

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Overview & Scrutiny Committee      **Date:** Thursday, 16 June 2022

**Place:** Council Chamber - Civic Offices      **Time:** 7.00 - 8.15 pm

**Members Present:** Councillors H Kane (Chairman), D Wixley (Vice-Chairman), R Balcombe, R Baldwin, R Bassett, S Heather, R Jennings, J Lea, J McIvor, S Murray, S Patel, S Rackham and J H Whitehouse

**Members Present (Virtually):** Councillors P Bhanot

**Other Councillors:** Councillors N Bedford, S Kane, A Lion, C Whitbread, H Whitbread and K Williamson

**Other Councillors (Virtually):** Councillors N Avey and A Patel

**Apologies:** I Hadley

**Officers Present:** G Blakemore (Chief Executive), D Fenton (Service Director (Housing Revenue Account)), G Woodhall (Team Manager - Democratic & Electoral Services), V Messenger (Democratic Services Officer), T Carne (Corporate Communications Team Manager) and A Buckley (Higher Level Apprentice (Internal Communications))

**Officers Present (Virtually):** J Leither (Democratic Services Officer)

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### **1. WEBCASTING INTRODUCTION**

The Democratic and Electoral Services Team Manager 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.

### **2. SUBSTITUTE MEMBERS**

The Committee noted that Councillor S Rackham had been appointed as substitute for Councillor I Hadley.

### **3. DECLARATIONS OF INTEREST**

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

#### 4. MINUTES

##### RESOLVED:

That the minutes of the meeting held on 31 March 2022 be taken as read and signed by the Chairman as a correct record, subject to the following amendments:

- (1) Correction of 'part' to 'parts', 'border' to 'borders' and the addition of Buckhurst Hill Parish Council (Minute no 92), to read: "Councillor D Wixley commented that parts of borders on the RVRG came under Buckhurst Hill and Chigwell Parish Councils but this was not referred to in the report".
- (2) Correction of '37' to '36' (Minute no 94), to read: "Sale of the Pyrles Lane site, Loughton, to Qualis – the number of houses within the scheme had been increased to 36 following the Committee's meeting in June 2021".

Councillor J H Whitehouse and S Murray raised the issue of officers not reporting back and replying to members' questions raised at a previous meeting. There should be a better mechanism in place, so that perhaps responses of a substantial nature could be reported in the Bulletin, which might provide a faster response than the minutes. The Chairman, Councillor H Kane, agreed, and was of the opinion that reporting back by officers should be improved but this matter would be discussed at the Joint Meeting of the Chairmen and Vice-Chairmen on 28 June 2022.

#### 5. PUBLIC QUESTIONS & REQUESTS TO ADDRESS THE OVERVIEW AND SCRUTINY COMMITTEE

The Committee noted that no public questions or requests to address the meeting had been received.

#### 6. EXECUTIVE DECISIONS - CALL-IN

The Committee noted that no executive decisions had been called-in for consideration since the previous meeting.

#### 7. CORPORATE PRIORITIES 2022/23

The Leader, Councillor C Whitbread, presented an overview of the Council's corporate priorities for 2022/23 at the Committee's first meeting in the new municipal year.

**Priorities** – to maintain our sound finances, as the Council was facing challenging times with the rising cost of living and interest rates, in addition to maintaining low council tax and essential services for residents. The Council was working with its partners across a range of services, such as Biffa who had experienced staffing issues. The Council supported three contracted Essex Police constables. It welcomed Qualis, which was running council house repairs and developing sites in Epping etc. Fundamental to the Council was how these services were delivered and how it had transformed to deliver services and look forwards.

**Local Plan** – adoption of this was key to investment in the District and about creating jobs. The North Weald masterplan would be a major employment area, but the Council was waiting on the Local Plan Inspector to finalise matters.

**Recovery** – following the Covid pandemic, staff were working from home with hybrid working and it had changed local democracy, but communications needed to be in place. Councillor A Lion would lead on this as the Customer Services portfolio holder, and Councillor K Williamson's portfolio would be focussing on services in planning processes and how to shape the Council's plans for the future. Council tax had only been raised when necessary. The community hub in the refurbished Civic Offices had moved through some initial teething problems but was now being welcomed by our community partners.

