

**EPHING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF STRONGER COUNCIL SELECT COMMITTEE
HELD ON TUESDAY, 14 SEPTEMBER 2021
IN COUNCIL CHAMBER - CIVIC OFFICES
AT 7.00 - 8.59 PM**

Members Present: P Bolton (Chairman), , R Bassett, J Jogia, H Kane (Chairman of the Council), A Lion, R Morgan, S Neville (Leader of the Green Party Group), C P Pond (Leader of the Loughton Residents Association Group) and J H Whitehouse

Co-opted Member:

Other members present: S Kane, S Murray, J Philip and D Sunger

Apologies for Absence: P Bhanot, H Brady, R Brookes and J M Whitehouse (Leader of the Liberal Democrat Group)

Officers Present A Hendry (Democratic Services Officer), A Small (Strategic Director Corporate and 151 Officer), C Hartgrove (Interim Chief Financial Officer), W MacLeod (Senior Electoral Services Officer), L Miles (Policy & Strategy Analyst), S Mitchell (PR Website Editor), R Moreton (Corporate Communications Officer) and G Woodhall (Team Manager - Democratic & Electoral Services)

10. WEBCASTING INTRODUCTION

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

11. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted that Councillor A Lion would substitute for Councillor H Brady, Councillor J H Whitehouse would substitute for Councillor J M Whitehouse and Councillor C P Pond would substitute for Councillor R Brookes for the duration of this meeting.

12. NOTES OF PREVIOUS MEETING

Resolved:

That the notes of the meeting held on 20th July 2021 were agreed as a correct record.

Councillor Lion asked about the Corporate Performance report which was sparsely populated and was concerned that had not been subsequently dealt with and wondered if we would be seeing a report in response. Mr Small (Strategic Director/S151 officer) responded that because of the date of the meeting the second quarter data was not available but in future if the updated data was not available, they would at least bring the completed data for the previous quarter.

13. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in item 9, Qualis Quarterly Monitoring Report, Q3 2020/21, by virtue of being on the Qualis board. The Councillor had determined that his interest was non-pecuniary and he would remain in the meeting for the consideration of this item but not take part in any discussions.

14. TERMS OF REFERENCE & WORK PROGRAMME

The Select Committee noted their terms of reference and work programme.

15. PRESENTATION FROM COUNCIL'S LEVEL 2 APPRENTICES

The Committee noted that due to unforeseen circumstance the presentation due for this meeting could not be given. This item will be moved to a future meeting.

16. EQUALITY POLICY

Lorraine Miles the Policy and Strategy Analyst introduced the report on the updated Equality Policy. She noted that the Equality Act 2010 and Public Sector Equality Duty 2011 required public authorities to set and publish at least one Equality Objective every four years to demonstrate how they would eliminate discrimination and advance equality. They also required public authorities to publish information to show their compliance with the Public Sector Equality Duty at least annually. Typically, this takes the form of an annual Equality Report or Statement. In addition to the Equality Act, the Council has a statutory duty to reduce health inequalities many of which were associated with protected characteristics under the Equality Act.

Our new Equality Objectives built on our previous objectives. They focused on what we would do to advance equality and how we would do it. The following Equality Objectives (2021-2025) were recommended to and agreed by Cabinet.

- Equality Objective 1: To develop, and deliver in partnership, a District-level approach to growth and recovery that builds, and can demonstrate, an Epping Forest that works for all.
- Equality Objective 2: To drive improvement in service delivery through the use of equality data and data on socio-economic deprivation.
- Equality Objective 3: To develop a research and consultation strategy to understand the needs and experiences of our communities with a clear pathway or process to embed their knowledge and experience into service design, development and delivery.
- Equality Objective 4: To understand, and evidence, the impact of our workforce initiatives on improving equality.

Proportionality was key in setting our objectives. We only had to publish one objective, but we have set four in order to be able to show progress made.

Councillor Janet Whitehouse commented that this was an interesting report. She noted it mentioned that the Equality Impact Assessment was to be reviewed; she thought it was too long with too many pages that not everyone read. She hoped the Equality Impact Assessment would be produced in a different way in the future. However, she did not ask for an explanation as the officer was not there in person

but on Zoom. Mr Small noted that bringing in an officer was not necessarily the most efficient way to deliver items. We had the ability to have hybrid meetings and this cuts out a lot of travel time. And, we were also looking to improve the sound quality in the Chamber. On the equality impact assessment, we may need to change the way we do this, and officers shall consider how it can be streamlined.

