

## **EPPING FOREST DISTRICT COUNCIL CABINET MINUTES**

**Committee:** Cabinet **Date:** 6 September 2018

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 7.55 pm

**Members Present:** C Whitbread (Chairman), S Stavrou (Vice-Chairman), N Avey, H Kane, A Lion, J Philip, G Mohindra and S Kane

**Other Councillors:** R Baldwin, N Bedford, L Burrows, S Heather, R Morgan, C C Pond, C P Pond, M Sartin, D Stocker, H Whitbread and J M Whitehouse

**Apologies:** A Grigg

**Officers Present:** D Macnab (Acting Chief Executive), G Blakemore (Strategic Director), T Carne (Public Relations and Marketing Officer), S Devine (Private Sector Housing Manager), Q Durrani (Service Director (Contracts & Technical Services)), S Hill (Service Director (Governance & Member Services)), J Twinn (Assistant Director (Benefits)), P Maddock (Assistant Director (Accountancy)), P Maginnis (Service Director (Business Support Services)), A Hendry (Senior Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

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### **17. 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.

### **18. DECLARATIONS OF INTEREST**

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

### **19. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting of the Cabinet held on 14 June 2018, be taken as read and signed by the Leader as a correct record.

### **20. REPORTS OF PORTFOLIO HOLDERS**

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

### **21. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET**

In order to give the proposed question some context the Chairman allowed the public speaker to firstly make his statement to the meeting and then follow it up with his question.

### **Request to address the Cabinet**

The Cabinet heard from Mr T Owen, Vice-Chairman of the Loughton Broadway Town Centre Partnership who made a statement on the proposed parking tariff review report on the agenda that night.

Mr Owen said the Loughton Broadway Town Centre Partnership consistently had parking as an agenda item at its meetings.

They had noted that the report included the intention to help local businesses and that car parks could also be treated individually (such as the one in Roydon).

The report also noted that there was a lack of parking provision in the Debden Broadway area. To address that there was the proposal to increase the Resident Parking Permit by £2 per annum and the acknowledgement that a review of the parking in the Broadway was carried out.

It was well known that parking has been a contentious issue in Debden for some time and they did not believe that the proposals improve the situation – especially the proposed reduction in free parking at a time when traders were experiencing the impact of three hours free parking in the Epping Forest Shopping Park.

The Broadway Traders and Loughton Broadway Town Centre Partnership believed that the report had missed the opportunity to make realistic but innovative and helpful proposals that if adopted would benefit the local community. They would like to suggest that there were simple measures that could make a difference to the traders, residents and customers, and ask that serious consideration be given to them:

- One-hour free parking in Vere Road and Burton Road and Burton Road South at all times;
- Re-designation of Burton Road as a Short Stay car park and Vere Road as a Long Stay car park to help manage the out of area commuter use; and
- One hour free on Saturday and £1 all day in both Burton Road, Vere Road and Burton Road South (they noted that there was a £1 all day charge as in Cottis Lane Epping which was a short stay car park) .

### **Public Questions**

Mr Owen then asked the following question on behalf of the Loughton Broadway Town Centre Partnership on the Parking Tariff Review report:

“How does the EFDC, and in particular the Cabinet, think that by accepting the ‘Parking Tariff review of council car parks’ report, the lives of the residents and traders in The Broadway will be benefitted and enhanced, at a time when traders are experiencing the negative impact of the free parking in the Epping Forest Shopping Park and the use of the car park by commuters?”

The Portfolio Holder for Safer, Greener and Transport gave the following response: “I would like to thank the Loughton Broadway Town Centre Partnership for responding to the consultation on the proposed changes to the parking tariff. I am aware that the Partnership has been liaising with the Portfolio Holder for Asset Management and Economic Development.

The proposed parking tariff review and the changes in the Broadway area is our latest effort to address the ever competing parking requirements of residents, shoppers, short and long stay visitors. We have used local knowledge and user surveys to inform our proposed amendments. We believe the proposed tariff structure strikes a good balance in providing short and long stay parking.

I would like to address the three specific points raised by the Partnership in response to the consultation on the report:

- 1) *One hour free parking in Vere Road and Burton Road and Burton Road South at all times:*

To operate a free period of parking we would have to change pay and display ticket machines to allow car park vehicle registration to be printed to tickets. This is something that the Council has always resisted as it is seen to be inconvenient to motorists. By retaining the 20 pence for 30 minutes, 90 pence for one hour and £1.80 for 2 hours tariff, which is low compared to the surrounding local authorities and London Underground, we are encouraging short stay visits.

