor to perform a Contract, prior to any Contract Extensions, and referred to in the formal Contract between the Council and the Contractor.
Contracts	Contracts, agreements or orders for Works, Supplies or Services.
Contractors	Works contractors, Suppliers, Service providers and Consultants.
Corporate Governance Group	A group of officers, chaired by the Chief Executive, comprising members of Management Board, the Chief Internal Auditor and the Deputy Monitoring Officer.
Crown Commercial Service	A Government Agency that brings together policy, advice and direct buying information in a single organisation and provides commercial Services to the public sector and saving money for the taxpayer. Much of the CCS's advice gives formal detailed guidance on the operation of the Public Contracts Regulations 2015.
Defects Liability Period	A set period of time after a Works Contract has been completed, during which a Contractor has the right to return to the site to remedy any defects at the Contractor's own cost.
Director	Levels 3 and 4 of the Council's Management Spine.
e-Communications	The method of using electronic communications, including email and web-based applications, to provide and receive documents and communications to and from Contractors, in accordance with the Public Contracts Regulations 2015 – detailed in the "Guidance on Electronic Procurement & Electronic Communication" produced by the Crown Commercial Service.
Essex Procurement Hub	A Central Purchasing Body of six local authorities in Essex, including Epping Forest DC, that provides strategic and operational procurement support, advice and guidance in order to add demonstrable value to the procurement process to its members. The Hub lets and manages a number of national Framework Agreements that are accessible to any UK Public Authority.
Estimated Tender Sum	A Tender Sum formulated by applying rates submitted by a Tenderer to Pre-Estimated Quantities that are estimated to apply over the Contract Period and used to compare the Tenders received from different Contractors. This is nearly always different from the Total Contract Cost.

Regulated Contracts	Procurements by public bodies in the UK that are above the financial thresholds for Works, Supplies and Services Contracts referred to in the Public Contracts Regulations 2015, which stipulate the way in which any procurements above the financial thresholds must be undertaken.
Final Account	A written statement that includes details of the Tender Sum, Contract variations, Final Account sum, any deducted Liquidated and Ascertained Damages, any extension of time awarded and any claims agreed with the Contractor.
<i>“Formal Declaration of Tender Offer”</i>	The form that Tenderers must complete, sign and return with their Tender to state and confirm their Tender Sum. The form includes a number of statements that Tenderers sign to confirm their compliance. The Council’s Standard <i>“Formal Declaration of Tender Offer”</i> is available here and on the Council’s Intranet.
Framework Agreement	An agreement with Contractors to establish terms governing Contracts that may be awarded during the life of the Framework Agreement, or a general term for agreements that set out terms and conditions for making specific purchases (referred to as “call-offs”).
Insurance Service	The service responsible for insurance arrangements for the Council, who co-ordinates insurance matters on behalf of EFDC.
Invitations to Tender	A letter, email or other communication sent to Tenderers – either by post or electronically – together with Contract Documents, that invites Tenderers to submit a Tender by the Tender Return Date.
Late Tender	A Tender that has not been received by the Council by the Tender Return Date.
Light Touch Regime (LTR) / Procurement	A specific set of rules introduced by the Public Contracts Regulations 2015 for certain Services contracts that tend to be of lower interest to cross-border competition, that replace the previous distinction between “Part A” and “Part B”. These include certain social, health and education services, defined by the Regulations. A relatively high financial threshold is applied to the LTR, below which contracts do not need to be advertised in the Find a Tender Service (FTS). For LTR contracts above the threshold, contracting authorities have to follow a new light-touch set of procurement rules, set out in the Regulations.
Liquidated and Ascertained Damages	Fixed damages stated in a Contract, and usually set as an amount per week (or part of a week), which the Contractor must pay the Council (or which the Council may deduct from payments to the Contractor) if completion of the Contract is delayed beyond the Contract completion date, as adjusted by any extensions of time. Note that they are void as a penalty if they are not a "genuine pre-estimate" of the Council’s potential loss, in which case the Council can usually recover normal, unliquidated damages for breach of Contract.

