



Epping Forest District Council

CABINET **Monday 18th September 2023**

You are invited to attend the next meeting of **Cabinet**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Monday 18th September 2023**
at **7.00 pm**

Georgina Blakemore
Chief Executive

Democratic Services V Messenger (Democratic Services)
Officer: Tel: (01992) 564243

Members: Councillors C Whitbread (Leader of Council & Leader of the Conservative Group) (Chairman), N Bedford (Deputy Leader & Place Portfolio Holder) (Vice-Chairman), R Balcombe, S Kane, S Patel, J Philip, H Whitbread and K Williamson

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND

[This meeting will be broadcast live and recorded for repeated viewing.](#)

1. WEBCASTING INTRODUCTION

This meeting is to be webcast and the Chairman will read the following announcement:

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

Therefore, by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on MS Teams do not wish to have their image captured, they should ensure that their video setting throughout the meeting is turned off and set to audio only.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.

Members are reminded to activate their microphones before speaking”.

2. APOLOGIES FOR ABSENCE

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal webpage](#) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the [Council's website](#), at the bottom under 'Contact Us'.

3. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

4. MINUTES (Pages 5 - 10)

To confirm the minutes of the meeting of the Cabinet held on 10 July 2023.

5. REPORTS OF PORTFOLIO HOLDERS

To receive oral reports from Portfolio Holders on current issues concerning their Portfolios, which are not covered elsewhere on this agenda.

6. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET

To receive any questions submitted by members of the public and any requests to address the Cabinet.

(a) Public Questions

To answer questions asked by members of the public after notice in accordance with the provisions contained within Part 4 of the Constitution (Council Rules, Rule Q3) on any matter in relation to which the Cabinet has powers or duties or which affects the District.

(b) Requests to Address the Cabinet

Any member of the public or a representative of another organisation may address the Cabinet on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at the meeting, in accordance with the provisions contained within Article 7 of the Constitution (The Executive, Paragraphs 27 and 28).

7. OVERVIEW AND SCRUTINY

To consider any matters of concern to the Cabinet arising from the Council's Overview and Scrutiny function and to identify any matters that the Cabinet would like the Overview and Scrutiny Committee to examine as part of its work programme.

8. APPROVAL FOR CONSULTATION OF LATTON PRIORY DESIGN CODE (Pages 11 - 18)

(Cllr – N Bedford) To agree that the draft Strategic Design Code be approved for public consultation (C-012-2023-24). Please note Appendices 1 and 2 are attached separately to this agenda.

9. QUALIS QUARTERLY MONITORING REPORT QUARTER 3 (YEAR 4) (Pages 19 - 28)

(Cllr J Philip) To discuss and agree any actions required (C-016-2023-24).

10. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 24 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

11. 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
12	Epping Forest District Museum	3

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 one copy of each of the documents on the list of background papers for four years after the date of the

meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

12. EPPING FOREST DISTRICT MUSEUM (Pages 29 - 36)

(Community Health and Wellbeing – Cllr S Patel) To consider the options detailed in the report and agree the preferred option (C-013-2023-24).

EPPING FOREST DISTRICT COUNCIL CABINET MEETING MINUTES

Monday 10 July 2023, 7.00 pm - 7.55 pm

Council Chamber, Civic Offices, High Street, Epping

Members Present:	Councillors C Whitbread (Chairman), N Bedford (Vice-Chairman), R Balcombe, S Kane, S Patel and K Williamson
Other Councillors:	Councillors R Brookes, H Kane, L Paine, J Parsons and J M Whitehouse
Apologies:	Councillor(s) J Philip and H Whitbread
Officers In Attendance:	Jennifer Gould (Strategic Director and Chief Operating Officer), Surjit Balu (Interim Director of Housing and Property), Ione Braddick (Garden Town Liaison Lead), Tom Carne (Corporate Communications Team Manager), Natalie Cole (Corporate Communications Officer), Vivienne Messenger (Democratic Services Officer), Nigel Richardson (Service Director (Planning Services)) and James Warwick (Interim Acting Service Director (Contracts))
Officers In Attendance (Virtually):	Gary Woodhall (Team Manager - Democratic & Electoral Services)

[A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

14 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.

15 DECLARATIONS OF INTEREST

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

16 MINUTES

Decision:

That the minutes of the Cabinet meeting held on 30 May 2023 be taken as read and signed by the Leader as a correct record.

17 REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports made by Members of the Cabinet on current issues affecting their areas of responsibility.

18 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.

19 OVERVIEW AND SCRUTINY

- (a) Overview and Scrutiny Committee – it was noted that there was nothing to report as the first meeting this municipal year would be held on 18 July 2023.
- (b) Place Scrutiny Committee (4 July) – Councillor H Kane reported the Committee had reviewed its Terms of Reference and work programme, subject to final approval by the Overview and Scrutiny Committee on 18 July. A presentation by Qualis had been made on Grounds Maintenance. The Committee had also reviewed the Climate Change Action Plan priorities. It had also agreed with the report recommendations on the future delivery options of the Waste Collection Services before this Cabinet meeting.
- (c) Communities Scrutiny Committee (27 June) – Councillor A Patel had circulated a short summary to members prior to the meeting regarding the scrutiny undertaken of the Residents Involvement Strategy 2022/27. The Committee had recommended that the draft strategy be agreed by Cabinet this evening.

