

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 6 December 2021
Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.30 pm
Members Present: C Whitbread (Chairman), N Avey, N Bedford, L Burrows, A Patel, J Philip, S Kane, D Sunger and H Whitbread

Other Councillors: R Brookes, S Heap, S Murray, M Sartin, J M Whitehouse and D Wixley

Apologies:

Officers Present: G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), I Braddick (Garden Town Liaison Lead), T Carne (Corporate Communications Team Manager), P Freeman (Service Manager (Revenues & Benefits)), C Hartgrove (Interim Chief Financial Officer), A Hendry (Democratic Services Officer), L Kirman (Democratic Services Officer), R Perrin (Democratic and Electoral Services Officer), N Polaine (Harlow and Gilston Garden Town Director), A Small (Strategic Director Corporate and 151 Officer) and J Warwick (Acting Service Director (Contracts))

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

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

72. MINUTES

Decision:

That the minutes of the Cabinet meeting held on 8 November 2021 be taken as read and would be signed by the Leader as a correct record.

73. REPORTS OF PORTFOLIO HOLDERS

(a) The Finance, Qualis Client and Economic Development Portfolio Holder, Councillor Philip, noted that the lease to the top floor of the Civic Offices had now been signed and there would be changes in car parking spaces made, as detailed in various communications sent out by officers.

(b) The Housing Services Portfolio Holder, Councillor H Whitbread reminded the Cabinet that the Housing Strategy Consultation was under way and she encouraged members to participate.

74. 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.

75. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that their last meeting was held on 18 November. The call-in had been considered at an informal meeting and afterwards officers had considered the matters raised by the call-in members and had agreed a way forward with them. Therefore, the call-in had now been withdrawn with a new way forward being agreed. They also had the Quarter 2 Corporate Performance report and had then considered the HGGT Transport Strategy.

Their next meeting would be an extra meeting held to receive a presentation from the Princess Alexandra Hospital Trust.

The Cabinet's agenda was reviewed but there were no specific issues identified on any of the items being considered.

76. PAY POLICY STATEMENT

The Corporate Services Portfolio Holder, Councillor Sunger, introduced this annual report. He noted that Section 38 (1) of the Localism Act 2011 required the Council to produce a Pay Policy Statement for each financial year setting out details of its remuneration policy. Specifically, it should include the Council's approach to its highest and lowest paid employees.

It also drew on the Review of Fair Pay in the Public Sector (Will Hutton 2011) and concerns over low pay.

The matters which must be included in the statutory Pay Policy Statement were as follows:

- The Council's policy on the level and elements of remuneration for each chief officer;
- The Council's policy on the remuneration of its lowest paid employee (together with its definition of 'lowest paid employees' and its reasons for adopting that definition);
- The Council's policy on the relationship between the remuneration of its chief officers and other officers;
- The Council's policy on specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

The Act defined remuneration in broad terms and guidance suggests that it was to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements and termination payments.

Decision:

The Cabinet recommend the Pay Policy Statement to Council.

Reasons for Proposed Decision:

To enable members of the Cabinet to comment on the Council's Pay Policy Statement before it was agreed by full Council.

Other Options for Action:

The content of the Statement could be amended.

77. CALENDAR OF COUNCIL MEETINGS 2022/23

The Customer and Partnerships Portfolio Holder, Councillor S Kane, introduced the draft annual calendar of meetings for 2022/23. He noted that the Cabinet considers the calendar of meetings each year prior to its final approval by the Council. The calendar has been developed over time to meet the changing needs of the authority and again no fundamental changes had been proposed.

Decision:

That the draft Calendar of Council Meetings for 2022/23 be recommended to the Council for adoption.

Reasons for Proposed Decision:

To review the proposed Calendar of Meetings for 2022/23, prior to its final adoption by the Council.

Other Options for Action:

Individual frequencies of meetings could be varied. In practice, additional meetings are added as and when issues dictate. Similarly, meetings can be cancelled if there was a lack of business.