Councillor Lion noted it was an interesting and detailed report. How was this report going to be turned into an action plan and how would it be monitored? There was also a reference to a digital strategy; how would this be implemented and what actions were associated with equality? Ms Miles noted that in this digital age it was about digital inclusion and she wanted to bring that out in the report. It was about how we mainstreamed digital inclusion into our digital strategy, and it was embedded into other strategies and plans. Mr Small added that we would also engage with our Community Team to see how we could translate this into a separate piece of action. The Chairman asked if this would entail liaising with the ward councillors. Ms Miles agreed that this was point one of the action plan. Councillor Lion asked if there was something that would come back to this committee to be monitored. He was told that officers already had a duty to monitor performance against the delivery of their policy and could bring back a report when they had a more detailed plan.

Councillor H Kane noted that we did not have the original policy and so could not compare any changes. She was told that the last one was produced in 2016/17 and was referenced in the paper. This was also essentially a brand new policy. It was refreshed every four years and did not really build on the previous policy. It was not an update but a brand new set of objectives for the Council to deliver over the next four years.

The Portfolio Holder responsible, Councillor Sunger, noted that we were expected to do this as a matter of course. Also, officers could now work from home and have that choice; if you have any questions you could always email the officer concerned in advance of the meeting.

Councillor Murray commented that he thought for effective scrutiny, being face to face with an officer was much better. Going forward members may want to decide on which items they would like the officers present or not. This report did highlight certain areas of deprivation in Loughton. As this was a high level strategic report rather than service delivery on the ground, it was pointing to where we should be focusing on work and service delivery. Perhaps this should be monitored by the Stronger Communities Select Committee. Mr Small replied that the objectives of the report were to identify and understand what was required. Once identified we could focus on what to do about it.

RESOLVED:

- 1) That the Select Committee reviewed and commented on the Equality & Inclusion Policy and the Equality Objectives it contained; and
- 2) That the Select Committee agreed that a public consultation on the Equality Objectives be undertaken.

17. CHANGE IN ORDER OF THE AGENDA

With the permission of the Chairman and the Committee, agenda item 10 (Review of Elections 2021) was brought forward.

18. REVIEW OF ELECTIONS 2021

The Team Manager – Democratic and Electoral Services, G Woodhall, introduced the report on the May 2021 elections. This report reviewed the planning processes and implementation of the following elections held on 6 May 2021:

- (a) Police, Fire & Crime Commissioner for Essex;
- (b) County Council;
- (c) District Council;
- (d) Parish & Town Councils.

In the opinion of the Returning Officer, the planning, management and delivery of all relevant processes for these elections was effective, especially given the circumstances under which these elections were held. The management and delivery of these elections had been reviewed by the Elections Planning Group – chaired by the Returning Officer – and any issues arising had been included within the report. Candidates and Agents involved in these elections had also been consulted and their responses were summarised within the report.

Due to the advent of the Covid-19 pandemic in the Spring of 2020, the elections due for the Essex Police, Fire & Crime Commissioner, 21 wards of the District Council and 14 of the District's Town and Parish Councils were postponed from their original date of May 2020. In time, the Government decided to hold these elections in May 2021, and they were combined with the elections already scheduled for this date for Essex County Council.

The United Kingdom was still under restrictions due to the pandemic, when these elections were held. This necessitated certain changes to the arrangements for operating Polling Stations, with 'one-way' systems being used for larger stations or a 'one-in-one-out' system for the smaller stations. The operation of the Count also had to be re-thought, as there was a requirement to ensure that the Count Staff were socially distanced from each other whilst counting. In addition, with four elections being held simultaneously, the Count could not be completed in one session. Therefore, the Council could not use its normal venue of Debden Park High School, and the use of an aircraft hangar at North Weald Airfield from Weald Aviation was secured.

Finally, it was noted that the Council had also recently received notification that the Local Government Boundary Commission for England intended to undertake a full review of the Council's size in terms of the number of Councillors and ward boundaries, which would culminate in all-out District Council elections in May 2024. The Council was overdue a review as the last such exercise took place in 1998. A briefing for Members would be held in the Autumn to provide further information.