20 ENDORSEMENT OF LATTON PRIORY STRATEGIC MASTERPLAN FRAMEWORK

Place Portfolio Holder, Councillor N Bedford, introduced the report on the development of the Latton Priory Strategic Masterplan Framework (SMF). It responded to EFDC's Adopted Local Plan (March 2023) Policy SP 3 Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town and Policy SP 4 Garden Town Communities, and SP 4.1 Latton Priory Masterplan Area allocation. The Harlow and Gilston Garden Town would aim to coordinate and enable delivery of 16,000 homes by 2033, along with associated infrastructure, in and around Harlow, East Herts and Epping Forest Districts, delivering the Garden Town Vision, principles and guidance that had been agreed by the five partner councils. The provision of 3,900 homes within Epping Forest District made up over a third of the District's allocated housing. The Place Portfolio Holder and I Braddick (Harlow & Gilston Garden Town District Lead EFDC) answered councillors questions.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

Decision:

- (1) That the Cabinet noted the process undertaken and the outputs from the public consultation on the Draft Latton Priory Strategic Masterplan Framework undertaken between November 2022 and January 2023.
- (2) That the Cabinet agreed that the Latton Priory Strategic Masterplan Framework be formally endorsed in order for it to be taken into account as an important material consideration in the determination of future planning applications, and to inform pre-application advice, assessing planning and any other development management and implementation related purposes relating to the site.
- (3) That the Cabinet agreed that the Planning Services Director, in consultation with the Planning Portfolio Holder, be authorised to make minor amendments to the Latton Priory Strategic Masterplan Framework, including any document accessibility requirements, prior to publication.

21 APPROVAL OF DRAFT EAST OF HARLOW MASTERPLANNING GUIDANCE SPD FOR CONSULTATION

The Place Portfolio Holder introduced the report for East of Harlow which was one of HGGT's strategic sites. Located across the Harlow District (HDC) and Epping Forest District Council (EFDC) border, 2,600 homes were proposed within Harlow and 750 homes within Epping Forest District, as allocated in the adopted EFDC Local Plan (2023). It also included the proposed site for the new Princess Alexandra Hospital and was covered by Essex County Council (ECC) as the Highways Authority. Since the masterplanning of the site had lacked sufficient progress, which could result in a potential impact on delivery timescales for homes and infrastructure on the site, the HGGT Partnership had agreed to produce a document for the East of Harlow site to provide masterplanning principles. The Place Portfolio Holder and I Braddick answered members questions.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

Decision:

- (1) That the Cabinet approved the draft East of Harlow Masterplanning Guidance SPD (Appendix A) for formal public consultation planned for summer 2023.
- (2) That the Cabinet agreed that the HGGT Director, in consultation with the Chair of HGGT Board be authorised to make minor amendments to the draft East of Harlow Masterplanning Guidance SPD prior to publication for consultation.
- (3) That the Cabinet noted that, following consultation and any subsequent revisions, it was intended that the final East of Harlow Masterplanning Guidance SPD would be considered by Cabinet for adoption as a material planning consideration for assessing planning applications, pre-application advice, and any other development management purposes within the East of Harlow Masterplan Area.

22 APPROVAL OF DRAFT HGGT STEWARDSHIP CHARTER FOR CONSULTATION

Effective stewardship of the four new HGGT communities was critical to the success and delivery of the HGGT Vision. Planning for these stewardship arrangements would ensure that the HGGT had a sustainable and thriving legacy long after the development phase had completed. In June 2022, the HGGT Board recommended the preparation of stewardship guidance to positively influence stewardship proposals across the Garden Town via the development of a draft HGGT Stewardship Charter. On 13 June 2022 the HGGT Board approved the draft HGGT Stewardship Charter for formal public consultation and recommended that each partner council formally agreed to publicly consult on the draft Charter. Details of this were included in the report which was presented by the Place Portfolio Holder.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

Decision:

- (1) That the Cabinet approved the draft Harlow and Gilston Garden Town (HGGT) Stewardship Charter (Appendix A) for formal public consultation planned for summer 2023.

- (2) That the Cabinet agreed that the HGGT Director, in consultation with the Chair of HGGT Board be authorised to make minor amendments to the HGGT Stewardship Charter prior to publication for consultation.

23 HOUSING RESIDENT INVOLVEMENT STRATEGY

The Regulator of Social Housing (RSH) regulated registered providers of social housing to promote a viable, efficient, and well-governed social housing sector, which was able to deliver homes that met a range of needs. The regulatory framework for social housing in England was based on three economic standards and four consumer standards that all registered social housing providers must adhere to. This included the Tenant Involvement and Empowerment (Consumer) Standard 2017. Meaningful resident involvement was a key part of delivering sustainable communities and helped to improve the quality of life of our residents, as well as giving residents a voice to shape future decisions and improve services. The EFDC Resident Involvement Strategy 2022/27 provided a new framework for resident involvement, which recognised that there was no 'one size fits all'. It set out a wide range of engagement opportunities for residents to 'Get Involved' as much or as little as they might wish, based on their interests, time available and preferred method of communication. The Leader, Councillor C Whitbread, presented the report and answered members questions.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

Decision:

- (1) That the Cabinet endorsed the Resident Involvement Strategy 2022/27.

24 ANY OTHER BUSINESS

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

25 EXCLUSION OF PUBLIC AND PRESS

It was agreed that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below on grounds that they would 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
14	Waste Collection Services – Future Delivery Options	3

26 WASTE COLLECTION SERVICES – FUTURE DELIVERY OPTIONS

Councillor R Balcombe (Contracts, Service Delivery and Improvement Portfolio Holder) and J Warwick (Contracts Service Director) introduced the report, which was discussed in private session and answered the Committee's questions.

