

# EPPING FOREST DISTRICT COUNCIL CABINET MEETING MINUTES

Monday 9 December 2024, 7.00 pm - 7.42 pm

**Council Chamber, Civic Offices, High Street, Epping**

<b>Members Present:</b>	Councillors C Whitbread (Chairman), N Bedford (Vice-Chairman), R Balcombe, P Keska, S Patel, K Rizvi, H Whitbread and K Williamson
<b>Other Councillors:</b>	Councillors R Baldwin, R Brookes, S Murray, M Owen, J M Whitehouse and G Wiskin
<b>Apologies:</b>	Councillor T Matthews
<b>Officers In Attendance:</b>	Tom Carne (Corporate Communications Team Manager), Nick Finney (Interim Implementation Team Manager), Jennifer Gould (Strategic Director and Chief Operating Officer), Vivienne Messenger (Democratic Services Officer), Steven Mitchell (PR Website Editor), Andrew Small (Strategic Director, Corporate and Section 151 Officer) and James Warwick (Service Director (Contracts, Partnerships and Procurement))
<b>Officers In Attendance (Virtually):</b>	Therese Larsen (Democratic Services Officer)
<b>Also in attendance:</b>	Loughton Town Councillor D Wixley

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

### 70 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.

### 71 DECLARATIONS OF INTEREST

Pursuant to the Council's Members' Code of Conduct, Councillor S Murray declared a non-pecuniary interest in the item on the Infrastructure Funding Statement by virtue of being Vice-Chairman of Loughton Town Council's Recreation Committee and was a member of the Epping Forest Heritage Trust.

### 72 MINUTES

#### **Decision:**

That the minutes of the Cabinet meeting held on 11 November 2024 be taken as read and signed by the Leader as a correct record.

### 73 REPORTS OF PORTFOLIO HOLDERS

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

**74 PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET****(a) Public Questions**

None were received.

**(b) Requests to address the Cabinet**

Loughton Town Councillor D Wixley addressed the Cabinet on the Infrastructure Funding Statement report in relation to the Roding Valley Recreation Ground (RVRG) Enhancement Project, as he was the Chairman of the Recreation Committee. The Town Council had signed a 125-year lease dating from 2006 for the RVRG. Although the RVRG included land in Buckhurst Hill, the Parish Council had not signed the lease in 2006. In 2022 the RVRG was designated a SANG (Suitable Alternative Natural Greenspace) in the District's Local Plan. Since then both he and Town Councillor S Murray had attended a site visit that involved the ward Town Councillors and District Councillors. D Wixley remarked that Loughton Town Council could help in the process, as its councillors had a good local knowledge, so it was useful the enhancement project would receive this funding.

The Shaping our District Portfolio Holder (Councillor K Williamson) assured D Wixley that the Town Council would be part of the process in every way in developing a master plan, as well as the Essex Wildlife Trust regarding the Roding Valley Meadows Nature Reserve and District councillors.

**75 OVERVIEW AND SCRUTINY**

The Chairman of the Overview and Scrutiny Committee reported on the last meeting held on 19 November and remarked that members were waiting for responses from Transport for London, which had attended a special meeting of the committee on 29 October. The Committee had scrutinised the Quarter 2 Organisation Performance Outturn and Priority Projects Update, Quarter 2 Budget Monitoring Report 2024/25 and the Review of Council Tax Empty and Second Homes Premiums report. A special meeting of the Committee would be held on 10 December to consider the development of the draft budget proposals for 2025/26, which would not be webcast.

**76 INFRASTRUCTURE FUNDING STATEMENT**

The Shaping our District Portfolio Holder introduced the report. Appendix 1 set out the proposed Infrastructure Funding Statement for the District for 2023/2024 and detailed the s106 legal agreements completed in that year, the types and values of contributions included in the agreements and the monies paid to the Council.

The Portfolio Holder replying to questions from Councillor G Wiskin advised he would come back with information on the amount spent of the s106 funds retained, which amounted to £3,164,600 and the interest on the money. The Portfolio Holder would provide information after the meeting on what had been spent of the £257,148 on air quality mitigation and work completed using ANPR (Automatic number plate recognition) data. Much of the work had been done on this massive project and when Cabinet received the findings, it would pass on this information to other councillors. Councillor N Bedford added that the Corporation of London was doing additional work on air quality monitoring and the ANPR cameras provided part of that data, but it had taken a significant amount of time.

Councillor S Murray understood these monies were to make small-scale, general use improvements to maintain paths, for example, on the RVRG, which could be used by the public as an alternative to Epping Forest. The Portfolio Holder agreed that was correct along with enhancements to the Roding Valley Meadows Nature Reserve.