Long List	A list of all Contractors expressing an interest in receiving an Invitation to Tender, before any selection process has been undertaken by the Council to produce a Short List.
Most Economically Advantageous Tender (MEAT)	A Tender for a Contract that has been evaluated not only on the basis of the price submitted by a Tenderer, but also on the basis of the assessed quality of both the submitted Tender and the Tenderer. This is in accordance with a pre-determined MEAT Assessment Methodology, with Tenders evaluated using a pre-determined MEAT Evaluation Assessment, which usually provides for pre-determined weightings to be applied to the price and the quality of various aspects of the Tender.
<i>“MEAT Assessment Methodology”</i>	The pre-determined approach agreed by the Council, and available on the Council’s Intranet, to assess the Most Economically Advantageous Tender (MEAT). The Council’s <i>“MEAT Assessment Methodology”</i> is available here and on the Council’s Intranet.
MEAT Evaluation Assessment	The document that sets out the pre-determined weightings to be applied to the price and the quality of various aspects of the Tender and used to calculate the relative scores of all the Tenders received.
Nominated Sub-Contractors and Suppliers	Sub-contractors and suppliers that the Council requires a Works Contractor, Service provider or other Supplier to use to perform the Contract.
Official Order	A standard form of Contract placed with a Works Contractor, supplier, service provider or Consultant, that is usually issued through the Council’s Marketplace System or the Northgate Open Housing Management System (OHMS)
Parent Company Guarantee	A guarantee by the parent company of a Contractor in respect of the Contractor’s performance under its Contract with the Council, where the Contractor is a subsidiary of the parent company
Partnering Contract	A broad term used to describe a collaborative management approach that encourages openness and trust between the parties to a Contract. The parties become dependent on one another for success, which often requires a change in culture, attitude and procedures throughout the supply chain. Most commonly used on large, long-term or high-risk contracts, Partnering Contracts can be adopted for a one-off project, or can be a long-term relationship over a number of projects (such as a Framework Agreement).
Performance Bond	A means of insuring a Contractor against the risk of the Contractor failing to fulfil its contractual obligations to the Council. The Performance Bond provides compensation, guaranteed by a third party, up to the amount of the Performance Bond (which is typically set at 10% of the Total Contract Value), to enable the Council to overcome difficulties that have been caused by non-performance of the Contractor, such as, for example, finding a new Contractor to complete Works.
Portfolio Holder	A Councillor appointed by the Leader of the Council as a member of the

	Cabinet with responsibility for a particular portfolio of services, as set out in the Council's Constitution.
Post-Tender Negotiations	Discussions that take place with one or more Tenderers on price and/or other terms of the Contract or Specification after Tenders have been received and opened.
Practical Completion	The completion of all the Works required to fulfil a Contract.
Pre-estimate of Quantities	A Budget Holder's best estimate of the quantities of items relating to the Contract that will arise over the Contract Period, that are applied to rates submitted by Tenderers to produce an Estimated Tender Sum, which is used to compare the Tenders received from different Contractors.
Preferred Tenderer	A Tenderer that is being recommended to be awarded a Contract.
<i>"Procurement Process ("Regulation 84") Report"</i>	A requirement of Regulation 84 of the Public Contracts Regulations 2015, relating to procurements where the Total Contract Value is above the UK thresholds for Regulated Contracts, which is completed throughout the procurement process and is a written statement, in a defined format, that provides information on different aspects of the procurement and must be made available to Tenderers on request. A template for the <i>"Procurement Process ("Regulation 84") Report"</i> can be obtained here.
Professional Indemnity (PI) Insurance	A liability insurance that helps protect individuals and companies (usually Consultants) from bearing the full cost of defending a negligence claim in respect of professional advice provided to the Council by the Consultant.
Public Contracts Regulations 2015	Regulations made by the UK Government to exercise the powers given by the European Communities Act 1972, relating to procurements by public bodies in the UK and, in particular, for Regulated Contracts that are above the financial thresholds for Works, Supplies and Services Contracts referred to in the Regulations.
Retention	A percentage of the amount certified as due to a Contractor following their completion of a Contract, which is deducted from the amount due and retained by the Council. The purpose of holding a Retention is to ensure that the Contractor properly completes the activities required of them under the Contract.
Retention Period	The period during which a Retention is held by the Council.
Safeguarding	Ensuring the wellbeing of either adults with care and support needs or children in accordance with the requirements of the Care Act 2014 and the Children Act 2004 respectively.
Schedule of Rates	A list of prices provided by a Tenderer against items within a list produced by the Council for Tenderers to complete. The prices are multiplied by the Pre-Estimate of Quantities to produce an Estimated Tender Sum.