Decision:

- (1) That the Cabinet agreed that the preferred option for the future delivery of Waste Collection Services was to be delivered through a wholly owned Epping Forest District Council (EFDC) subsidiary (option 2 in attached waste options report, Appendix 1).

- (2) That the Cabinet agreed that this programme of work would be sponsored by Epping Forest District Council's Chief Operating Officer and project ownership by Service Director Contracts.
- (3) That the Cabinet agreed to continue to work with OPS Ltd in their role as project management and implementation support.
- (4) That the Cabinet agreed to stop the procurement for a waste contractor and not to proceed with Stage 2 of the procurement process.

CHAIRMAN

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Report to the Cabinet

Report reference: C-012-2023/24

Date of meeting: 18 Sept 2023



**Epping Forest
District Council**

Portfolio: Place (Cllr Nigel Bedford)

Subject: Latton Priory Strategic Design Code

**Responsible Officer: Nigel Richardson / Krishma Shah
(kshah@eppingforestdc.gov.uk)**

Democratic Services Officer: V Messenger (democraticservices@eppingforestdc.gov.uk)

Recommendations/Decisions Required:

(1) To agree that the Draft Latton Priory Strategic Design Code (Appendix A) be approved for public consultation for a six-week period, and;

(2) To agree that the Planning Services Director, in consultation with the Place Portfolio Holder be authorised to make minor amendments to the Draft Latton Priory Strategic Design Code prior to publication for consultation.

Executive Summary:

EFDC were awarded £120,000 by the Department of Levelling Up, Homes and Communities (DLUHC) to produce a design code for the Latton Priory Strategic Masterplan area; one of the three Harlow and Gilston Garden Town (HGGT) communities within, or part of, the District. The Council's adopted Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires '*Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans*' for Strategic Masterplan sites. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants and endorsed at Cabinet on 10.07.2023.

Building on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan (Policy SP4 Garden Communities), the strategic design code establishes site-wide strategies and requirements under key themes, including nature, movement, public spaces, built form, identity and resources. The design code focuses particularly on strategies to encourage sustainable movement and create a high-quality public realm with the aim of realising a vibrant and resilient new neighbourhood in line with the Garden Town Vision. As well as supporting Policies SP2 and SP3, The Latton Priory Strategic Design Code supports other policies within the adopted Local Plan, including those relating to green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

This report provides members with an update on the aims, objectives and scope of the Latton Priory Strategic Design Code and confirms the proposed consultation timescales on the Draft design code document. The intention is that following the consultation and any updates arising that the Final Design Code will be brought back to Cabinet for endorsement as a material consideration in the determination of planning applications for the Latton Priory strategic masterplan area.

Reasons for Proposed Decision:

- To ensure that members are kept fully up to date on the progress of the Latton Priory Strategic Design code.
- To comply with the Council's general obligations as a local planning authority and the requirements set out in national planning guidance.
- To ensure that future development proposals for Latton Priory meet the District and Garden Town ambitions for high-quality, sustainable development.

Other Options for Action:

- Not to agree the Latton Priory Strategic Design Code can be published for consultation, which would mean that there would be no authority-led design code to guide the delivery of development on the Latton Priory Masterplan Area and help to achieve the Garden Town ambitions and Local Plan objectives of high-quality and sustainable growth.

Report:

1. Following a successful bid, EFDC were one of 25 authorities that were awarded funding to produce local design codes by the Department for Levelling Up, Homes and Communities (DLUHC) under the Pathfinder Pilot Programme. This followed the publication of the National Model Design Code (NMDC) and an update to the National planning Policy Framework (NPPF) in 2021 that requires that *'all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Model Design Code, and which reflect local character and design preferences'*.

2. The funding is being used to produce a design code to set design standards for the Latton Priory Strategic masterplan area, allocated in the Local Plan as one of three new Harlow and Gilston Garden Town (HGGT) communities within, or part of, EFDC. The intention is for the final strategic design code to be endorsed to have material weight as a planning consideration for future developments proposals within the Latton Priory masterplan area.

4. The draft strategic design code establishes site-wide strategies and requirements in line with the Garden Town Vision and Local Plan Policies including those relating to Strategic Masterplans and Garden Communities (Policies SP2, SP3 and SP4), green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

Context

5. The Latton Priory Masterplan Area is located to the south of Harlow immediately outside the urban area, within the administrative area of EFDC. It is located in Hastingwood, Matching and Sheering Village Ward and North Weald Bassett Parish.

6. The Local Plan Policy SP4 (Garden Town Communities) envisages that the Latton Priory site will deliver a minimum of 1,050 homes, 1ha of employment land, up to 5 traveller pitches and a range of infrastructure and facilities including, amongst others, a primary school, a secondary school (or an all-through school), sustainable drainage systems, suitable alternative natural greenspaces (SANGs), a local centre, and a sustainable transport corridor connecting the site to Harlow centre and beyond.

7. The Council's Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires '*Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans*' for Strategic Masterplan sites.

8. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants with input and scrutiny from EFDC officers and HGGT partners. The Latton Priory SMF was endorsed at Cabinet on 10.07.2023. The strategic design code is being produced by the EFDC Planning Implementation Team and builds on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan.