**Devolution** – it was very important that the Council liaised with its partners in the health services and in local government (East Herts, Harlow and Broxbourne local authorities) across all areas to search out those of common interest, but the Council's ambitions would change as the year progressed.

Councillor S Murray agreed with the Leader's focus on sound finances. In respect of Councillor L Burrows' portfolio covering reviews and efficiency, it would be useful to look at any work proposals where money could be saved as long as the Council was not cutting costs unnecessarily. Qualis must be one of the areas this Committee scrutinised. With the Leader's portfolio incorporating Council partnerships, there should be more support for the Epping Forest Foodbank in this current climate where things could deteriorate. Furthermore, in view of the Council's constant transformation and looking at new ideas, the staff did need stability. Members needed to be able to analyse what had worked, so the steps should be – change, evaluation and analysis. The Leader replied that the Council had changed over the years. Leisure services was a transformation at its best with a new sports centre at Waltham Abbey and one to come in Epping to provide services residents cared about and at prices they could afford. The Council had returned and revisited policies. Progress on Council housebuilding was one such area, which was transformational across Essex and the development of the wellbeing hub's partnership working should be applauded. Transformation was only good if the Council learnt from it and changed positively. On sound finances, he was proud council tax was only raised when it was necessary, but Councillor L Burrows would look at services carefully.

It was felt the Council could make improvements in communicating better with residents, as some had to phone several times to speak to a staff member. The Leader replied it was not the fault of the staff, but the Council did need to ensure it had the ability and flexibility to continue to help residents and the Council was prepared for change and had made improvements.

Was working from home the best option when people were not receiving replies to their queries, which was not helping? The Leader clarified that the Council had planned for a decade for the transformation of the Civic Offices, and it had happened during the Covid pandemic when it had moved to hybrid working. This had improved the quality of life for staff especially those with families. The Government had told its staff to return to offices in London and Council staff were returning to the office. The Council needed to ensure customers were getting the services they wanted, so it was important telephone communications and digital services were right in order to facilitate this. High streets though were benefitting from people working from home. It was a new era that had required change.

Councillor J McIvor had experienced first-hand earlier today, the good processes the Council had in place. In relation to the economic strategy of the District's high streets, how important would our high streets be in future? The Leader replied they were vital and the life blood of communities. While some larger towns had struggled, the Council had a waiting list for premises in the District's smaller towns. Coffee shops and bakeries were opening up in our vibrant high streets, which were all different with

lots of independent retailers as well as larger stores. Councillor N Bedford thought our high streets would be a key focus over the next nine months because of the high fuel/petrol prices, as this would boost the local economy with consumers shopping locally and was key to helping residents.

**RESOLVED:**

That the Committee reviewed the Leader's corporate priorities for 2022/23.

**8. SELECT COMMITTEE MEMBERSHIPS 2022/23**

Article 6 of the Council's Constitution required that the memberships of the select committees were appointed by the Overview and Scrutiny Committee at the first meeting each year, as such appointments were reserved to the Committee and not made by the Council.

Councillor S Murray remarked that he was pleased that three of the new select committee vice-chairmen were new members.

**RESOLVED:**

- (1) That, in order to reflect pro rata requirements and the lowest number of members necessary to achieve cross-party representation in the rules of the Constitution, each select committee would comprise 11, except Stronger Communities, which it was agreed would comprise 12 to accommodate an independent member for 2022/23;
- (2) That appointments to the select committees for 2022/23 be adopted, as set out in the appendix to these minutes; and
- (3) That appointments to the positions of Chairman and Vice-Chairman of each select committee for 2022/23 be made, as set out in the appendix to these minutes.

**9. OVERVIEW AND SCRUTINY COMMITTEE - WORK PROGRAMME**

The Chairman advised members that the committee's work programme would be discussed at the forthcoming Overview and Scrutiny Agenda Planning Group on 20 June for the first cycle of scrutiny committees. Furthermore, Councillor H Kane had a lot of ideas and changes she wished to discuss at the Joint Meeting of Overview and Scrutiny Chairmen and Vice-Chairmen on 28 June 2022.