The free 3 hours for the Retail Park was a commercial decision to attract new type of retail offering. The Broadway car parks have always been pay and display and offering a free period, of any duration, will not necessarily resolve the parking pressure.

- 2) *Re-designation of Burton Road as a short stay and Vere Road as a long stay car park to help manage the out of area commuter use*

We have no evidence to suggest that Burton Road car park is used by commuters on the London Underground. On the contrary we believe the users of this car park are predominantly local workers and all day visitors. This was the conclusion of our own parking survey carried out earlier in the year, a fact validated by the recent fire incident when the Burton Road Car Park was almost completely empty soon after the fire in the block of flats opposite the car park.

- 3) *One hour free on Saturday and £1 all day in both Burton Road, Vere Road and Burton Road South (we note that there is a £1 all day as in Cottis Lane Epping which is a short stay car park)*

We are not proposing to change the £1 all day in the Burton Road Car Park as this is long stay. Vere Road Car Park will remain unchanged, full short stay tariff will apply from Monday to Saturday just as it would in all other short stay car parks in the District. The rationale of offering full tariff in short stay instead of a £1 all day is to allow higher turnover of parking spaces and encourage short stay shoppers/visitors.

#### **Council's commitment to the Broadway area:**

I would like to draw attention to the long standing commitment of this Council to the enhancement and improvement in the Loughton Broadway area.

The Council is funding the Loughton Broadway Parking Review scheme. First phase addressed road safety and congestion of the highest priority areas and was completed in 2017/18 financial year at a cost of £57,000. The second phase of this scheme covers most of the Debden area and is currently in design phase, public consultation on the proposed changes will commence in October, has so far incurred

expenditure of £41,000. The implementation of this larger scheme will require significantly more expenditure and the Council is committed to delivering this scheme which will improve the road safety, parking congestion and provide safe parking for residents.

Another example of the Council's commitment to Loughton Broadway is the creation of 93 new pay and display parking spaces and the commitment to build a further 44 new spaces once planning permission is obtained for demolition of garages in Vere Road Car Park.

Once all the works are completed there would be a total of 137 new paid for parking spaces in the Loughton Broadway area."

## **22. 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 24 July 2018:

(a) They received a presentation from officers of the Epping Forest Citizen Advice who give them an overview of the work they did in our area. They provided advice on a face to face basis and by telephone and also hold evening pro-bono solicitor's and a family solicitor's rota. They suggested that joint objectives should be agreed between them and us so that it matched more of their core work. They would also like to have better monitoring as at present the monitoring was restricted only to their 5 objectives.

(b) The Committee then reviewed the Council's Forward Plan of Key Decisions and the Transformation Programme report on their project dossier and then reviewed and agreed the membership change to the Resources Select Committee and the work programmes of our committee and the other select committees.

(c) Finally, they hoped to have Stansted Airport in the form of officers from the Manchester Airport Group at their October meeting to answer some questions. The two officers they were expecting were their Planning Manager and their Corporate Social Responsibility Manager. Matters that they would like to cover included the planned expansion of the airport, the handling of increased passenger numbers in the short term and employment opportunities for local residents.

Councillor C Whitbread noted the report and commented that the Council provided generous contributions to the Citizen Advice.

## **23. FINANCE AND PERFORMANCE CABINET COMMITTEE**

The Finance Portfolio Holder presented the minutes of the Finance and Performance Management Cabinet Committee meetings held on 21 June and 26 July 2018.

It was noted that the Cabinet Committee had not made any recommendations to the Cabinet on this occasion.

## **24. ASSET MANAGEMENT AND ECONOMIC DEVELOPMENT CABINET COMMITTEE**

The Portfolio Holder for Asset Management & Economic Development presented the minutes from the meeting of the Asset Management & Economic Development Cabinet Committee, held on 19 July 2018.

It was noted that the Cabinet Committee had not made any recommendations to the Cabinet on this occasion.

## 25. CORPORATE ENFORCEMENT POLICY

The Housing Portfolio Holder introduced the revised Corporate Enforcement Policy.