9. Whilst it is intended that the strategic design code informs all future proposals, there may be limited scope to shape the outline application if one is submitted prior to final endorsement of the design code but the strategic design code will help to inform design discussions and will be used to guide future Reserved Matters Applications.

Aims and Objectives

10. Through the funding received and the opportunity to produce an authority-led design code, the primary aim is to embed high-quality, sustainable and coordinated design into the strategic development framework, consistent with the principles set out in the National Model Design Code (NMDC), National Design Guide (NDG), local and national policy and HGGT principles.

11. Within this is an objective to embed community and stakeholder aspirations into the development framework and provide clarity about design expectations for communities and stakeholders, which should help to smooth the planning process at later stages and accelerate housing delivery.

12. The design code is intended to be a clear and straightforward tool for those preparing future planning applications and for those assessing future planning applications. It is intended to put in place key strategic principles that are essential to meet the keys aims for the new Garden Community whilst also providing flexibility and inspiring creativity and innovation in future proposals.

13. By producing the design code predominantly in-house and through utilising best-practice in the design code process, it is envisaged that in-house design and engagement skills will be enhanced and that the learnings and outcomes will be used to improve the quality of processes and output on other Strategic Masterplan sites and Garden Communities.

Design Code Process

14. The design code process has largely followed the guidance set out in the 'National Model Design Code Part 1 – The Coding Process', which describes the stages of Analysis, Vision and then Code. In the context of the Latton Priory Strategic Masterplan Framework development by the site promoters' consultants, some of the stages were adapted to reflect the existing baseline information available and the opportunity to coordinate with the emerging masterplan framework.

15. Baseline analysis included a review of relevant policy and guidance documents for the District and the Garden Town as well as key national policy and guidance. The following documents helped to inform the vision, scope and content of the strategic design code:

- EFDC Local Plan
- HGGT Vision including 'principles for healthy growth'
- HGGT Design Guide

- EFDC Green Infrastructure Strategy
- EFDC Latton Priory landscape character assessment
- EFDC/ HGGT Sustainability Guidance
- HGGT Transport Strategy
- HGGT Healthy Garden Town Framework
- HGGT Latton Priory Access Study
- HGGT Measures to achieve mode share
- HGGT Transport Strategy
- HGGT Sustainable Transport Corridor placeshaping principles
- HGGT draft stewardship charter
- HGGT quality of life survey recommendations

16. Existing information on the site held by EFDC and gathered as part of the allocation and SMF process informed the understanding of the existing place. This was supplemented by officer site visits and helped to inform a site-specific vision and design code.

17. To avoid duplication of previous consultations, community views were incorporated at analysis stage through a review of the previous consultations undertaken as part of the Latton Priory SMF process. This included feedback from themed workshops held in 2019 on 'Sustainable movement and transport', 'nature, green and open spaces, landscape and water', 'community hub and stewardship' and 'homes and living'. Emerging Neighbourhood Plan' policy ideas for the 'North Weald Basset Neighbourhood Plan' were also reviewed to understand local priorities and aspirations.

18. Officers were engaged at the analysis through online workshops to help inform the project scope and priorities. These were attended by a variety of EFDC teams, such as Community and Wellbeing and Homes and Communities as well as officers from the Garden Town and partner authorities including Harlow, Essex and East Herts.

19. The baseline information analysis informed a set of design ambitions to be achieved at Latton Priory through the strategic design code work. The design ambitions are intended to be site-specific, concise and shaped to fit in with NMDC themes. For each design ambition, a set of objectives and strategies were established to describe how those ambitions can be achieved, and these inform the strategies and rules that follow in the code. Baseline analysis and resulting strategies and objectives are collated in a Stage 1 report.

20. Specialist transport consultants were appointed to reviewing the site-wide strategies and produce code for street and junction types to help support the Garden Town target for 60% of journeys starting in the new Community to be via active or sustainable modes.

21. In order to ensure that the emerging design code addressed the needs of residents who might be otherwise under-represented, a series of public-realm focused design workshops were held with primary and secondary school children in Epping and Harlow as well as Harlow Youth Council members. A workshop was also held with a group of older people through Voluntary Action Epping Forest. The workshops were organised by Rainbow Services and jointly facilitated by EFDC officers and Rainbow Services.

22. The draft strategic design code has been produced through partnership working in the context of its location and Garden Town status. Regular input has been provided by the HGGT Placeshaping and engagement workstream and there has been liaison with the HGGT quality of life monitoring and stewardship charter development teams. Regular workshops were held with officers from Essex County Council Highways and Harlow Council. Workshops were also held with the site promoters' consultants to facilitate coordination between the SMF and the emerging code.

23. The development of the design code has been supported and monitored throughout by DLUHC and the Office for Place. This has included two design reviews with specialist expertise at the Design Council. In line with EFDC requirements for strategic sites, the draft design code has also been reviewed twice by the EFDC/ HGGT Quality Review Panel to ensure that it is successfully addressing the key aims of the District and the Garden Town. The latest QRP report is attached as an appendix to this report.