78. LOCAL COUNCIL TAX SUPPORT SCHEME - 2022/23

The Customer and Partnerships Portfolio Holder, Councillor S Kane, introduced the report. He noted that the Local Council Tax Support Scheme (LCTS) replaced Council Tax Benefit in 2013. Each local authority must review its scheme annually. The Government brought in regulations to ensure that pensioners continue to receive the same level of assistance as they would have done if the Council Tax Benefit scheme was still in place. The Council can therefore only make amendments to the scheme for people of working age. The Council has approved the general principle that the Local Council Tax Support scheme should be cost neutral. In legislative terms the scheme needs to be approved by 11th March each year so for 2022/23 approval needed to be made at Full Council in December 2021.

As there were no proposed changes to the 2021/22 scheme there was no legal requirement to consult residents of the district.

Councillor Murray, noting that these arrangements had been in place since 2013 commented that for next year the following should be considered more closely, such as the effects of the reduction of universal credit on needy local people. There were some general principles that should be looked at here for the coming years, such as the fact that this report was based on 75% of the Council tax rather than a 100%; and also, the exceptional hardship scheme, perhaps this should be publicised more.

Councillor S Kane commented that perhaps these observations should be taken to Overview and Scrutiny and have the discussion there. As for the Hardship Fund, it was a very small pot of money there for those in most need.

Decision:

That the Cabinet noted and recommended to Council that the Local Council Tax Support scheme for 2021/22 continues unchanged for 2022/23.

Reasons for Proposed Decision:

Full Council needs to approve the 2022/23 Local Council Support Scheme on 16th December 2021.

Other Options for Action:

To make amendments to the Local Council Tax Support scheme for 2022/23, which would require public consultation.

79. HARLOW AND GILSTON TOWN ROLLING INFRASTRUCTURE FUND MEMORANDUM OF UNDERSTANDING

The Planning and Sustainability Portfolio Holder, Councillor N Bedford, introduced the report on the Memorandum of Understanding.

The Rolling Infrastructure Fund (RIF) was a key component of the Hertfordshire County Council bid for Housing Investment Fund monies to upgrade the Central Stort Crossing and build the Eastern Stort Crossing (“the Crossings”). £171 million of Housing Investment Grant (HIG) was awarded by Homes England in March 2021 and the RIF was integral to the future funding mechanism for infrastructure delivery within the Harlow and Gilston Garden Town. It forms part of the Recovery and Recycling Strategy which permits the funding to be recycled as part of the developer contributions to mitigate the impacts of development, which can be used for future infrastructure funding and related items.

For the RIF to be set up and managed effectively, the objectives, guiding principles and governance arrangements need to be agreed by the Garden Town local authority partners in an enabling Memorandum of Understanding (MoU) in the first instance.

The RIF MoU was now in the process of being circulated to all five local authority partners for them to ratify it individually through their respective Cabinet/ Executive. The MoU would be submitted, together with the HIG Recovery & Recycling Strategy, to Homes England to satisfy Conditions of the HIG funding.

The RIF itself, once created and operational, would be a key mechanism for future funding of infrastructure to enable the realisation of the HGGT Vision and the achievement of the modal shift targets.

Councillor Philip supported this report but expressed concern over the resource implications and the potential contributions that may be required from Epping Forest District Council, which were currently unknown. As finances were tight at the moment there would be no additional funding for this. N Polaine (HGGT Director) commented that resourcing was already in place through baseline funding and was already in the budget. And, there would be additional money from HGGT partners that will be

confirmed in the New Year 2022 which would give a projected million pounds revenue. The future prize would be in the region of £171 million Capital and potentially additional funding coming in from other contributions to this pot.

Decision:

(1) The Cabinet agreed the Memorandum of Understanding relating to The Harlow & Gilston Garden Town Rolling Infrastructure Fund and agreed to its submission to Homes England as required of the Harlow and Gilston Garden Town Authority partners and specifically Hertfordshire County Council (as accountable body for the Housing Investment Grant funding to which the Memorandum of Understanding relates);

(2) The Cabinet agreed to set up and operate the Rolling Infrastructure Fund 'in principle' subject to more detailed work and approval of the appropriate governance and operational arrangements for its management; and

(3) The Cabinet agreed to govern the Rolling Infrastructure Fund initially in accordance with the approved Memorandum of Understanding as required by Homes England as a condition of the Housing Investment Grant funding and subsequently in accordance with any further governance arrangements that may be affected.