She noted that the Corporate Enforcement Policy set out the general principles which officers would follow when taking enforcement, that the officers would be suitably trained and qualified to undertake their enforcement activities and have the proper powers delegated to them to assist them in carrying out their role.

This was last amended in December 2015 and it was important that the policy be kept up to date so that it was able to stand up to scrutiny if a member of the public or business makes a complaint relating to the way the Council have handled their case; it provided clarity to residents and businesses in how the Council regulates and minimises the risks associated with failed enforcement action

The policy had now been reviewed and amended, in doing so the policy was also broadened to cover the matters common across all areas of regulation to minimise duplication but did not enter into the specifics of each area of regulation which would be supplemented by separate Enforcement and Service Standards specific to individual areas (such as private sector housing and planning).

Set out in the policy were the general principles of good enforcement that the Council would carry out its regulatory activities in a way that was:

- transparent
- accountable
- proportionate
- consistent

and should be targeted only at cases in which action was needed.

Since the policy was last amended, the way the Council gathered evidence had also changed and the policy had been updated to reflect this. Guidance on the use of Closed Circuit Television (CCTV), aerial cameras/drones and body worn cameras was now included.

The policy also covers the circumstances where the matter falls within the remit of another regulator (such as the Police or Health and Safety Executive). In these circumstances officers would attempt to co-ordinate visits and actions with other agencies to achieve the most efficient and effective outcomes and to minimise inconvenience.

The Policy finally set out what could be expected from the Council, how to complain if someone was dissatisfied with the service and how to contact the Council in the event of a query.

Councillor Philip suggested that the front page of the Policy needed a version date and that item 9 of the policy (Data Protection and Privacy) needed to mention the GDPR rules that had recently come in.

### **DECISION:**

That the amended Corporate Enforcement Policy, be adopted subject to:

- a) That the date of the publication of the policy document be set on the front page of the policy document; and
- b) That under section 9 of the policy (Data Protection and Privacy) the new GDPR be referenced in the text.

**Reasons for Decision:**

The existing policy was last amended in December 2015. It was important the policy was kept up to date to ensure that it both follows operational changes within the Council and legislative changes that may have come into force.

The policy must remain robust and able to stand up to scrutiny in the case that a member of the public or business makes a complaint relating to the way the Council had handled their case, or the decision the Council had made relating to enforcement, and was essential to provide clarity to residents and businesses in how the Council enforced and minimise the risks associated with failed enforcement action.

**Other Options for Action:**

The existing policy was not reflective of current best practice and the amendments are required to bring it up to date. Not to approve the amendments leaves the Council at risk for the reasons outlined above.

**26. LOCAL COUNCIL TAX SUPPORT SCHEME 2019/20**

The Finance Portfolio Holder introduced the report on the Local Council Tax Support Scheme 2019/20. He thanked Ms Twinn and her team for putting this report together. He noted that this was an annual exercise and it had been discussed if was needed again as in previous years there had been a very low response to this consultation exercise. However he thought that it was desirable to enable residents to have a chance to give their views. He noted that there was no recommendations for changes to the scheme but encouraged all residents to respond to the consultation to give the Council feedback on their actions on this subject.

**DECISION:**

- (1) That Members agreed that a public consultation exercise on the Local Council Tax Support Scheme for 2019/20 be undertaken between the end of September and the end of November 2018.
- (2) That consultation was undertaken on the proposal that no changes need to be made to the scheme for 2019/20.

**Reasons for Proposed Decision:**

In previous years every Local Authority was required to approve a Local Council Tax Support scheme by 31 January. However, the Ministry of Housing Communities and Local Government have brought in changes for the 2019/20 schemes and the Local Council Tax Support scheme for the following financial year now needs to be approved by 11 March each year. The 2019/20 scheme for Local Council Tax Support would therefore need to be agreed by full Council on 21 February 2019.

In view of the timescales, consultation needs to be undertaken between September and November 2018. If consultation was commenced later, it would not be possible to complete the consultation and make any amendments to the scheme in time for a further report to Cabinet on 7 February 2019.

**Other Options for Action:**

(1) As it was not intended to make any changes to the current Local Council Tax Support scheme, advice has established that the Council was not required to undertake public consultation. Cabinet could therefore decide not to carry out a consultation exercise for the 2019/20 Local Council Tax Support Scheme. Several other Essex Authorities were not intending to make changes to their schemes for 2019/20 and will not be carrying out any public consultation.