24. A HGGT Member Briefing took place on Thursday 31st August, with invites to HGGT Board Members, EFDC and HDC Cabinet members and relevant local ward and parish councils in both Epping Forest and Harlow Districts. The Design Code Project team presented the draft Strategic Design Code and consultation plan. Members were then invited to ask questions or provide comments on the presentation. These included queries/ comments on:

- securing timely delivery of public assets and infrastructure,
- strategies for encouraging active travel and the use of car barns to reduce the impact of car parking on the public realm,
- accessibility of streets including shared surfaces and the design of open spaces,
- accessibility of the consultation including the use of digital and in-person engagement,
- provision of healthcare facilities,
- the use of modal filters to create quiet streets and a permeable street network for walking and cycling,
- legibility of the coding plans,
- EV charging,
- cycle parking,
- separation of cycle lanes and footpaths,
- wider road and transport infrastructure including potential closing of Rye Hill Rd south of the proposed access to cars and STC layout.

These will be addressed during the consultation and will also be used to inform the detailed consultation plan. Where applicable, these will also be addressed in the HGGT strategic transport work that is ongoing.

Design Code Scope and Format

24. The strategic design code addresses the public-realm and the structure of the development at Latton Priory to help deliver a place that is high-quality, coordinated and integrated in its context. By focusing on strategic infrastructure, opportunities of the site and best practice design principles for promoting health, community and social vibrancy and sustainability, the design code seeks to embed foundations of a place where people and nature can thrive, whilst leaving scope for innovation, creativity and variety in future applications and detailed design codes.

25. The scope focuses on those key aspects of the NMDC that strongly relate to the public realm and the design ambitions of the code including 'nature', 'public spaces', 'movement', 'built form', 'identity' and 'resources'. There is a particular emphasis on design that encourages sustainable movement to help meet the modal shift target of 60%. The movement section explores strategies to build in a culture of active and sustainable travel at every scale of design. This is supported by the other sections with the objective of realising a vibrant and resilient new neighbourhood in line with the Local Plan and the Garden Town vision.

26. Each section starts with a site wide strategy diagram or set of site wide strategies setting out the key components of that strategy and accompanied by principles and rules. The components are then described or illustrated. Wording includes general principles followed by a series of 'must', 'must not', and 'should', 'should not' rules and recommendations. The intention is that 'musts' are always followed and 'shoulds' followed unless deviation is justified through technical reasoning or

because an alternative approach better achieves the design ambitions. The format is intended to be legible, straightforward to understand and enforceable.

27. The design code addresses the following strategic topics:

- i. Strategic framework. Includes stewardship strategy building on draft HGGT stewardship charter and sets out requirements for the process of planning, designing and maintaining community assets.
- ii. Nature. Sets out the overall green and blue infrastructure strategy and requirements such as minimum 'urban greening factor' score. Also sets out key design principles of various components of the green infrastructure such as the greenway and street trees.
- iii. Movement. Sets out site-wide strategies that help to achieve the objectives of a high-quality, safe and healthy place where active travel is encouraged. This includes strategies for an active travel network, vehicular movement and a street type hierarchy as well as approaches to parking design, but not parking numbers.
- iv. Public space. Sets out the key requirements for streets and spaces forming the public realm. This includes typical sections and key requirements for different types of streets and key open spaces, such as the community plaza.
- v. Built form. Sets out an approach to typologies and locations for density as well as rules around the building line along various streets to support street hierarchy and character.
- vi. Identity. Sets out requirements for achieving variety in frontages that support wayfinding and local distinctiveness by drawing on aspects of the built form of Harlow and Epping.
- vii. Resources. Sets out key site-specific requirements for climate resilience, mitigation and futureproofing at the masterplan stage such as the need for blocks that work with solar orientation for energy efficiency in use.

Proposed consultation

28. A consultation strategy is being prepared in detail and will include in-person and digital consultation. In accordance with the Council's Statement of Community Involvement (SCI), the Council is required to consult stakeholders and the general public on the draft Latton Priory strategic design code. The proposed period of consultation in line with the SCI is six weeks.

29. Consultation arrangements will be put in place and will be advertised ahead of the consultation, in accordance with the Statement of Community Involvement. The consultation will include required methods for an SPD, including notifications being sent to those on relevant consultation databases, a notice being placed in the local press and hard copies of documents being made available in appropriate libraries and other public points. Other companies and consultees will be notified as appropriate. Engagement and consultation on this document will seek to follow the HGGT Communications and Engagement Strategy principles and respond to the recommendations around engagement and communications practice as noted through the Your Quality of Life project Reflections and Recommendations Report.

30. Given that consultation was recently undertaken on the Latton Priory Strategic Masterplan Framework, particular attention will be given to explaining the role and purpose of the design code within the context of the overall planning process for the Latton Priory Garden Community.

31. Following the consultation, the responses will be collated and where appropriate amendments made to the document. The Latton Priory Strategic design code will then return to

Cabinet for formal endorsement as a material planning consideration. The overall programme towards endorsement is intended to be as follows:

- Sept 2023 – Cabinet approval to commence formal public consultation
- Oct – Nov 2023 – minimum 6-week public consultation
- Dec 2023 – Post consultation revision and finalisation of strategic design code
- Jan 2024 – HGGT Member briefing
- Feb 2024 – EFDC Cabinet for endorsement of strategic design code

Resource Implications:

Remaining DLUHC funding allows for completing the design code, undertaking the consultation and resulting amendments. It is not envisaged that further budget will be required. Consultation will be carried out by officers within the Planning Implementation team.

Legal and Governance Implications:

The work on design codes has been developed in accordance with Government policy (NPPF and NPPG) and Planning Law.