Reasons for Proposed Decision:

To ensure that the Harlow and Gilston Garden Town Authority partners and specifically Hertfordshire County Council (as accountable body for the Housing Investment Grant funding) meets requirements within the Grant Determination Agreement with Homes England for the award of the Housing Investment Grant, specifically that of the recycling of the Housing Investment Grant into a Rolling Infrastructure Fund.

To establish a mechanism through which the Harlow and Gilston Garden Town Authority partners will initially agree how to operate the Rolling Infrastructure Fund pending future governance arrangements.

Other Options for Action:

Not to agree the Memorandum of Understanding relating to the Rolling Infrastructure Fund or agree to set up and operate the RIF in principle and governed in accordance with the MoU, which would mean that a condition of the Housing Investment Grant funding, as required by Homes England, would not be met.

80. OFF-STREET CAR PARKS TARIFF RECOMMENDATIONS

The Customer and Partnership Portfolio Holder, Councillor S Kane, introduced the report on off-street car parks tariffs. The purpose of the report was to review the tariffs in EFDC off-street car parks, which had not increased since 2015. The tariff review aims to ensure tariffs were set at a level sustainable to support the operation of car parks and to assist with budget pressures as a result of Covid-19 that had impacted maintenance and enhancement works. The review of the off-street car park tariffs also took into consideration the climate change action plan and the need to reduce our carbon footprint and improve air quality in Epping Forest.

Epping Forest District Council reviewed off-street parking tariffs periodically to ensure the charging regime was at an appropriate level across the District and did not undermine the vitality of our town centre economies.

Councillor Sartin brought up the car park in Roydon, which was the only council owned car park that presently did not charge; but it was also the only car park that was in a village. It was not near ordinary shopping facilities as those in other urban areas, apart from two businesses who may make use of it. The recommendation asks that charges be introduced and then carry out a feasibility study which seemed the wrong way round. She asked members that the recommendation be reworded to something like – ‘to carry out a full feasibility study to see if tariffs should be brought in, and to include consultations with residents, local businesses and the school’.

Councillor Kane was in agreement that the wording for recommendation 1(f) (the relevant recommendation) be changed to reflect that relevant consultation would be undertaken. The Portfolio Holder would then be able to reconsider the proposed decision in light of the results of the consultation.

Councillor Bedford asked about the permits and season tickets, recommendation (i), he was happy that they were reasonable but thought they were missing the book of tickets that residents were able to buy for visitors. He was told that NEPP handled this as it was about on-street parking.

Councillor Patel was in agreement with the new rounded up charges and asked if the ticket machines had been fitted with card readers to make payment easier. Also, will clear signage be put in place when charges were raised. Councillor Kane agreed that the signage would be place in time and would be clear. Mr Warwick added that he believed that all the car parks had machines that had card readers, but he would double check and get back to him to confirm.

Councillor Sartin added to Councillor Bedford’s query on visitor car parking. With the number of roads with double yellow lines in Roydon, people would have to pay to visit their friends, which was something else to consider.

Councillor Brookes had participated in the Stronger Place discussions on this topic. She noted that all members had also been consulted and that only a quarter had responded. She had one query, there was going to a loss of the one free hour at the Civic Offices, which may affect people coming into the civic offices seeking help, why was this? Councillor Kane replied that this was just to bring the car park into line with the others. Councillor C Whitbread added that this was also a High Street car park and this should be taken into consideration. Councillor Philip said that they could look at ways to reimburse people in appropriate cases. Councillor Whitbread agreed that this may be the way to go on this.

Councillor Murray said that we should not treat all car parks the same as there were very different towns in Epping Forest with different needs. He would also like to have seen more in the background papers on the costs for running the service etc. He noted that the case put forward by Councillor Sartin had been taken up by the Cabinet, but suggestions made on other Loughton sites had, in effect, been ignored.