(2) The Cabinet could propose changes to the Scheme.

**27. ESSEX AMENITY STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION**

The Housing Portfolio Holder introduced the report on the Essex Amenity Standards for Houses in Multiple Occupation (HMOs). She noted that Local authorities were responsible for ensuring that the number and location of washing, cooking and toilet facilities in houses in multiple occupation (HMOs) were reasonably suitable for the number of people living in them. Officers have until now been guided by specific standards prescribed by legislation and also locally applied 'Essex Standards' that have been produced collaboratively by Environmental Health Officers across Essex. These assist in deciding whether a licensable HMO was suitable, what if any additional amenities were required through licence conditions and advised landlords of what was expected of them.

The current "Essex Standards" were now outdated as they had last been reviewed in 2012 and it was appropriate that these standards were now reviewed.

She noted that the proposed 'Essex HMO Amenity Standards' produced by the Essex Private Sector Housing Officers Group had been subject to a full consultation across Essex and Cabinet was being asked to approve and adopt these standards as the minimum requirements generally expected in HMOs in the Epping Forest District; which can be used as a guide to landlords operating HMOs and for enforcement officers within the Council.

**DECISION:**

That the 'Essex HMO Amenity Standards' be approved and adopted, as the minimum amenity standards generally required for houses in multiple occupation in the Epping Forest District.

**Reasons for Decision:**

The existing Essex Standards for HMO amenity provisions were outdated, were not fit for purpose and were not formally adopted. They required updating generally and would take account of recent regulations prescribing national minimum standards for room sizes in licensable HMOs.

**Other Options for Action:**

Not to adopt the Essex HMO Amenity Standards – but this would leave officers responsible for enforcing property standards without a suitable benchmark against which to refer when setting amenity requirements in HMOs. This could expose the Council to potential challenge in court and subsequent costs as a result of landlords successfully appealing that the amenity requirements being imposed on them were not fair and equitable.

An option of each local authority producing its own individual standards rather than an Essex-wide standard – but this has been discounted since the consultation results show a preference for a county-wide approach and officers' opinion from Essex councils is that Essex-wide standards will evidence a fair and equitable enforcement approach across the county.

**28. PARKING TARIFF REVIEW ACROSS ALL COUNCIL OWNED CAR PARKS**

The Safer, Greener and Transport Portfolio Holder presented a report reviewing the parking tariffs across the Council owned car parks. He noted that the last tariff review was carried out in 2015. The Council owned car parks were under considerable pressure. Short stay shoppers and workers in town centres routinely complained about the lack of paid for parking. There was a perception, due to Council car parking charges being significantly lower than those at station car parks, that all day parking was taken up by commuters using the London Underground. The demands for parking by Season Tickets holders as well as workers in shops and local businesses regularly outstrip capacity. A number of new car parks have been created in the last few years however this was not enough. This review attempts to simplify the parking tariff, accept the principle of controlling demand by price, help local businesses by keeping the lower charge bands unchanged, gradually removing subsidy from Season Ticket prices, continue the differential tariff across the District, create uniformity in charging on weekends and reinvest some of the additional income in improving and enhancing user experience.

He also took the opportunity to thank Mr Durrani and his team who had worked very hard on this report.

Councillor Philip welcomed the tariff part of the report as it made logical sense especially the retention of the 20pence band as it allowed people to make brief use of our shops. However, he was less convinced by the request for additional funding, he thought the justification in the report was very weak, particularly when looking at about £400k of costs. He understood the need to complete the LED lighting and installing the electrical charging points. However, he was less convinced by the need for environmental enhancements including landscaping and planting. He would like further information before having spent money in 2015 on CCTVs, why we had to spend money again on replacing those CCTVs and why that was not brought up when we looked at CCTV as a whole over the district.

The Portfolio Holder asked if Councillor Philip would be happy to move forward with this if a proviso was put in to provide a more detailed report on the cost breakdown. Councillor Philip agreed as long as they would still have the ability to make separate decisions on each proposal.

Councillor C Whitbread noted that these were all only bids; nothing would be agreed until they had gone through the budget process. He would ask all officers and members bringing forward bids to have the strongest possible arguments as it would be a tough budget round as they trying to keep Council taxes low.