Councillor Neville thanked the election team for enabling the elections to be run smoothly that day. He was not keen on the use of the Hanger as it had heating issues, but he was not sure that the conference suite would be big enough. He was glad the virtual briefing was well received and had greater numbers attending. It

was a tough set of elections with so many in one day; but a good test run if we had to do it again.

Councillor Lion concurred with Councillor Neville, everything ran smoothly and was managed effectively. The hanger was cold, but we had to have the verification that night. Officers did a splendid job, especially Wendy Macleod (Senior Electoral Services Officer) who made things happen. He was unsure what could be learnt from this as it was a unique situation.

Councillor Janet Whitehouse said it was an important report and she congratulated everyone involved. Unfortunately, she missed the item in the Bulletin asking for comments. She would like to have any new Councillors voted in, identified and introduced on the night. She also had concerns that were also raised in the report about using staff at the polling stations and at the count, what did other authorities do? Mr Woodhall replied that it was not so much the fact that we are the only council that used staff, but more the way our various teams worked (well) together, such as the Corporate Communications Team. Also, not everyone who worked on the elections were council staff. Ms Macleod added it was to do with the integration with elections with other departments such as facilities ensuring that staff had access to the offices late at night to bring equipment back; other councils did not have that helpfulness from other departments, whereas we are very lucky to have this cooperation within the council.

Councillor H Kane congratulated the officers concerned, especially Ms Macleod's team and everyone who manned the Polling Stations. It had been a very difficult year, but it all worked very smoothly. It was very cold in the hanger, but there was nothing we could we do about that.

Councillor Bassett asked if the use of postal votes had increased from last year; what percentage was it at now. Also, when were they sent out and when did they have to come back. He was told that they had only seen a slight increase; they were expecting a larger one because of Covid. Over time it had grown steadily and was now between 10 and 15%, as it varied considerably due to what type of elections we were having. Ballot packs could be returned up to 10pm on election day. They went out two weeks before election day, the day after the deadline for registration for postal vote applications.

Councillor Bassett then asked if there was any delayed post that came in late. He was told that officers had not seen any increase this year; there were always a few. The Post Office did a sweep whereby they delivered to us any that had been posted on election day.

Councillor Morgan asked if there was any more information on the local boundary review. He was told that this was just beginning now, officers had their first meeting with the Local Government Boundary Commission last week and were now looking for a date to hold a group leaders meeting and then a members briefing; preferably on the same night. They would be looking at the number of Councillors and at the Ward boundaries. Our last review was in 1998 so we were overdue for one. There will be public and member consultations, which will culminate in all out elections in 2024.

Councillor Murray expressed his concern over a polling station in his Loughton Roding ward which saw large queues building up and long waiting times. This problem seemed unique to this station and as far as he knew did not happen

elsewhere. His formal comments had been reproduced in the report along with the election teams reply.

Mr Small noted that this had been a perfect storm for the election this year with multiple elections and Covid. His overall impression was that it had been carried out extremely well given the circumstances, making sure people were socially distanced and Covid safe in buildings they were just not designed for this type of use. Most stations had queues at different points of the day. It was a difficult thing to manage and difficult to anticipate and we never really knew how some of the sites would operate while trying to maintain distancing at the same time. If we did it again, we would know a lot better. The hanger was mentioned, we were grateful to have such a large space, but it was a very large space to heat. We do as a Council rely heavily on council staff to help us on the day and for the other volunteers. He had not seen the successful candidates introduced at any other elections he had attended but knew that it did happen at national elections but not at local ones, just because of the time it took to do. The thanks we get from members to the staff was really appreciated and he wanted to add his thanks to them as well.

Councillor H Kane noted that there were some isolated cases where things did not run so smoothly, and we should take some lessons from them.

Councillor Murray still did not think he had received an adequate explanation but would be happy to receive this away from the meeting. He went on to say that if he were part of this committee, he would be asking for a report on the new legislation coming on election law, especially on voter ID and the financial implications, coming in and how they would affect the council.

Councillor S Kane noted that there had been queues in Waltham Abbey, particularly at one large Polling Station responsible for many thousands of voters. Problems were caused by the internal design of the building which we had no control over. Generally, people seemed content with this and accepted this with their usual stoicism with no dissent shown.