Councillor Philip noted that they weighed up cases put forward and come to appropriate conclusions. They do listen and come to suitable decisions. They did not just ignore comments made but listen and maybe sometimes do not agree.

Councillor Kane asked if he had thoughts on having individual charges for each car park said that he did not think that made much sense, they had tried this since 2015 and it made no difference. It was about having even charges across the district. Councillor C Whitbread also noted that this report had also been debated at a Select Committee before it came here.

The Cabinet agreed the report subject to an amendment, to be made for the minutes, to recommendation 1(f).

Decision:

(1) Following a review of car parking tariffs in Council owned off-street car parks, the Cabinet agreed the following for implementation from 1st April 2022:

Parking Tariffs:

- a) The existing tariffs of £0.20 for 30 minutes, £0.80/£0.90 for up to 1 hour and £1.60/£1.80 for up to 2 hours to be increased to £0.30 for 30 minutes, £1.00 for up to 1 hour and £2.00 for up to 2 hours across the District. This would create uniform tariffs across the District and simplify parking tariff.
- b) To retain the tariffs for stays above 2 hours.
- c) To extend full tariff on Saturday to apply to all car parks across the District.
- d) To extend 1 hour free parking on Sunday to 2 hours across the District and increase all day £1.00 charge to £2.00.
- e) To remove daily 1 hour free charging in Civic Offices Car Park (Sunday free allowance will remain) in consistency with other District car parks.
- f) To review and consult on Tariffs for Beaumont Drive Car Park which may be introduced upon satisfactory resolutions for demand and for the Portfolio Holder to reconsider the decision in light of the consultation undertaken.
- g) To retain free weekend and Bank Holiday parking during the month of December.
- h) To continue free parking for Blue Badge holders and motorbikes.

Permits & Season Tickets:

- i) To increase first residents permit charge from £50.00 to £55.00 per annum, in line with on-street charges.
- j) Introduction of business and residents permits in Cornmill Car Park (Waltham Abbey) and business permits in Oakwood Hill East Car Park (Loughton).
- k) Season Tickets 5% discount to be retained and prices to be adjusted in line with proposed parking charges.
- l) To agree proposed operational hours of 08:00-18:00 in all car parks for consistency.
- m) To agree for EFDC employees and members to use MiPermit at the Civic and in certain EFDC Off-Street Car Parks.

Reasons for Proposed Decision:

To review the current charging regime in EFDC off-street car parks which had not increased since 2015 and to ensure the charges were sustainable to support the operation and maintenance demand of car parks.

To generate additional income for the Council to assist with the financial pressures as a result of Covid-19. Financial pressures have impacted the programme of maintenance and enhancement works of the car parks.

Other Options for Action:

The do-nothing or delay option would not address the requirement to ensure car parking charges were appropriate and would not contribute to the Council's budget objectives.

The option to increase in line inflationary across all tariffs would result in charging higher rates for above 2 hours than neighbouring authorities and may adversely impact occupancy rates, hence was not deemed sustainable.

The report has considered recommendations from the Stronger Place Select Committee. The recommendation of introducing free parking for up to 30 minutes has been modelled and this would have considerable cost impact upon Epping Forest District Council and is therefore deemed financially unsustainable. This recommendation also goes against the council's climate change action plan and the desire to reduce the volume of traffic movements and would not help to improve the District's air quality. The report benchmarks against other nearby local authorities and only East Herts and Brentwood offer free stays for 30 minutes and other local authorities do not offer 30-minute stays at all.

A further recommendation from Stronger Place Select Committee was to investigate the feasibility of the introduction of an annual payment system to allow the occasional use of all Epping Forest District Council car parks for up to 2 hours. Due to the complexity, cost and resource implications of introducing this, the viability of annual payment system will be looked at outside of the remit of this Tariff review.

81. QUARTER 2 BUDGET MONITORING REPORT 2021-22

The Finance, Qualis Client and Economic Development Portfolio Holder, Councillor J Philip introduced the Quarter 2 Budget Monitoring report. The report set out the 2021/22 General Fund and Housing Revenue Account positions, for both revenue and capital, as at 30th September 2021 ("Quarter 2").