Councillor Chris Pond said that he agreed with most of the proposals but would like to see a programme for the environmental improvements and too this he would like to add lighting improvements as well as there were problems with lighting in the car parks. He also agreed with the speaker at the start of the meeting that the Burton Road and the Vere Road car parks should be exchanged, with the long stay in the less desirable car park for shoppers in Vere Road. He had observed commuters in the Burton Road car park in the morning going to the underground station, which contradicted the survey results. He would like the Portfolio Holder to enter into discussion with ward members to get further on this, especially on the Vere Road and Burton Road car parks. The Portfolio Holder agreed to have a discussion with the relevant ward members.

Councillor Mohindra endorsed the comments that the Leader had made that these were just bids at present. However he thought that the environmental bids were really quite critical and made a significant impact on the residents so he was happy to see that item and had suggested that there was a bit more added such as monitors for air pollution to provide further work and evidence. He also agreed with the point made about lighting in the car parks.

Councillor Jon Whitehouse thought that capacity in the car parks was crucial especially for shoppers who wanted to visit the town and not just for people who parked there all day. He was also concerned by paragraph 2 (f) 'control of car parks by usage of tariff and not length of stay'. This was driven by the limitations of payment by phone and the phone software used. We should put pressure on the company to update their software as we cannot be the only council in this position. He also noted that it relied on displacing people to park in London Underground car parks, but they were full. He was also concerned about the ending of the one day rate in Cottis Lane as there were not the same issues as elsewhere for Saturday parking. The objective here seemed to get all the car parks in line. He asked the cabinet not to increase those Saturday car parking charges. The Portfolio Holder replied that the 'my permit' and top ups were a challenge and the council was conducting robust discussions with them to find a solution. With regard to Cottis Lane, one of the aims was to try make tariffs equitable and standardised across the district as best they could bearing in mind the commuter pressures around the stations.

Councillor Sartin was pleased to see the amended recommendation 6. It was a village car park with a different type of usage than that of a shopping area. She looked forward to having meetings with them to see how best to take this forward. The Portfolio Holder noted that the car park was a bit of an anomaly that had been missed out in previous years; he would be happy to discuss the options available.

The recommendations were agreed as modified to recommendation 3.

#### **DECISION:**

(1) That following a review of car parking tariff in all Council owned car parks carried out under the objectives and principles set out in paragraph 2 of the report the following be agreed to be implemented by 1 March 2019:

- (a) The existing tariff of 20 pence for 30 minutes, 80 or 90 pence for up to one hour and £1.60 or £1.80 for up to 2 hours be retained across the District;

- (b) To accept and retain the principle of differential tariff between the car parks in towns with London Underground stations and rest of the District car parks;
  - (c) That the current tariff structure for stays above 2 hours be replaced with a linear hourly tariff structure as set out in paragraph 6;
  - (d) That short and long stay car parks be retained;
  - (e) To remove the five hour maximum stay in Cottis Lane and Civic Offices Car Parks in Epping and turn them back into short stay car parks with normal tariff from Monday to Saturday;
  - (f) To discontinue Season Ticket holders of Bakers Lane Car Park in Epping from parking in Cottis Lane Car Park;
  - (g) To have the same price for on and off street resident parking permit and to achieve that to increase price from the current £48 to £50 per year;
  - (h) To increase Season Tickets prices in line with all day parking charges and incrementally remove the current subsidy of 15% over the next four years;
  - (i) That the £1 all day charge, payable in some car parks, on Saturday and Sunday is retained and the free period reduced from 2 hrs to 1 hr;
  - (j) In car parks currently free on Saturday or Sunday a £1 all day charge is introduced with a 1 hr free period;
  - (k) All car parks where a full tariff is payable on Saturday will remain as such,
  - (l) The free Saturday, Sunday and Bank Holiday parking during the month of December will be retained; and
  - (m) To continue to allow free parking for Blue Badge holders and motor bikes.
- (2) To agree to reallocate a sum of £30,000 from the Contaminated Land DDF budget by means of a virement to a budget for making the changes to traffic orders and replacing notice boards in car parks.
- (3) To agree to recommend, subject to a further report, to the Council the following growth bids to the budget for the following additional funding:
- (a) £100,000 Capital budget allocation in 2019/20 for environmental improvements;
  - (b) £100,000 Capital budget in 2019/20 pending the outcome of ongoing feasibility study of installation of electric charge points;
  - (c) £130,000 Capital budget in 2019/20 for installation of new CCTV systems and LED lighting;
  - (d) £40,000 DDF in 2019/20 for carrying out an assessment of suitability for new technological features like Automatic Number Plate Recognition facilities in car parks and feasibility of constructing additional levels above existing car parks; and

(e) Continued Services Budget growth of £20,000 in 2019/20 for ongoing costs associated with electrical charge points, environmental improvements and new CCTV systems.