Councillor Neville proposed that the Committee receive a report on the consequences of voter ID and any cost implications. This was agreed by the Committee.

RESOLVED:

- (1) The Committee reviewed the management and delivery of the Elections held on 6 May 2021;
- (2) The Committee considered any proposals of the Returning Officer for changes to the arrangements for the management and delivery of Elections in future years;
- (3) No specific recommendations were made to the Returning Officer for further changes to the future management and delivery of Elections; and
- (4) That the impending review of the size of the Council and ward boundaries by the Local Government Boundary Commission for England was noted; and
- (5) A report be brought to a future meeting on the consequences of voter ID and any financial implications this may involve.

19. QUALIS QUARTERLY MONITORING REPORT - Q3 2020/21

The Strategic Director / S151 officer, Andrew Small introduced the third quarter Qualis Monitoring report for 2020/21. This report presented the third Quarter's monitoring report for the Qualis trading year 2020/21 and covered the period from 1 October 2020 to 30 June 2021. Because of the fall of meeting dates this report was being considered by Stronger Council Select Committee one day after Cabinet had considered the same paper. Comments made by the Select Committee would therefore be relayed directly to the Portfolio Holder.

Performance was measured against the business plan targets for 2020/21. The Board report highlighted performance against these using the recognised Red, Amber, Green reporting system (RAG). Noting the objectives flagged as Amber or Red and the explanations provided, Qualis has again performed in line with expectations during the third Quarter.

Qualis had highlighted where any of their targets were not being met and there were two notable ones. One was in terms of income and expenditure where they had a small loss this was due to the lack of planning permission for the development sites and until this had been achieved, they could not move forward and turn expenditure into profit. The other issue was their cash balance which was higher than anticipated because their third commercial acquisition did not happen until the beginning of the fourth quarter. Given this their financial position was as expected.

Councillor Neville commented that given the nature of loss and delay due to lack of planning permission, wanted to know what these delays were; and would they go to planning committee in October? Councillor Philip, the relevant Portfolio Holder, said that there had been delays with the Planning Authority and he could not guarantee when it would come to Committee; we should make the end of October, too late for Qualis as that was the end of their financial year. This was not a loss; it was just a different way of counting the money which had to sit in a different pot until it got moved on.

RESOLVED:

That the Committee discussed and commented on this report for the Qualis Portfolio Holder to consider.

20. QUARTER 4 BUDGET MONITORING REPORT 2020/21 (FINAL OUTTURN)

The Chief Finance Officer introduced the final Quarter 4 (Final Outturn) report for the full 2020/21 financial year for the 2020/21 General Fund and Housing Revenue Account positions, for both revenue and capital, as at 31st March 2021. These figures were still subject to the external audit process.

The General Fund revenue position in 2020/21 was dominated by the impact of the Covid-19 pandemic. The Housing Revenue Account position was less affected by the Covid-19 pandemic, although there were some cost pressures to note, especially on Housing Repairs, which were not linked to the pandemic.

Councillor Bassett thanked him for the report saying it showed what a drastic impact Covid had. It was a good outcome at the end of the year. How would this year go? He was told that it was an extremely volatile year, but that this question would be answered in the next report.

Councillor Janet Whitehouse asked about voids; were we still responsible for this or was it Qualis; and if it was the Council, where did we get the staff to do it? Councillor Philip answered that Qualis was our agent for repairs, historically we had an inability to hit our budget on repairs including voids, which had been rectified at the end of the year rather than changing it in the budget. As they had moved things across to Qualis we discovered that in this case we had worked from the budgeted figures not taken into account the adjustments that had been made. Yes, we were still responsible for repairs to the Housing stock and we contract Qualis to do that work for us. We were also jointly accurately tracking the budget and had set an appropriate budget on what needed to be done. This was also an on demand service which we could not plan.

Mr Small noted that last year was an exceptional year, in which the government had given us £70million, showing how much more money we had to have to deal with the problems we had encountered.

Councillor Philip added that despite these problems we ended up within 1% of our predicted budget. But there would be significant challenges for 2022/23. He also noted that the Q2 results would be going to the November meeting, we were working very hard to make sure you got a more timely view of our budget. We were gradually improving where we were on our accounting position so if we did need to take action, we could do that during the year.

