

# EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Cabinet **Date:** Monday, 18 July 2022

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.05 pm

**Members Present:** Councillors C Whitbread (Chairman), N Avey, L Burrows, S Kane, A Lion, A Patel, J Philip, H Whitbread and K Williamson

**Members Present (Virtually):** Councillors N Bedford

**Other Councillors:** Councillors R Balcombe, E Gabbett and S Heap

**Other Councillors (Virtual):** Councillors R Brookes, C McCredie, S Murray, B Vaz and H Kane

**Apologies:**

**Officers Present:** G Blakemore (Chief Executive), A Hendry (Democratic Services Officer), T Carne (Corporate Communications Team Manager), N Cole (Corporate Communications Officer), D Haslam (Economic Development Assistant), J Houston (Specialist Partnerships & Economic Development), P Messenger (Town Centres Project Manager) and N Richardson (Service Director (Planning Services))

**Officers Present (Virtually):** C Ferrigi (Service Manager (ICT & Business Support)), P Hewitt (Qualis Group Operations Director), V Messenger (Democratic Services Officer) and R Perrin (Democratic and Electoral Services Officer)

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## 11. WEBCASTING INTRODUCTION

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

## 12. DECLARATIONS OF INTEREST

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

## 13. MINUTES

### **Decision:**

That the minutes of the Cabinet meetings held on 06 June 2022 be taken as read and would be signed by the Leader as a correct record.

**14. REPORTS OF PORTFOLIO HOLDERS**

The Housing and Community Portfolio Holder noted that the Anti-Social Behaviour awareness week had started today. She also wanted to put on record her thanks to the community safety team and the in house police officers.

The Contract and Commissioning Portfolio Holder noted that due to the extreme weather conditions that the Biffa refuse workers would be starting earlier than usual tomorrow and finishing by 12.30pm, to avoid the heat of the day. Any missed collections would be collected on the Saturday.

**15. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET**

The Cabinet noted that no public questions or requests to address the Cabinet had been received for consideration at the meeting.

**16. OVERVIEW AND SCRUTINY**

The Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 16 June 2022.

At the recent joint meeting of scrutiny chairmen and vice chairmen they had agreed that all presentations that the Council had no influence over would in future be presented as all member briefings. They also requested training sessions for all scrutiny members, especially the newer ones.

Councillor Murray agreed with the new way of handling future presentations but was again disappointed that all the Chairs and vice-chairs came from the same party.

**17. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 08 MARCH & 20 JUNE 2022****Decision:**

That the minutes of the Council Housebuilding Cabinet Committee meetings held on 8<sup>th</sup> March and 20<sup>th</sup> June 2022 be noted.

**18. DIRECT AWARD OF THE PRINT TO POST CONTRACT**

The Internal Resource Portfolio Holder introduced this report. The Council's Procurement Rules required a Cabinet decision to award any contract with a total value of over £1m when totalled over the life of the contract. Agreement was sought from Cabinet to directly award PSL Print Management Limited a 3-year contract with the option to extend for a further 2 years on an annual basis. PSL Print Management Limited has proved to be flexible and keen to work in partnership with EFDC during their pilot period. Our Procurement Team had confirmed they were still the best value option on the Crown Commercial Services Framework. Furthermore, teams have made significant investments in terms of time and resources in the Pilot, therefore it was undesirable to have to repeat this work with a new provider. This would represent a saving over the way we used to produce our printed work.

Councillor Philip welcomed the savings this represented. Councillor Lion asked how would print be reducing over time due to digital interventions and changes to our systems. Councillor Kane replied that this was a pay as you go contract, so the less we printed the less money we spent. As all members now have iPad and recently

access from their own devices; we should not have need for paper agendas as that was one of our highest expense items.

**Decision:**

That PSL Print Management Limited was directly awarded the Print to Post contact for a period of 3 years, with the option to extend for a further 2 years on an annual basis through the Crown Commercial Services Framework.

**Reasons for Proposed Decision:**

- PSL Print Management Limited still provide best value for money on the Crown Commercial Services Framework;
- PSL Print Management Limited has proved to be an excellent supplier during the pilot period by being helpful, flexible and working in partnership with EFDC;
- Some teams have already invested greatly in terms of time and resource in this solution, so to change would create unnecessary work and pressure;
- EFDC's Procurement Team have researched and confirmed it was acceptable to directly award this Contract via the Crown Commercial Services Framework.

**Other Options for Action:**

To commence a full tender process. This option had been discounted as PSL Print Management Limited offer the best value for money under the Crown Commercial Framework when considering price and quality of service. During the initial procurement process and again more recently EFDC have researched Essex based print to post suppliers outside of the Crown Commercial Framework and although we found plenty of printing suppliers, none offered a print to post solution. Another reason for discounting a full tender process is due to the internal resource implications that would have on services that are currently using the solution. Using Revenues and Benefits as an example, the initial set up and programming took hundreds of resource hours whilst they worked through variations of templates to set up. This was a very complex piece of work and that particular service alone would not have the resource capacity to repeat that work with another supplier, due working on other projects such as moving their ICT application to the cloud.