(4) To note, subject to approval of recommendations above, that the total investment in car parks of £400,000 represents a pay back of a year and a quarter for the best case estimate income of £320,000 per year.

(5) To note the annual report on the performance of off street parking operations for 2017/18.

(6) That subject to a satisfactory resolution of demand for local parking of the surrounding properties, High Street, Harlow Road and the local school a charge of £1 all day be introduced in the Council owned car park in Roydon.

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

To review the current charging regime in car parks. London Underground charges are 80% to 50% higher than the long stay car parking charges in Council owned car parks. This results in increased parking stress causing hardship to local businesses, workers and shoppers.

To generate additional income for the Council to assist in dealing with the funding pressure faced by the Council.

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

It would be possible to delay the introduction of new tariffs, but this would not address the parking stress in car parks and could endanger the Council's budget objectives.

## **29. CHRISTMAS/NEW YEAR CLOSURE OF COUNCIL OFFICES**

The Technology and Support Portfolio Holder introduced the report on the Christmas and New Year closure of the council offices. He noted that for the past 16 years the Council had closed a number of Council offices throughout the Christmas and New Year period. The closure was facilitated by fixing the 2 statutory days, account for the bank holidays and, where necessary, the Council giving an additional day(s). The current schedule came to an end in 2017/2018.

Consultation had taken place with staff and Management Board about access to services over the Christmas/New Year period. Both staff and Management Board were of the view that because of the continuing lower demand for services over this period, the most efficient way to meet this demand was by signposting the public to services rather than opening the Council offices. All essential services are covered either by the out of hours contact centre or specific staff on call over the period. Management Board also supported the continuation of the arrangements for the next 2 years.

Councillor Philip agreed with the report and that it made a lot of sense. Also it was good that this was only for 2 years as by then we will have made further steps in our transformation and things may have moved on by then.

**DECISION:**

To agree the Joint Consultative Committee's recommendation to continue the current Christmas/New Year arrangements for 2018 – 2020, in accordance with the Schedule at appendix 1 of the report.

**Reasons for Decision:**

Consultation with staff showed that 97% of respondents wished the arrangements for the closure of Council offices over the Christmas/New Year period continued.

The report recognises the strong support of staff and Management Board regarding the current arrangements for the Christmas/New Year Period.

**Other Options for Action:**

The Committee could substitute other arrangements.

The Committee could decide not to continue with the current arrangements.

**30. STAFF APPEALS PROCEDURE**

The Technology and Support Portfolio Holder introduced the report on revising the Staff Appeals procedures. He apologised that the wrong document had got into the agenda and that a revised version had now been issued. The cabinet noted that it was proposed that the procedure was amended and as a consequence the member Staff Appeals Panel was removed from the constitution.

It was proposed that officer dismissals and appeals (of employees below Chief Officer level) were dealt with by a wider number of senior managers rather than Directors and Members, subsequently freeing up Directors and the Chief Executive in order to chair any dismissal appeal hearings.

Councillor Mohindra asked what would happen to the report now, how did it get circulated to staff and how did they get informed of this. The Portfolio Holder replied saying that this would now form the standard processes adopted by the authority and would also appear on the website.

**DECISION:**

- (1) That the proposed Appeal Procedure be approved and adopted; and
- (2) That, pursuant to the adoption of the policy, a report be made to Council recommending that the Monitoring Officer removes reference to the Staff Appeals Panel from the Constitution.

**Reasons for Decision:**

This was a change to the existing Procedure which the Committee was asked to consider. The proposal was timely due to the exit of the Director of Governance who was the Council's representative on the Staff Appeals Panel. The proposal adopts one procedure for all employees (below Chief Officer, as separate arrangements apply) appealing against any formal action or dismissal taken against them.