Councillor S Rackham asked if external scrutiny of Essex County Council (Children's Services) and Essex Highways could be undertaken. The Chairman advised this would be an item for discussion at the upcoming joint meeting. However, she thought it more appropriate that the Committee concentrated on scrutinising the way the Council was working, rather than on external scrutiny of outside organisations, as members could not influence that organisation but only ask questions.

**RESOLVED:**

That the Committee reviewed its current work programme and reserve Programme.

**10. UPDATE OF RENT TYPES**

D Fenton (Service Director (Housing Revenue Account)) provided an update on the types of rents charged on the Council's tenanted properties. This was in response to a member's question from a previous meeting. There were two types of rent, social rent and affordable rent and these were governed by the Rent Standard, which was set by the Social Housing Regulator. The Government had set affordable rent several years ago to allow housing providers to charge a higher, but discounted rent at 80% of market value. This was so that the extra income above the social rent could be ringfenced to use for further housing developments. All the rents on the Council's new houses were charged as affordable rents. If they were not it would be difficult, because as a housing provider the Council carried out financial feasibility studies on all the proposed housing projects, so that whatever was built, did not contribute to breaking the HRA Business Plan. If the Council charged social rents on new builds, without substantial grants from Homes England, it would break the HRA Business Plan. Affordable rents were also charged on any buybacks of street properties owing to the financial viability just stated. Social rents were much simpler as they were set using a formula provided by the Social Housing Regulator. Social rents were usually increased every year.

The Committee asked the following questions of the HRA Service Director.

What was the difference between affordable rent and social rent on properties, for example in Loughton? D Fenton replied that she would provide some comparisons, for publicising in the Bulletin.

When people bid, did it affect their bidding as people might be able to afford social rent, but not affordable rent, so was there any evidence that it influenced how people bid and was that information available in the bidding process? D Fenton replied this information was always provided in choice-based lettings literature. The type of rent being charged would influence how people bid but the majority of Council properties were charged at social rents. The Council had not entered into a contract with Homes England to instigate 'conversions', where all empty properties or voids were converted into affordable rents, and had no plans to do this, so there would be both affordable and social housing in the future.

Did the Council only charge affordable rents on new builds or buybacks? D Fenton explained yes, but the Council did not always charge 80% of market value, which was the upper level, to ensure all rents were compatible with the Housing Allowance.

Why had a written report not been provided because it was more difficult to scrutinise a verbal report? D Fenton offered to provide a retrospective written report for the minutes if this helped.

**RESOLVED:**

That the verbal report be noted.

**Actions:**

- (1) That the HRA Service Director would provide some comparisons between affordable rent and social rent on properties, for publicising in the Bulletin; and
- (2) That the HRA Service Director would provide a retrospective written report for the minutes, if this helped.

*(Post meeting update: In response to action (2) above, please see attached Briefing Note for information entitled – Rent types changed for social housing within HRA)).*

## 11. OVERVIEW AND SCRUTINY 2021 - 22 ANNUAL REPORT

The Chairman advised that the final draft would go before Council in July, for approval.

The following amendments were noted at the meeting:

- Sale of the Pyrles Lane site, Loughton, to Qualis – the number of houses within the scheme had been increased to 36 following the Committee's meeting in June 2021; and
- Councillor D Wixley would email some corrections he had noted to the Democratic Services Committee Officer for inclusion in the final draft including an amendment to the call-in of the Jessel Green tree planting;

Councillor H Whitbread (Housing and Community Portfolio Holder) was please at the outcome of this decision and the tree planting that had taken place in Chigwell and Loughton.

### **RESOLVED:**

That the final draft of the Overview and Scrutiny 2021–22 Annual Report, including the amendments above, be submitted to Council on 28 July 2022 for approval.

## 12. CABINET BUSINESS

Cabinet's Key Decision List (KDL) updated to the 1 June 2022 was scrutinised by the Committee and the following points were raised.

It was thought that some of the reports going to a scrutiny committee for pre-scrutiny, were too close to a Cabinet meeting, as the Cabinet report could already been written for that decision. The Leader replied that improvements had been made but the Council did need to be agile and was always looking for opportunities and the way we could transform and move business forward. Comments made by scrutiny committees were helpful, but scrutiny members were welcome to attend Cabinet meetings.