Safer, Cleaner and Greener Implications:

The design code builds on policies in the Local Plan and principles of the HGGT Sustainability Guidance that support sustainable development, to help deliver a place that mitigates contribution to climate change and is designed to withstand a changing climate. Key measures include well considered blue and green infrastructure, strategies to promote and encourage a shift to sustainable modes of travel, site layout principles in line with passive solar design for reduced energy use. Safety is also addressed in public realm design, with the promotion of compact walkable neighbourhoods, maximising natural surveillance and minimising potential clashes between different road users, particularly around play spaces.

Consultation / Scrutiny Undertaken:

Informal engagement was undertaken with officers at EFDC, Essex Highways, HGGT and partner authorities to help establish the focus and scope of the design code. Focused community engagement was undertaken with local school children and older people to understand the public realm needs of underrepresented groups. There have been two EFDC/ HGGT QRP reviews on the emerging design code. A HGGT Member briefing was undertaken on Thurs 31st August. See para 24 of the report for a summary.

Background Papers:

N/A

Risk Management:

The production and use of a design code as a material planning consideration will support the Council's objectives of achieving high quality and sustainable design at Latton Priory and reduce the risk of design that fails to meet the objectives.

Equality:

An Equality Impact Assessment was carried out and there was no significant impact.

Report to Cabinet

Report reference: C-016 2023/24
Date of meeting: 31st May 2023



Portfolio: Finance, Qualis Client and Economic Development – Cllr J. Philip
Subject: Quarterly Monitoring Report – Q3 (Year 4) 2022/23
Responsible Officer: Andrew Small (07548 145665).
Democratic Services: Vivienne Messenger (01992).

Recommendations/Decisions Required:

- (1) Discuss this report and agree any actions required.

1. Executive Summary

- 1.1. The Governance framework for Qualis, as agreed by Cabinet in February 2020, included the requirement that Qualis should report to Epping Forest District Council on its performance Quarterly.
- 1.2. This report presents the second Quarter's monitoring report for the 4th Qualis trading year 2022/23 and covers the period from 1 January 2023 to 31 March 2023. Attached as Appendix A is the Qualis Board monitoring report for Quarter 3.
- 1.3. Performance is measured in the attached report against the business plan targets for 2022/23 contained within the Qualis 1 year Business Plan.
- 1.4. The Qualis group of companies was created by the Council to bring control back to the Council over the direction and style of development and over delivery of key services. Additionally, profits previously paid to, or retained by, third parties are now retained by the Council, significantly reducing the financial challenges faced by the Council at this time.
- 1.5. **Beyond the difficulties and challenges created by the economic factors previously reported, Qualis continues to make positive returns in 3 of its 4 companies, albeit below target levels. As reported last Quarter, Qualis Living is finding achieving targets the most difficult and this is attributed to targets for the year being too optimistic given current economic conditions. This will need to be addressed in the next iteration of the Qualis Business plan, when target will be revised again to reflect current market conditions. Despite the difficult trading conditions, the position still includes almost £2 million of interest payments made by Qualis to the Council (over the previous 12 months) for its lending and these directly support the Council's continued provision of valued services.**

- 1.6. Qualis has significantly improved the quality and ease of understanding of their Board reports for the Shareholders consumption to the point where the commentary in the cover report is now largely duplicating the content of the Board report provided. Consequently, elements of repetition, such as certain tables and narrative are now no longer included in this cover report and instead it focuses on key messages.
- 1.7. **Overall Qualis reports a Quarter 3 loss of £860,105, which is greater than forecast by £723,199 across all companies. This is a deterioration on the Q2 position by £509,387. This is largely attributed to delays in completing the car park and receiving car park income and lower fees for the management of the EFDC assets.**

2. Introduction

- 2.1. The Qualis Shareholder agreement, as agreed by Cabinet in February 2020, includes the following paragraph,

‘The Company shall procure that quarterly management accounts and reports (including a balance sheet, profit and loss account and cash flow statement) containing such information as EFDC may reasonably require are provided to EFDC and EFDC’s Representative.’

- 2.2. The Cabinet resolution also requires that the Council’s S151, as the key conduit between Qualis and the Council, provides a commentary to the Council on the performance of Qualis at each Quarter review.
- 2.3. In compliance with this requirement Qualis has provided the Council with the Quarters’ Management Accounts for consideration.

3. Commentary on the Trading Performance for Quarter 3, 2022/23 (Qualis Year 4)

- 3.1. The Qualis Board report attached at Appendix A has been developed by Qualis to make it more informative and intelligible to the shareholder, in part mirroring the summary previously provided within the cover report. It has now been developed to the point where the detail no longer needs to be extracted and summarised in the cover report as the key information is easily identifiable from the Board report itself. Consequently, the summary cover report has been reduced in length to remove duplication and instead will be used mainly to highlight issues or identify areas of disagreement or concern.
- 3.2. The key points identified are that trading position largely continues in line with the trends highlighted in previous Board reports, without major variation or exception. The trading losses for Qualis Living have increased this Quarter as delays in completing projects are factored in, most notably the car park. The fees for managing the Council’s commercial assets were over also assumed in the Business Plan, as the charging agreement has not been reached when the Plan was prepared. The Quarter’s results include lower expectations in this respect. It is expected that Qualis Living will continue to lose money for the remainder of their trading year, (3 months). This is partly due to the continued difficult trading environment and partly due to overly ambitious targets set for the year, recognising that the two factors are interrelated. Action and revised targets will be set in the forthcoming revision and update of the Qualis Business Plan.