Another option considered was partnering with another local Council for a shared Reprographics service. This option has been discounted as the Council are yet to hear back since reaching out to Councils across Essex to initially find out who's Reprographics service remains in house. When the Council reached out a few years ago with the same query for outsourcing Council Tax annual billing, Uttlesford District Council were one of the only Councils to respond and when we offered to increase the volume of their current contract recently, they declined. EFDC were approached by Harlow District Council a couple of months ago as they are working through their own Accommodation Programme and are intending to implement a print to post solution themselves.

**19. ONGAR NEIGHBOURHOOD PLAN**

The Place Portfolio Holder introduced the report on the Ongar Neighbourhood Plan. He noted that the Examiner's Report for the draft Ongar Neighbourhood Plan was received by Epping Forest District Council on 13 May 2022. The Examiner's Report recommended that, with modifications, the Ongar Neighbourhood Plan meets the

basic conditions and should proceed to a local referendum. The recommended referendum area is the Parish of Ongar.

This report set out the background to the Ongar Neighbourhood Plan, the recommendations made by the Examiner, the Council's proposed action against each of the recommendations and potential timescale for a local referendum.

Councillor S Kane congratulated Ongar Town Council for getting this far with their neighbourhood plan. He then asked who would be footing the cost for the referendum? He was told it would probably be EFDC but officers were not too sure and would come back to him with a definitive answer.

Councillor H Whitbread asked who would be responsible for the PR that went with the referendum and what did the Cabinet member hope the turnout would be. She was told that he would like as many people as possible to turn out for the referendum. As for the PR it would be a cross between Ongar and EFDC who would do it.

#### **Decision:**

- (1) The Cabinet considered the recommendations included in the Examiner's Report;
- (2) The Cabinet agreed that the Ongar Neighbourhood Plan, with proposed amendments, met the basic conditions and was compatible with European obligations; and
- (3) The Cabinet approved the Decision Statement (Appendix A to the report) to progress to referendum, subject to Ongar agreeing to (the Examiner's) modifications to the Neighbourhood Plan.

#### **Reasons for Proposed Decision:**

To comply with the statutory requirements in relation to Neighbourhood Planning and to progress the Draft Ongar Neighbourhood Plan to referendum stage.

#### **Other Options for Action:**

Not to make a decision on the draft Ongar Neighbourhood Plan and the recommendations in the Examiner's Report. This would mean that the Council was not meeting the legislative requirements and was not fulfilling its statutory duty in the production of neighbourhood plans.

## **20. IMPLEMENTATION OF THE LOCAL PLAN: UPDATE ON PROGRESS**

The Place Portfolio Holder introduced the report. This report was prepared by the Policy and Implementation Team to provide members with an update on the progress of Strategic Masterplans, Concept Framework Plans and Planning Performance Agreements (PPAs) within the district, including major projects and planning applications dealt with by the team. Scheduled meetings and workshops continue to take place with site promoters and developers in accordance with project plans agreed within PPAs. The majority of workshops/meetings continue to take place virtually, but in-person meetings were being arranged for specific masterplan workshops.

The District's emerging Local Plan was progressing and at an advanced stage. As such, the Local Plan was being given substantial weight in the assessment of planning applications. The Council was notified on 06 May 2022 that a new Planning Inspector, Jonathan Bore MRTPI, had been appointed to complete the Plan Examination. The most recent update dated 16 June 2022 (ED141) expresses the Inspector's aim of helping the Council to bring the Plan to an adoptable state as soon as possible with reference to the potential of achieving this by Autumn 2022. The Inspector outlined that changes were required to the text of the submitted Plan and the Main Modifications (published and consulted upon in 2021) in order to meet the tests of soundness as set out in the National Planning Policy Framework. The note set out a number of actions for the Council and required a new schedule of Main Modifications to be produced and consulted upon.

**Decision:**

(1) The Cabinet noted the progress of Strategic Masterplans and Concept Frameworks, including the use of Planning Performance Agreements and the progress of other proposals at pre-application and application stage (Appendices A – D of the report);

(2) The Cabinet noted the latest position in relation to the Examination of the Emerging Epping Forest District Local Plan following the appointment of a new Plan Inspector.

**Reasons for Proposed Decision**

To ensure that members were kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.

To comply with the Council's general obligations as a local planning authority and the requirements set out in national planning guidance.