### **(a) Environmental and Technical Services Portfolio**

Transfer of services to Qualis regarding Grounds Maintenance and MOT and Fleet – Councillor C Whitbread replied that consideration of the business cases should go to Overview and Scrutiny Committee. Councillor H Kane remarked she was looking to make changes so that proper scrutiny was undertaken.

### **RESOLVED:**

That the Committee reviewed the Executive's current programme of Key Decisions of 1 June 2022.

**CHAIRMAN**

## OVERVIEW & SCRUTINY SELECT COMMITTEES

### APPOINTMENTS 2022/23

<b>Stronger Communities Select Committee (12)</b>
<p><b>Chairman:</b> J Lea</p> <p><b>Vice-Chairman:</b> J Lucas</p>
<p><b>Conservative Group (7):</b> J Lea, J Lucas, R Balcombe, I Hadley, R Pugsley, D Stocker, S Yerrill,</p> <p><b>Green Party Group (1):</b> D Plummer</p> <p><b>Liberal Democrat Group (1):</b> C Amos</p> <p><b>Loughton Residents Association Group (2):</b> D Wixley, C Nweke</p> <p><b>Independent Members (1):</b> S Murray</p>
<b>Stronger Council Select Committee (11) *</b>
<p><b>Chairman:</b> J McIvor</p> <p><b>Vice-Chairman:</b> S Patel</p>
<p><b>Conservative Group (7):</b> J McIvor, S Patel, R Bassett, I Hadley, S Heather, R Morgan, S Rackham.</p> <p><b>Green Party Group (1):</b> E Gabbett</p> <p><b>Liberal Democrat Group (1):</b> J M Whitehouse</p> <p><b>Loughton Residents Association Group (2):</b> R Brookes, J Jogia</p> <p><b>Independent Members (-):</b></p>
<b>Stronger Place Select Committee (11)</b>
<p><b>Chairman:</b> R Balcombe</p> <p><b>Vice-Chairman:</b> R Pugsley</p>
<p><b>Conservative Group (7):</b> R Balcombe, R Pugsley, R Bassett, P Bolton, H Brady, S Heather, R Morgan,</p> <p><b>Green Party Group (1):</b> S Heap</p> <p><b>Liberal Democrat Group (1):</b> C McCredie</p> <p><b>Loughton Residents Association Group (2):</b> I Allgood, J Jennings</p> <p><b>Independent Members (-):</b></p>

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## **Briefing Note for Overview and Scrutiny Committee**



**Epping Forest  
District Council**

**Portfolio: Housing and Property (Cllr Holly Whitbread)**

**Subject: Rent types changed for social housing within HRA**

**Officer contact for further information: Deborah Fenton (07988860412)**

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### **Briefing note for members**

#### **Executive Summary:**

Members requested an overview of the types of rent charged in our social housing stock. This was presented verbally, however members felt a paper would be helpful.

#### **Report**

At EFDC 2 types of rent – Social rent and Affordable rent are used. The way in which we set our rents is governed by the Rent Standard which is set by the regulator of social housing.

#### **Affordable Rent**

"Affordable" rents were introduced by the government a while ago as a way of allowing housing providers to charge a higher but still discounted rent on some of our homes. An "Affordable Rent" is defined as a rent of up to 80% of the local market rent for the homes we let. The extra income we get from letting a small percentage of our homes (new builds and buy backs) on an "Affordable Rent" is used to help develop new homes for those in housing need.

In addition, we have to consider the financial viability of our housing stock. All our new builds are set at an affordable rent, it would be difficult to build any further council housing which is not set at an affordable rent, unless we receive significant grant from Homes England. This is because the financial feasibility on anything, but affordable rent will lead us to breaching the HRA business plan over time.

For the same reason we also charge affordable rent on buybacks.

#### **Social Rent**

Social rent is set by the Regulator for Social Housing and is increased each year according to what the Regulator has set in the rent standard. The initial rent was based on a 1999 value and has increased or decreased ever since, based on the latest rent standard.

Members can find a copy of the latest rent standard at the link below:

[Rent Standard and guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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