Select List	A list of selected Contractors to which Invitations to Tender are issued.
Services	In relation to public Contracts, means matters which have as their object the provision of services other than those defined as Works.
Short List	A list of Contractors that has been reduced, following a selection process, from a Long List of Contractors expressing an interest in receiving an Invitation to Tender. The Short List often then forms a Select List.
Specification	A document that sets out the detailed requirements of the Council for the undertaking or provision of Works, Supplies or Services, and forms an important part of the Tender Documents and the subsequent Contract issued to a Contractor.
Budget Holder	The officer designated by a Director as being responsible for a specified Council budget, from which payments for a Contract will be made, who is responsible for all aspects of the procurement process for a Contract and for complying with these Procurement Rules.
Supplies	In relation to public contracts, means a matter that has as its object the purchase, lease, rental or hire-purchase (with or without an option to buy) of a product or products.
Tender	A written tender, quotation or fee submission submitted by a Tenderer in accordance with these Procurement Rules, that sets out the Tenderer's proposed price for performing a Contract, together with any other information required by the Council and these Procurement Rules.
Tender Documents	A set of documents sent to Contractors with an Invitation to Tender, which explains the Council's requirements for a proposed Contract and includes documents to be returned to the Council for consideration
Tenderer	A person or organisation that is invited to submit a Tender to the Council.
Tender Evaluation Score	The score that results from a MEAT Evaluation Assessment of a Tender, which is used to rank Tenders in order of the Most Economically Advantageous Tender in terms of best price and quality. A Contractor with the highest Tender Evaluation Score is usually offered the Contract.
Tender Sum	The total price set out in a Tender that a Contractor would charge to perform the required Contract, before any Contract Extensions are applied. An Estimated Tender Sum is calculated where a Contractor prices a Schedule of Rates.
Tender Opening	A meeting between those designated within Appendix 1 to be present when Tenders received for a Contract are opened, and which must be held no earlier than the day after the Tender Return Date.
Tender Return Date	The time and date specified within an Invitation to Tender by which Tenders must be returned and received by the Council.

Total Contract Cost	The actual total cost of the Contract at the end of the Contract Period, after any Contract Extensions have been applied.
Total Contract Value	The total value of the Works, Services, and/or Supplies over the Contract Period, including all potential Contract Extensions to the initial Contract Period.
Works	<p>The outcome of building or civil engineering works taken as a whole, which is sufficient in itself to fulfil an economic or technical function.</p> <p>In relation to public contracts, means matters which have as their object any one of the following:</p> <ul style="list-style-type: none"> (a) The execution, or both the design and execution, of works related to one of the activities listed in Schedule 2 to the Public Contracts Regulations 2015; (b) The execution, or both the design and execution, of a work; and/or (c) The realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority “exercising a decisive influence on the type or design of the work”.

Report to Council

Date of meeting: 28 October 2021

Chairman: Councillor M Sartin

Democratic Services Officer: V Messenger (01992 564243)



Recommendations/Decisions Required:

- (1) That the Overview and Scrutiny progress report for October 2021 be noted.**

Report:

Overview and Scrutiny Committee – 12 October 2021

1. The Committee reviewed the FY21/22 quarter 1 Corporate Performance Reporting but only for exceptions, projects at red or amber status, as the full report had previously been scrutinised by the Stronger Council Select Committee. C Graham, Project Manager (Performance), advised that the report also included an updated set of all the KPIs, regardless of status, because there had been some gaps in the data at the time the select committee had scrutinised it. Within Performance more focus would be given to the start-up phase of projects, as well as budget control and resourcing.

2. Climate Change Officer, F Edmonds, and S Lloyd-Jones (Sustainable Transport Officer) reported on their respective areas within the update report before the Committee. A public consultation on the draft Climate Change Action Plan was to take place from October to November and would comprise online elements as well as a series of in person events organised for members, the Youth Council and the community to attend. A proposal to plant around 2,300 trees in Jessel Green (Loughton) to enhance the local environment was being funded by a £65,000 grant from the Forestry Commission's Local Authorities Treescapes Fund. There would be a public consultation to help decide on the final planting design. Members were apprised of the Green Homes Grant Local Authority Delivery scheme to help raise the energy efficiency of low income and low energy performance homes with a focus on energy performance certificate (EPC) ratings of E, F or G. It was also reported that a carbon literacy toolkit had been trialled with some Service Managers that would be used to teach staff the basics of climate change science.