Councillor H Kane said she understood that the report had no risk implications, but we should look to any future warnings that these figures may indicate. Councillor Philip replied that they did look at how things went and would continue to learn lessons from the reports and were always looking to continually improve.

RESOLVED:

That the General Fund revenue, the Housing Revenue Account revenue and the Housing Revenue Account capital position at the end of Quarter 4 was noted.

21. QUARTER 1 BUDGET MONITORING REPORT 2021/22

The Chief Finance Officer introduced the Quarter 1 budget monitoring report for 2021/22. This report set out the 2021/22 General Fund and Housing Revenue Account positions, for both revenue and capital, as at 30th June 2021 ("Quarter 1").

In terms of General Fund revenue expenditure – at the Quarter 1 stage – a budget over spend of £0.126 million was forecast, with projected net expenditure of £16.937 million against an overall budget provision of £16.811 million.

The financial pressures – especially on income – due to the impact of the Covid-19 pandemic had carried over into 2021/22. The single largest item related to Leisure Facilities whereby an overspend of £532,161 was forecast by the year end; although greatly reduced income was assumed from the contract with Places Leisure in 2021/22, the third lockdown and social distancing requirements extended beyond expectations at the time the Budget was developed in late January/early February 2021.

A delay in asset disposals to Qualis as part of the Regeneration element of the initiative was also causing some financial pressure in areas such as Building Costs and Interest Receivable.

However, despite the pressure, a projected surplus on Financing and Recharges was expected to help avoid any major overspending.

As with 2020/21, the Housing Revenue Account position was less affected by the Covid-19 pandemic. Indeed, income from Council Dwellings was outperforming its budget, although there was some spending pressure on Housing Repairs, which was not linked to the pandemic.

Councillor Bassett said that this seemed more of the same and was not sure where we were; or on the amount of government support; or what projects would get finished or what projects won't get finished; and what we should start and what we should defer to keep our balance OK. On the Qualis side we have been watching very carefully the cost of materials etc. which had risen dramatically, as well as the fact we can't get hold of them. This was causing problems on the work they had to carry out. We seem to be doing reasonably OK from what he could see, but it would need close monitoring.

Mr Hartgrove said the point on inflation was a good one, the coming Medium Term Financial Plan would take on board these estimates but noted there were one or two challenging bits in there.

Councillor Philip said we should remember we had set the budget back in January and had no idea of how long the lockdowns would go on for or of the rise in the cost of materials etc. We were working hard to improve our revenue side and reduce costs and were getting a better view month on month on what was actually happening against our budget and it gave us a chance to review how we did things and keep the budget closer to what we expected it to be.

Councillor Lion noted that informing us of how our finances fitted together we needed to see service plans to inform us of what was coming up. It would be helpful to have them presented to a Select Committee.

Mr Small noted that the Cabinet were currently reviewing these and once they were happy, they would be shared with the Select Committees.

Councillor H Kane said that a lot of people had to work from home, and we had a lot of space for businesses, would it be occupied? Councillor Philip noted that we were close to signing a lease for the second floor with Regus. We had moved out of the Conder building which was to be sold to Qualis for development. We were working towards a Community Hub on the ground floor to be fully occupied. We were maximising the use of this building. We did not expect to have spare space in the top floor when we started and were now expecting to get some revenue from it. We were maximising the financial benefit of the Civic Offices for the benefit for people who wanted to work close to home but not their office in town. We were looking for regeneration throughout the district and to make it more vibrant.

RESOLVED:

1. The Committee noted the General Fund revenue position at the end of Quarter 1 (30th June 2021) for 2021/22, including actions being or proposed to improve the position, where significant variances had been identified;
2. The Committee noted the General Fund capital position at the end of Quarter 1 (30th June 2021) for 2021/22;

3. The Committee noted the Housing Revenue Account revenue position at the end of Quarter 1 (30th June 2021) for 2021/22, including actions proposed to ameliorate the position, where significant variances had been identified; and

4. The Committee noted the Housing Revenue Account capital position at the end of Quarter 1 (30th June 2021) for 2021/22.

22. DATES OF FUTURE MEETINGS

The Committee noted their future meeting dates.