- 3.3. Also of note is that Qualis has restructured some of its companies and an update was sent to all elected members explaining the reasons why this was necessary.
- 3.4. The value of Qualis assets, against which the Council's loans are secured remain broadly equal, as set out in the Tables 5.1 and 6.1 within Appendix A. This remains a critical shareholder test and will be regularly reported.
- 3.5. Qualis Net Worth has reduced to negative £6.3 million, reflecting the addition of the reported loss for Q3.

4. Resource Implications

- 4.1. The Epping Forest District Council Budget and Medium-Term Financial Plans partly rely on interest paid by Qualis for the loans the Council has given. Delays in obtaining Planning consent, issues around title and delays in completing the loan agreements all have an impact and can mean that actual payments to the Council vary below those expected in 2022/23. The Budget for 2023/24 recently approved by Council provides a contingency provision to smooth fluctuations caused by events outside of the Council's control.

5. Legal and Governance Implications

- 5.1. None contained within this report.

6. Safer, Cleaner and Greener Implications

- 6.1. None.

7. Consultation Undertaken

- 7.1. None

Background Papers

Group Company Governance Document – Cabinet 6 February 2020

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MEETING: EMT / EXCO
DATE: 25th July 2023
TITLE: June Finance Report
PRESENTED BY: Andy Howarth, Interim Finance Director
 Frances Malone, Finance Manager
ACTION: TO NOTE the contents of the report

2. Recommendation

1.1 This report is to review and note and no decisions are required.

2.0 Executive Summary

2.1 QGL YTD surplus is on budget, and cost savings have been passed on to group companies through lower recharges. QPS surplus is ahead of budget YTD by £57k. QCL is under budget by £158k. QLL is under budget by £621k.

2.2 Group assets and WIP are analysed at paragraph 5 and it should be noted that WIP related to Qualis costs will be analysed out across the development projects before the September Qualis year end. There will also be a movement of capitalised interest from the expenditure shown in QLL to WIP where it is appropriate to do so.

2.3 Group debt of £73m is further broken down at Paragraph 6.

2.4 The group cash balances at the end of the month were £2.2m.

3.0 Company Financial Performance

2.5 Qualis Group Ltd

2.5.1 Essentially this reflects the recharge of central costs to the group companies and should not show any significant variances. Rather than charge a fixed monthly central contribution, recharges have followed expenditure during the year but with the objective of continuing to generate a 5% net surplus on cost.

Group	YTD			Full YR		
	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue	1,820,180	1,899,001	(78,821)	2,355,555	2,532,000	(176,445)
Expenditure	(1,733,504)	(1,811,970)	78,466	(2,243,148)	2,412,000	168,852
Profit/Loss	86,675	87,031	(356)	112,408	120,000	(7,592)

2.0 Qualis Property Solutions Ltd

2.0.1 Broadly, there has been a greater through-put of activity than anticipated in the approved budget, with performance varying within the different workstreams. The overall performance, however, has been that QPS has delivered an overall surplus on the additional activity.

2.0.2 Examples of the drivers behind the increased revenue are the number of larger voids we are receiving, and the Loughton High Rd works both of which had not been budgeted for.

2.0.3 Electrical & Planned revenue streams are still behind budget and operations are looking at the workings for these revenue streams in more detail.



Property Solutions	YTD			Full YR		
	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue	9,728,727	8,874,99	853,737	13,174,959	12,321,222	853,737
Expenditure	(9,438,749)	(8,641,932)	(796,817)	(12,776,158)	(11,979,341)	(796,817)
Profit/Loss	289,978	233,058	56,920	398,801	341,881	56,920

2.1 Qualis Commercial Ltd

2.1.1 The budget included an assumption that Work in Progress would be shown as operating costs with income transferred to cover these costs. This approach has been reviewed and the accounting entries for the year to date now show the transfer to WIP within the expenditure section and not as income. The income shown relates to fees received.

2.1.2 All expenditure has been moved to WIP and the revenue is generated by Development Advice to EFDC for North Weald & Bakers Lane. Expenditure is made up of the interest paid on the working capital loan.

Commercial	YTD			Full YR		
	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue	52,075	1,323,000	(1,270,925)	69,433	1,764,000	(1,694,567)
Expenditure	(150,548)	(1,263,000)	1,112,452	(230,073)	(1,684,000)	1,453,926
Profit/Loss	(98,473)	60,000	(158,474)	(160,641)	80,000	(240,641)

2.2 Qualis Living Ltd

2.2.1 The Revenue line captures income from the investment properties in Leatherhead, Coventry & Maldon, but anticipated income of £309k from new investments will not materialise. Income also includes management fees for the EFDC portfolio, now forecast to be £450k, £250k less than the budget of £700k.

2.2.2 Cottis Lane Car Park will be completed later than anticipated which will result in under-performance against the income budget of £300k expected in the last quarter of this year with only £50k included in budget for income in September.

2.2.3 The Expenditure line is made up of Costs, Overheads, and Loan interest on Asset and Construction loans. The full cost of expected loan interest for the year is now included in forecast which produces a negative variance of £465k. This cost will be reduced towards the September Qualis year end when we establish how much interest can be included in assets and WIP to align with development costs incurred.