**Other Options for Action:**

Not to update members on the progress on the above issues would be contrary to the commitment made by the Implementation Team as noted in the 18 October 2018 Cabinet Report.

**21. UK SHARED PROSPERITY FUND INVESTMENT PLAN**

The Finance Portfolio Holder introduced the report. It was noted that the investment plan attached in Appendix 1 of the report, set out proposals for spends of the allocated £1 million Shared Prosperity Fund to Epping Forest district over the next three years. This was given to us by the Government to spend over the next three years, primarily loaded towards the third year. We had just over £100k to spend this year, which must be spent within this financial year. Our plans have to be submitted to Government by the end of July.

Unlike many other councils we had sought to define the planned projects in some detail. Given the short timescales involved in producing the plan, officers had consulted extensively on its contents as the plan was being developed. At the time of writing the report officers were continuing to discuss and negotiate with external partners on the delivery of the programme. It was recommended that authority be delegated to the leader to sign off the final submission in light of these discussions concluding.

The primary goals of the UK Shared Prosperity Fund were to build pride in place and increase life chances by making visible and tangible improvements. The central mission was mission 9, which states that 'by 2030, pride in place, such as people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing'. The three investment priorities for the UKSPF are Community and Place, Supporting Local Business and People and Skills (the People and Skills element does not come into effect until year 3).

Councillor A Patel asked if we could add in additional schemes in years 2 and 3. He was told that the Council had to submit a three year plan by the end of July, although it may be possible to introduce other things later, we were still awaiting government guidance.

Councillor H Whitbread wondered if there was scope to look at the rural community and especially the prevention of rural crime. Councillor Philip replied that they have only got £100k for the first year but could look into this later.

Councillor Lion wondered if there was any potential for digital intervention from this funding. He was told that they could look at the people and skills part of this, maybe something like digital skills education in the third year.

Councillor Murray was supportive of this scheme and that it was important that Loughton received some funding. He then asked about the proposed playground to be put in the Oakwood Hill estate, when they had already got a toddler play area. What consultation had been undertaken on this, as the Oakwood Hill Community Centre had not been consulted, nor the Oakwood Hill Residents Association or Loughton Town Council. Councillor Philip replied that this had been an accelerated process, and it had not been possible to consult everyone. We worked with the Housing Department who were looking at regeneration of estates and this came from that consultation. As we go on, the consultations will go wider and include some of the stakeholder that Councillor Murray has mentioned.

Councillor Murray noted that they had consulted with other Town/Parish Council's but not with the biggest one in the area. Nearby to the proposed playground, Loughton Town Council was about to go out to Tender for a new Playground and he was not aware that this had been considered. Could this now be taken into account. Councillor C Whitbread noted that as this agenda had been published for some time now, comments like this could have been made prior to this meeting as we were working to very tight time schedules for this. Councillor Philip said that if Councillor Murray believed that Oakwood Hill did not need a playground then he was happy to work with the Housing Department to see if somewhere else would benefit more from a playground. The wording in the report is ambiguous and does not necessarily denote that a play area would be put in. We were looking to demonstrate that we can spend the appropriate amount of money in each year and make sure we hit those areas that we have not invested in in previous years.

#### **Decision:**

- (1) The Cabinet endorsed the proposed UK Shared Prosperity Fund investment plan for final submission to Department for Levelling Up, Housing and Communities.
- (2) The Cabinet provided further advice and guidance on delivery.

(3) That authority was delegated to the Leader of the Council, the Chief Executive and the Section 151 officer to sign off the final investment plan following completion of consultation.

**Reasons for Proposed Decision:**

In order to unlock the allocated £1 million funding over three years the council was required to produce an investment plan in consultation with local stakeholders and local MPs. The final plan requires the approval of the Leader of the Council, the Chief Executive Officer and Section 151 Officer before submission on the 29<sup>th</sup> of July. At the time of writing this report the expected final technical guidance from central government had still not been received.

**Other Options for Action:**

There were numerous interventions cited by government that funding can be used to achieve. Any of those would have value but given the limited nature of funding and the need to achieve impact and legacy, Officers following detailed consultation with Stakeholders have focused on a reduced level of interventions.

## **22. QUALIS MANAGEMENT PERFORMANCE UPDATE & FUTURE DEVELOPMENT**

The Finance Portfolio Holder introduced the Qualis management performance update and future development report. He noted that Qualis had now been in operation for more than 2 years. In this time, Qualis has acquired commercial premises, achieved Planning consent and commenced development for the Epping Town regeneration sites and has successfully taken over provision of the Housing Maintenance function on behalf of the Council.

The Council receives regular financial updates on Qualis' financial performance, but members had commented that they received little in the way of formal performance reporting. With further service transfers to Qualis mooted, an update on the performance for the existing transferred Housing Maintenance operations was timely.