**Other Options for Action:**

The Committee could substitute other arrangements.

The Joint Consultative Committee proposed an alternative option whereby a member of the Executive is a joint Hearing 'Officer' with a Director or the Chief Executive at an Appeal Hearing for dismissal.

**31. COUNCIL HOUSEBUILDING CABINET COMMITTEE MEETING MINUTES FOR 30 AUGUST 2018.**

The Cabinet received minutes of the recent meeting of the Council Housebuilding Cabinet Committee that met on the previous Thursday, 30<sup>th</sup> August 2018.

The Portfolio Holder for Housing introduced the minutes and took the Cabinet through the contents. She noted that they had an update on the recent Burton Road Fire from the Assistant Director (Housing Property & Development). Councillor Mohindra thanked the Assistant Director for coming in and helping with the aftermath. Councillor Philip asked that under this minute item (7) the word "first" be added as the last word in the last sentence of that item as it made more sense. This was agreed.

Councillor C Whitbread added his thanks to the Assistant Director who had attended the fire immediately (on his day off) as by chance he was nearby. He also thanked Loughton College for making available a rest area for their use if required. Fortunately, no one was injured. It gave him great confidence in the Council's officers who swung into action immediately and also to the PR team who made sure the correct messages went out.

Councillor S Kane also thanked the officers concerned and pointed out that it was the Council's own funded Police officers who were first on the scene, made the site safe and controlled all the traffic.

The Portfolio Holder went on to bring their attention minute item 8 on bids to MHCLG for additional HRA borrowing. The minutes explained how the bids were to be submitted, but since then this has now changed. We cannot now group the sites together and would have to break them down into individual sites, which means that now they will have to work up 25 bids. If all bids were successful, this would increase our borrowing headroom by £8.052million. Fortunately the deadline has now been extended to 30 September 2018 and we would not now have to waive the call-in period as indicated in the minutes. The Cabinet Committee had agreed the recommendations for submission to this Cabinet meeting, although the wording would have to be changed as there were now to be 25 bids and no waiver of the call-in period would be required.

Councillor Mohindra asked if the Portfolio Holder was confident that the work required for 25 separate bids was justified. It may be that a lot of work has already gone into this, but he would like the reassurance that this was so. The Portfolio Holder said that although she was doubtful at first she had spoken to the Director of Communities who had reassured her that it was worth while. The Acting Chief Executive added that the view had been taken that it did justify the extra work needed. Officers had already worked up the separate bids into 4 bids, they will now have to disaggregate them into 25 separate bids, but it would go out as one document.

**DECISION:**

- 1) That the word “first” be added as the last word to the last sentence of the last paragraph in item 7 – ‘Burton Road, Loughton – Fire Update’ in order to clarify the sense of that sentence; and
- 2) That under item 8 – ‘Bids to MHCLG for additional HRA Borrowing’ the following be agreed:
  - (a) That, subject to any minor amendments agreed with the Housing Portfolio Holder (including bid amounts and borrowing profiles), the Director of Communities be authorised to submit twenty five separate bids to Homes England for additional Housing Revenue Account (HRA) borrowing approvals, for twenty five separate “schemes” totalling £8.052million in year 2021/22, with the borrowing profiles as set out in the report;
  - (b) That the Council’s Chief Financial Officer reports to a future meeting of the Finance and Performance Cabinet Committee on the most appropriate way to arrange the additional HRA borrowing when required.

**Reasons for Decision:**

The Council would benefit from additional HRA borrowing approvals to cover additional borrowing in the future if the Council needed, which could be used to either fund an extension to its current Housebuilding Programme or to fund expenditure on other HRA purposes.

**Other Options Considered and Rejected:**

The main alternative options were:

- (1) Not to bid – but this would mean that the current opportunity to obtain additional HRA borrowing approvals to cover any additional borrowing required in the future, to fund either an extension of the current Housebuilding Programme or expenditure on other HRA purposes, would be lost – and there were no indications of any further opportunities arising in the foreseeable future.
- (2) To submit a different number of bids, and/or for different amount(s) of additional HRA borrowing approvals – although the Director of Communities was of the view that the officers’ recommended bid proposal was appropriate under all the circumstances.

**32. EXCLUSION OF PUBLIC AND PRESS**

The Cabinet noted that there was no business which necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**