3. S Lloyd-Jones outlined progress on electric charge points in the District's car parks and to provide an increase in on-site charging at the Civic Offices to accommodate EFDC and Qualis fleet conversion to EV. A campaign was underway to understand incentives and barriers to the adoption of EV by minicabs and taxis. The use of street lamps was not favoured by ECC but at least 36% of local homes did not have access to viable off-street parking, which would seriously impede EV adoption within the next 18 months. General local commuting was still low as a result of hybrid / working from home and other major users like the elderly, who were still being cautious. An EV bus would be trialled in November and December between the Broadway and the Epping Forest Retail Park in Loughton. Demand responsive travel (DRT) would be piloted in the District to Epping Green and Harlow and work was ongoing as there was a demand from school pupils who needed to reach schools in Epping, Loughton and Chigwell.

4. The Covid update report provided by A Small, Strategic Director and 151 Officer, highlighted that Covid cases were under control at the moment and since the report was written, this had fallen to 220 cases per 100,000 in the District. The report set out the current position, the Council's current response actions and the actions it might take in response to a significant worsening of the local or national position. Staff were largely working from home and were being asked to find a balance between home and office working. The Government had recently stated it had a Plan A and Plan B for its Covid-19 response during the autumn and winter, but our way of working was still compliant.

5. The Committee discussed how it wished to proceed on the Local High Streets Task and Finish Panel. It was recognised that all local councillors (District and Parish) should be involved as well as local communities and businesses, and the public. The Committee agreed that the Task and Finish Panel should be reconvened for one more meeting to look at where it wanted to go or to refocus on one of the four options outlined in the report.

6. Members had the opportunity to review the Executive's current programme of Key Decisions of 1 October 2021. The Committee reviewed its own work programme but there was concern if new staff during their induction were adequately informed of how the Council was run in relation to its members. The presentation new councillors received on this was good but what did the People Team do for new staff during their induction process? It was agreed this would be added to the work programme possibly for the January 2022 meeting.

7. The Committee agreed to the proposed Terms of Reference for the Stronger Place Select Committee that were outlined by its Chairman, Councillor A Lion. The select committee chairmen also updated the Committee on recent business transacted at meetings and the current status of their respective work programmes.

THE ROYAL GUNPOWDER MILLS SEPTEMBER 2021 MEETING AND THE OCTOBER 2021 AGM

The Chairman, Councillor H Kane the Council regarding the Royal Gunpowder Mills and advised that it was with regret that the Royal Gunpowder Mills had not been successful in opening to the public, due to staff and volunteer shortages.

To address this the committee members and trustees have decided on the following:

Site Manager Recruitment

Three external candidates had been called forward for interview by a panel comprising of members of the committee. The candidates were given a short tour of the site prior to their interviews. The members of the committee unanimously agreed that Helen Hamlyn was the most suitable candidate and she has accepted the appointment.

Volunteer Recruitment

There had been no progress on the overall recruitment of new volunteers. It was reported that several of the railway volunteers also undertook a range of site-wide volunteer roles such as security patrols, mending roads and other duties. A meeting had been scheduled of the railway volunteers to take forward the restructuring of the leadership team for effective running of the railway. There was a need for eight or each drivers, guards and stewards and at present there were five drivers and three guards.

The committee members were very aware of the importance of the Visitors Experience scheme so the Working Party responsible for these events had prepared a provisional plan for twelve months, with the underpinning principle being to identify what could be provided to visitors consistently and to a high quality. This would be submitted to the Operating Company Board at its October 2021 meeting. The plan was to open at Easter 2022 with some trial runs before that to iron out any operational difficulties.

Since the AGM the following members have been elected:

Jill Amador,

Paul Barnard,

Grahame Browne,

John Brown,

Tracey Read,

Douglas Kent,

Mark Pemberton

James Richardson,

Len Stuart,

Geoff Hooper - Vice Chairman

Fiona Baxter - Chairman

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