The report had also been considered by Stronger Council Select Committee on 16th November 2021.

In terms of General Fund revenue expenditure – at the Quarter 2 stage – a budget under spend of £0.129 million was forecast, with projected net expenditure of £16.682 million against an overall budget provision of £16.811 million.

The financial pressures due to the impact of the Covid-19 pandemic had generally stabilised, with the Leisure Facilities budget especially now back on track (albeit based on lower income expectations) as leisure centre usage recovered more sharply than expected. Similarly, Car Park usage was now back to around 80% of pre-pandemic levels, although the budget was off track.

The temporary 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 (Qualis) Interest Receivable, although the disposal had subsequently taken place on 20th October 2021, so the financial pressure would not get any worse.

Paragraph 2.3 of the report summarised a range of other budget pressures. However, despite the pressure, a projected surplus on Financing and Recharges was expected to help deliver a small budget surplus.

As with 2020/21, the Housing Revenue Account position was less affected by the Covid-19 pandemic. However, a range of other financial pressures – as presented in Paragraph 3.2 of the report – were combining to result in a projected year-end deficit of £1.403 million. The largest spending pressure relates to Housing Repairs (£560,000), which had been a challenge for the Council in recent years. However, the recently established delivery arrangements through Qualis were expected to deliver significant savings in the medium term.

Decision:

1. The Cabinet noted the General Fund revenue position at the end of Quarter 2 (30th September 2021) for 2021/22, including actions being or proposed to improve the position, where significant variances had been identified;
2. The Cabinet noted the General Fund capital position at the end of Quarter 2 (30th September 2021) for 2021/22;
3. The Cabinet noted the Housing Revenue Account revenue position at the end of Quarter 2 (30th September 2021) for 2021/22, including actions proposed to ameliorate the position, where significant variances have been identified; and
4. The Cabinet noted the Housing Revenue Account capital position at the end of Quarter 2 (30th September 2021) for 2021/22.

Reason for Decision:

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

In terms of General Fund revenue, it was a stabilising picture following the turbulence experienced in 2020/21 (and during Quarter 1 this year) due to the Covid-19 pandemic. However, there were still some spending pressures and it was essential that the Council avoids overspending due to a relatively limited contingency balance in the General Fund Reserve.

There were some significant spending pressures on the HRA revenue budget, including ongoing issues with Housing Repairs, which had been a challenging budget area in recent years.

Capital spending had been relatively limited in both the General Fund and HRA in the first half of the year.

The Stronger Council Select Committee asked a number of questions, which were contained in the minutes, but made no comments for Cabinet to consider. The Portfolio Holder was in attendance to hear the discussion.

Other Options:

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

82. ANY OTHER BUSINESS: DRAFT BUDGET 2022/23 (INCLUDING GENERAL FUND & HRA REVENUE & CAPITAL, FEES & CHARGES AND AN UPDATED MEDIUM-TERM FINANCIAL PLAN)

The Finance, Qualis Client and Economic Development Portfolio Holder, Councillor J Philip, introduced the draft Budget report; he apologised for the lateness of the report.

The first major milestone in the Financial Planning Framework was reached on 11th October 2021, with Cabinet receiving and considering an updated Medium-Term Financial Plan (MTFP) for 2022/23 to 2026/27. The MTFP revealed a projected deficit of £1.504 million for 2022/23 on the General Fund; it is a deficit that required eliminating in full if the Council was to fulfil its legal obligation to set a balanced budget for the forthcoming financial year.

The MTFP also identified a projected deficit of £2.755 million on the Housing Revenue Account for 2022/23, although this was almost entirely offset by an initial surplus of £2.651 million in 2021/22.

On 27th October 2021 – alongside the Autumn Budget 2021 – the Chancellor announced a three-year Spending Review covering the period 2022/23 through to 2024/25 (although it's still unclear if this would translate to a three-year settlement); this included assumptions about real terms growth in Council Spending Power (the Government's preferred measure). However, it should be noted that the calculation of Spending Power assumes that councils would increase Council Tax by the maximum permissible without a referendum, which in the case of Epping Forest District Council was a £5.00 increase.