Living	YTD			Full YR		
	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue	2,035,619	2,310,750	(275,131)	2,713,488	3,378,000	(664,512)
Expenditure	(3,173,902)	(2,827,745)	(346,158)	(4,231,314)	3,770,326	(446,988)
Profit/Loss	(1,138,284)	(516,995)	(621,289)	(1,517,827)	(392,326)	(1,125,501)

2.3 Combined Profit / (Loss)

Overall Profit/Loss	(860,105)	(136,905)	(723,199)	(1,167,259)	149,555	(1,316,815)
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4.0 Balance Sheets

2.0 The summary combined Balance sheet is as follows.

All Company Combined Balance Sheet as of 30th June 23

Fixed Assets	Freehold Property	33,161,237
	Office Equipment Net book value	68,416
	Motor Vehicles Net book value	39,528
	Total Fixed Assets	33,269,181
Intangible Assets	Debtors - Unpaid share capital	4
	Uncategorised	
	Total Intangible Assets	4
Current Assets	Debtors Control Account	2,462,502
	Other Debtors & Prepayments	276,324
	Accrued Income	365,637
	Recharges	0
	Deferred Income	(576,123)
	Natwest Current Account	2,202,782
	WIP Project Cost's	34,204,611
	Total Current Assets	38,935,734
Current Liabilities	Creditors Control Account	2,231,874
	Other Creditors & Accruals	1,504,470
	Total Current Liabilities	3,736,345
Total Assets less Current Liabilities		68,468,575
Long Term Liabilities	Loans received EFDC	77,052,500
	Loan Repayments	(3,954,381)
	Provision for Deferred Tax	1,689,369
	Share Capital	0
Total Long-Term Liabilities		74,787,488
Net Assets		(6,318,913)
Capital Employed	Profit and Loss Account	(5,458,809)
Unposted Profit	Retained Profit /Loss	(860,105)
Total Capital Employed		(6,318,913)

2.1 **Assets analysis**

2.2 The asset values shown in the combined balance sheet can be analysed by company as follows:

Asset Breakdown	QGL	QPS	QLL	QLL	Total
Freehold Property	0	0	33,161,237	0	33,161,237
Office Equipment	64,227	4,189	0	0	68,416
Motor Vehicles	0	39,528	0	0	39,528
					33,269,181
Debtors Control Account	925,215	1,363,802	63,238	110,247	2,462,502
Prepayments	78,785	192,280	(0)	5,260	276,324
WIP Project costs			34,204,611	(0)	34,204,611
Accrued Income	0	113,847	251,791	0	365,637
Deferred Income	0	0	(576,123)	0	(576,123)
Bank Account	331,922	1,294,714	557,112	19,034	2,202,782
					38,935,734
Total Assets	1,400,148	3,008,359	67,661,867	134,541	72,204,915

2.3 The key lines to note in the assets analysis are the Property and Work in Progress lines which can be further analysed by asset/scheme as follows.

Combined Assets & WIP	Inv Assets	Dev Assets	WIP	Total
Birchwood Building	14,225,000			14,225,000
Greenfields House - Coventry	8,640,000			8,640,000
Wycke Hill - Maldon	6,820,000			6,820,000
Conder		2,057,116	3,957,220	6,014,336
Cottis Lane		3,477,092	8,953,567	12,430,659
St John's Road		7,849,619	3,884,778	11,734,397
Roundhills		1,395,508	880,771	2,276,279
Pyrles Lane			182,382	182,382
Cartersfield Road			252,726	252,726
Centric Parade			6,500	6,500
Hemnall Street			495,381	495,381
INFA BAKERS LANE			24,290	24,290
Qualis Homes Ltd			62,691	62,691
OVERHEADS TO BE DISTRIBUTED OVER PROJECTS			4,202,062	4,202,062
Total Assets	29,685,000	14,779,335	22,902,368	67,366,703

2.4 The shading in the table matches the shading in the loan analysis below to represent the correlation between loans drawn and project costs incurred.

2.5 The movement on WIP of in the month is circa 2m. The majority is Cottis Lane & Conder developments.

6.0 Loans

2.6 There are no loans recorded within QPS and QCL. The loan facilities are designed to enable borrowing in QGL which can then be on-leased to the other group companies. The Group debt is effectively being carried within QLL and the loan schedule is as follows.

Loans Summary by Company	Term	Facility	Drawn	Repaid	Balance	Available
		£m	£m	£m	£m	£m
Working Capital Loan	5	6.0	8.6	(2.6)	6.0	-
Investment Asset Purchase	10	30.0	30.0	-	30.0	-
Development Advance Loan	5	6.0	6.0	(0.4)	5.6	0.4
Construction Loan	30	62.0	17.8	(0.3)	17.5	44.5
EFDC Asset Purchase	30	14.8	14.8	(0.7)	14.0	-
EFDC Asset Purchase (Hemnal)	30	2.0	-	-	-	2.0
Regeneration Loan	-	35.0	-	-	-	35.0
Total Loans		155.8	77.1	(4.0)	73.1	81.9

- 2.7 The Working Capital loan has now been fully utilised, including further drawings to repay a historic debt for secondment fees to EFDC. A repayment holiday has been agreed on this loan whereby the January and July principal repayment instalments have been postponed.
- 2.8 The Investment Asset Purchase Loan of £30m correlates to the first three lines in the asset analysis in Paragraph 5 above.
- 2.9 The EFDC Asset Purchase Loan represents the initial purchase of the EFDC development assets.
- 2.10 The Development Advance Loan and the Construction Loan combined facility is £68m with a 30-year term. The advance loan is repayable over 5 years. The two loans combined have funded the project cost WIP itemised in Paragraph 5 above.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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