This was now possible as sufficient time had elapsed for service delivery to settle down and for an objective assessment of performance and satisfaction to be made.

Councillor Heap queried the transfer of responsibilities to Qualis and if this would include Qualis taking on insurances. Councillor Philip noted that this question came about by misunderstanding what Qualis was in relation to the Housing stock. It's a company owned by EFDC, that is contracted by the Housing Department for what they want done. It does not operate as an owner and is not taking on EFDCs Housing stock. We may use them for contracting out work to them as we have a very close relationship with them.

Councillor Brookes wanted to know how they had managed to reduce the voids. She was told by the Housing & Community Portfolio Holder that she would send her a detailed response, but one of the main reasons would be around the changes to the letting process. Mr Hewitt, the Qualis Group Operations Director, added that their turn around was better than before and also the way they were purchasing materials after agreeing a detailed specification also enabled them to turn around a property much quicker. But he could supply a more detailed response.

Councillor Brookes then noted that they had taken on the Maintenance Contract, which included working with gas. Did they have this sort of expertise? She was told

that they did. Not all their expertise was in house and would use an outside supplier for the more specialist work.

**Decision:**

The Cabinet discussed and noted the report.

**23. QUARTER 4 BUDGET MONITORING REPORT 2021/22**

The Finance Portfolio Holder introduced the quarter 4 budget monitoring report for 2021/22. The good news was that the Council did not have to use any of its reserves. The meeting noted that the report set out the 2021/22 General Fund and Housing Revenue Account positions for both revenue and capital, as at 31st March 2022, which represented the Quarter 4 (Outturn) for the 2021/22 financial year.

The figures included within the report were still subject to external audit so should still be considered provisional at this stage.

In terms of General Fund revenue expenditure – at the Quarter 4 (Outturn) stage – a budget underspend of £0.992 million had been recorded, with net expenditure of £15.877 million against an overall budget provision of £16.869 million.

This was a significantly stronger position than anticipated at the Quarter 3 stage and reflected a substantial improvement in the budget performance of key lines of expenditure including (especially) Waste Management (which improved by £532,609 in Quarter 4). The income position also improved with the Council eventually collecting Court Costs of £719,267 (Council Tax £668,762, Business Rates £50,505) compared to zero in 2020/21 (when the magistrates' courts were closed due to the pandemic).

Councillor Heap asked about the £161k that was to address historic revenue items, could he have some detail on this. He was told that the previous processes in place did not allocate into the revenue account at pre-closure time; they were in the accounting but not in a budget. This was those adjustments.

Councillor Murray noted that about 20% of the budget for Community and Wellbeing had not been spent and noted that a large part of the underspend was due to staff vacancies. Why was this, as staffing was essential in delivering projects on the ground. Councillor Philip would like to defer this to the appropriate Portfolio Holder for Community and Wellbeing who would look at the projects being delivered. He suspected that any drop-off would have been highlighted at an appropriate Scrutiny Committee. Councillor C Whitbread reminded everyone that at this time we were still in the pandemic with some periods of lockdown which would have contributed to the underspends along with supply chain issues. Now we have a very high level of inflation, rising to double digits, which poses more challenges, and any underspends would be very helpful in these new circumstances.

**Decision:**

1. The Cabinet noted the General Fund revenue position at the end of Quarter 4 (Outturn) for 2021/22.
2. The Cabinet noted the General Fund capital position at the end of Quarter 4 (Outturn) for 2021/22.



3. The Cabinet noted the Housing Revenue Account revenue position at the end of Quarter 4 (Outturn) for 2021/22; and
4. The Cabinet noted the Housing Revenue Account capital position at the end of Quarter 4 (Outturn) for 2021/22.

**Reason for Decision:**

This report facilitates the scrutiny of the Council's financial position for 2021/22.

In terms of General Fund revenue, overall, it was a more stable picture in 2021/22 compared to the extreme volatility experienced in 2020/21 due to the impact of the pandemic. Quarter 4 was particularly positive, with an anticipated year end deficit at the Quarter 3 stage being reversed with an eventual budget underspend being recorded at the outturn stage. This – combined with funding and other accounting adjustments – eventually negated the need to draw on the General Fund Reserve to support the budget as originally assumed when the budget was set. Consequently, the long-term strategy to retain a minimum General Fund balance of £4.0 million was maintained.

In accordance with the planned transition to the new HRA Business Plan, the HRA revenue budget recorded a substantial surplus, which is to be utilised in funding the 2022/23 budget (as adopted by full Council in February 2022).

Capital spending has been relatively limited in both the General Fund and HRA this year.

**Options:**

There were no matters for decision in this report. The Cabinet was requested to note the contents but may choose to take further action depending on the matters reported.

**24. ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Cabinet.

**CHAIRMAN**