Details of what the overall increase in Spending Power means for individual councils would be announced in the Local Government Finance Settlement 2022/23, which was due in December 2021. Some adjustments, especially to funding assumptions within these proposals, can be expected to follow on from that announcement.

Councillor Philip went on to summarise the position of the council's finances and the likely expenditure expected in the coming year and the problems and hurdles still facing the council. When this was presented to the Select Committee, he hoped to have much more detail in the report.

The Leader of the Council thanked Councillor Philip and the Finance Team for their hard work, noting that it had been a hard task to put this all together.

Councillor Burrows asked when would we expect to get the notification of the Government settlement. He was also glad to see there was money for the Highway Rangers. He was told that the notification was expected around 16 December, but this date could slip back. And yes, we were still putting money into the Highway Rangers and the apprentices.

Councillor Patel noted the reliance the Council had on Qualis. He then asked about the disabled facilities grant, there seemed to be a large spend programmed in for 26/27. Why was this? He was told that this was 100% funded by government grants, so it was cost neutral to the council.

Councillor Brookes queried the rental income from shops and assets. Were we still owed money and what could we expect from that? And on Fees and Charges, why had after school clubs charges gone up by 40%? She was told that as with other landlords we were behind on rental income and were looking to see how much we were owed. However, we were recovering more quickly than our neighbours. As Councillor Patel indicated, we were also reliant for some of our revenue on Qualis and also to regenerate areas in the district to bring in money to the Council. As for fees and charges we will take that back to the service and get an answer for you.

Councillor Murray asked about the line in employee charges which implied that we had a cost centre in the HRA which should have been in the general fund, how long had that been going on and what was the impact on the Housing Revenue fund. He was told that this had no impact and had no issues whatsoever, they were just putting it back to where it belonged, in its right place.

Councillor Murray asked about the Disabled Adaptations to council homes. Would the HRA have to pick this up or was it the Government. Councillor H Whitbread said she thought the answer was no (the Government did not pick this up) but she would confirm.

Councillor Murray then said that he did not disagree that the Council Chamber needed an upgrade, but at £160k that seemed a lot. He was told that was not a lot in a place as complex as this, as well as it being a listed building. The £160k would be a maximum provision.

Councillor Patel asked about the venue hire charges listed, did we calculate these by the square metre? And did we know what it costs us to run a venue? He was told it was very difficult to do that in a practical way as we incurred costs whether the space was occupied or empty. The key thing here was not to make excessive increases in charges.

Councillor C Whitbread commented that this was the first step in the provision of the budget. We were also still waiting to know what the Government funding would be and that there would be more challenges in the year ahead. An updated report would now go to the Stronger Council Select Committee in January.

Councillor Philip asked that if members had any detailed questions for that meeting that they let him or officers have them ahead of the meeting so that answers could be sourced in advance.

Decision:

- 1) The Cabinet considered the draft General Fund revenue budget proposals for 2022/23;
- 2) The Cabinet considered the draft Housing Revenue Account (HRA) revenue budget proposals for 2022/23;
- 3) The Cabinet considered the draft General Fund and HRA capital proposals for 2022/23 through to 2026/27;

- 4) The Cabinet considered the draft Fees and Charges proposals for 2022/23;
- 5) The Cabinet considered and approved the updated Medium-Term Financial Plan (General Fund and HRA); and
- 6) The Cabinet requested that the Stronger Council Select Committee considers the draft budget proposals for 2022/23 and associated documents and make comments for consideration at the Cabinet meeting on 7th February 2022.

Reasons for Proposed Decision:

To provide Cabinet with an initial draft Budget for 2022/23 for consideration (alongside comments from the Stronger Council Select Committee held on 16th November 2021) ahead of the forthcoming Budget scrutiny process in January 2022; and for Cabinet to provide Finance officers with any direction required to further refine the Budget.

Other Options for Action:

N/A.

CHAIRMAN