The Portfolio Holder confirmed to Councillor M Owen that air quality was being monitored at Bell Common, Epping. Clarifying if the cost of building near the Forest could be increased, the Portfolio replied that outside consultants had assessed the figures for the effects of traffic on the Forest and other health issues. Councillor N Bedford advised that the Council had been guided by Natural England who had supported a methodology for 3 km and 6.2 km boundaries around the Epping Forest Special Area of Conservation. Two separate figures were provided for being inside or outside these boundaries.

The Portfolio Holder answered questions on the Infrastructure Delivery Plan (IDP), a live document, published in 2020. Councillor G Wiskin said it concentrated on cycle paths, but it was very hilly in Loughton and was peak time traffic management going to be updated. The Portfolio Holder stated that cycling and modal shift were the way forward. There was a huge effort to do this particularly for the Harlow & Gilston Garden Town. When the CIL (Community Infrastructure Levy) came in next year, this would help EFDC to do more. Councillor Jon Whitehouse remarked that the IDP rested on an evidence base even older than 2020 that would become out of date and encouraged the Council to check the IDP at least once a year against recent transport studies and updates with other parties including Essex County Council.

The Portfolio Holder replied to Councillor Jon Whitehouse that officers did work hard to progress s106 agreements, but planning applications could not go ahead until the s106 was in place and had been paid by the applicant/developer.

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

**Decision:**

- (1) That the Cabinet agreed the Infrastructure Funding Statement 2023/2024 (Appendix 1 of the agenda report) for online publication by 31 December 2024.
- (2) That the Cabinet agreed the Delivering Infrastructure in the District: Developer Contributions Strategy monitoring fee schedule be adjusted to set a minimum monitoring contribution of £150.

**77 WASTE OPERATIONS HUB**

The Contracts Delivery Portfolio Holder (Councillor R Balcombe) introduced the report. Stage one of the contract was almost complete with the successful delivery of the interim facility and the completion of the permanent design and associated pricing. However, the temporary facility incurred additional costs above those estimated and included additional temporary fencing, drainage repairs and higher costs for the temporary workshop. The anticipated costs for the permanent facility were higher than originally estimated particularly the drainage arrangements, which were £608,000 over the tendered allowances. Other items included additional design fees, additional preliminary works and ground risk allowance.

In reply to Councillor G Wiskin on whether this was cheaper than using an external operator or had the project been 20% underfunded, the Contracts Service Director (J Warwick) explained the works were more than the original estimate because of the complex drainage requirements on site. The Council did not have a waste depot; therefore, a facility was required. If EFDC had gone out to procurement for a waste contractor as opposed to setting up Terra Verde Services (TVS) Ltd, a waste depot would still be required. EFDC could pay to provide this or ask a waste contractor to provide one, but this cost would then be factored in the contract price, which would mean EFDC would still pay for a waste depot. The Leader clarified the Council had undertaken a tender process for the building works, not TVS.

Councillor S Murray supported bringing waste collection in-house. If EFDC had gone the other route with Biffa would the Council still have built a hub? The Service Director confirmed this was the best option for the Council's taxpayers. Councillor S Murray was concerned that £608,000 was a lot extra than the tendered amount. The Service Director replied that drainage requirements incorporated into the permanent facility would encompass washdown facilities and fuel was on the complex.

Replying to Councillor Jon Whitehouse the Service Director explained that contractors did not have access to do groundwork surveys, so the drainage issues were only identified afterwards. The Strategic Director & Chief Operating Officer (J Gould) remarked that a briefing note could be included in the minutes. Please see briefing note below:

*"The contributing factors for the final contract sum being higher than the initial cost estimate are:*

- The initial estimate was undertaken without the benefit of any formal drainage design and as such was based on a crude £/sqm calculation.*
- The initial estimate was undertaken without the benefit of any ground investigation information (ground is clay - limited opportunity for soakaways).*
- The initial estimate was undertaken without the benefit of any existing drainage system condition information.*
- The design that was produced has required the use of large (below ground) attenuation tanks which have been necessitated by the ground conditions/ existing drainage system and the proximity to the Airfield (no bodies of open water are permitted in close proximity to the Airfield).*
- The use of a crated attenuation system has increased the amount of excavation and amount of material to be taken off site or placed elsewhere on site."*

Councillor M Owen asked if the Council would pay for third party drainage, to which the Portfolio Holder replied, yes, the Council must provide a hub for waste operations, but Biffa was the only other operator with a hub.

Replying to Councillor S Murray, the Strategic Director & 151 Officer (A Small) advised that the revenue income from £1 million would have been between £45,000 to £60,000, which the Council could have used on revenue expenditure.

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

**Decision:**

That the Cabinet recommended to Council the approval of the additional £1,031,046 allocation within the Capital programme for the construction of the Operations Hub at North Weald Airfield.

**78 ANY OTHER BUSINESS**

The Leader advised that the extra Cabinet meeting on 19 December 2024 had been cancelled and all business from that meeting would be determined by the Cabinet at the next meeting on 13 January 2025, which would include the Draft Budget 2025/26.