

EPHING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 11 June 2020
Place: Online meeting using Zoom **Time:** 7.00 - 8.25 pm
Members Present: C Whitbread (Chairman), N Avey, N Bedford, A Patel, J Philip, S Kane and H Whitbread

Other Councillors: P Bolton, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, A Lion, C McCredie, L Mead, S Neville, C C Pond, C P Pond, J Share-Bernia, D Sunger, B Vaz, J M Whitehouse and D Wixley

Apologies:

Officers Present: G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), S Jevans (Strategic Director), A Small (Strategic Director), R Pavey (Service Director (Customer Services)), D Fenton (Service Manager (Housing Management & Home Ownership)), J Gould (Housing Needs and Older Persons Services), T Carne (Corporate Communications Team Manager), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and G Woodhall (Democratic & Electoral Services Officer)

15. 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.

16. DECLARATIONS OF INTEREST

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

17. REPORTS OF PORTFOLIO HOLDERS

The Environmental and Technical Services Portfolio Holder, Councillor Avey noted that as part of the post Covid recovery programme, as from Monday, 15th June all Council car parks would have a starting rate of 20pence for the first two and a half hours and after that the standard parking rate would apply.

The Planning and Sustainability Portfolio Holder, Councillor Bedford, thanked Councillor Avey for the works that have just started at the Ongar swimming pool, putting in new pool heating equipment and repairing the roof while the centre was closed because of the current lockdown. A budget of £1.5 million had been set-a-side for this and any money left over would be used to refurbish the centre and bring it up to standard.

The Leader commented that we have had two good bits of news this evening for local residents and businesses, and he would like once again like to add his thanks to officers who have had to react very quickly to rapidly changing circumstances

while getting on with their day job, and bringing forward work such as the Ongar Leisure Centre.

The Commercial and Regulatory Services Portfolio Holder, Councillor Patel gave an update on the Covid 19 recovery advisory group. Group leaders have been asked to provide a member to sit on this advisory group. He advised that their first meeting would be on 15th June. They would be looking to establish terms of reference and looking to provide a short to medium term response. Advice from the government was coming in daily and also changing rapidly and they would have to keep abreast of this, while liaising with local businesses etc. The lead officer would be Andrew Small, and they hoped to meet regularly through July, leading to looking at a more longer-term strategy being developed.

Councillor Murray asked that as an independent councillor, could he be copied into the paperwork of these meetings so that he could provide any necessary, local background knowledge.

18. 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.

19. OVERVIEW AND SCRUTINY

The Cabinet noted that the first meeting of the year for the Overview and Scrutiny Committee would be held on Monday 22 June 2020.

20. REVIEW OF SERVICE CHARGES

The Housing and Community Services Portfolio Holder introduced the report on the review of service charges.

She noted that the Council charged for additional services to tenants living in blocks of flats based on a CPI yearly increase. An example of these services were the cleaning of blocks and communal utility costs such as electricity for lighting.

This approach had become challenging for most organisations over the years as some costs had risen above the rate of CPI. A recent analysis, by Housing Management of cost against income had ascertained that the under recovery of service charges stood at £1.3m for EFDC 2019/20. Most organisations have changed their approach and charge for the actual cost of services.

Councils were now subject to rent regulations via the Regulator for Social Housing. The Regulations clearly state that social housing providers need to charge for services in a fair and consistent way which could be accounted for. This translates to charging the actual cost for the services broken down to each individual property. From a legal standpoint this protected the council from challenge regarding fair and accurate charging.

Any increase in service charge needed to be approached with care and compassion; as such a further paper would be presented to Cabinet in September setting out the options.

It was proposed that income raised (over and above current service charge income) in the first 4 years was ringfenced to pay for estate improvements under our proposed scheme 'more than bricks and mortar' our mission was: 'EFDC creating

great places where people want to live'. Our estates would benefit from a cash injection, this strategically, would be a benefit to the whole district in terms of communities, place and customer satisfaction.

The Service Manager (Housing Management and Home Ownership), D Fenton, gave a presentation highlighting the benefits for communities.

Councillor S Kane said that he was very pleased to see this going ahead and was please at the prospect of resident participation, as this was important to instil some pride in the place.

Councillor J Philip commented that it would be good to scope out what the shortfalls were. The way it would self-fund itself was really good and it would allow us to target what was needed, where it was needed.

Councillor Murray asked if this would increase service charges. He was told that it would and that in the future they would further consult with the residents to see if they wanted to further increase the services that they were offered. The Council was regulated by the Social Housing regulations and so had to provide fair and accurate charges to services.

Councillor Murray commented that although this had been in the pipeline for some time this was not a good time to do this. D Fenton noted that this was subject to housing benefits and officers would be recommending ways that the charges could be applied, for example, going for a tiered approach over four years. They fully recognised the potential strain that this had to put on people. Councillor H Whitbread added that this work had been started prior to Covid 19 and with a further report coming in September it gave officers a chance to review it and learn from the lockdown period.

Councillor Murray went on to ask what would happen if people wanted to pay less and have a reduction in services. How would we manage that? He was told by D Fenton that they would have to consult with all residents and all residents would have to agree to have a reduction in services. There was also provision in the tenancy agreement to charge the correct service charge.

Councillor Murray's biggest concern was that a lot of houses on our estates had been sold to the tenants and they did not pay service charges, but they may benefit from communal improvements. D Fenton replied that lease holders did pay a service charge. As for owner occupiers on estates, that was a challenge as she could only charge for services that the council provided.

Councillor Neville emphasised Councillor Murray's comments and noted that this needed to be looked at sympathetically especially where upgrades benefited everyone but only a few households were paying for it. He also asked that we use Tenants Groups for their input. D Fenton noted that they would be consulting widely as not all estates had tenant groups.

Councillor Chris Pond welcomed most of what had been said and commented that an upgrade was urgently needed for these areas, as the people who lived there needed a decent environment. Also, as the people who lived in these blocks were not well off and we needed to keep it affordable for them, especially at this time.

Councillor Heap welcomed the improvements to the properties. Councillor Wixley noted that the Debden Tenants Panel meetings had not taken place for some years, nor had other tenant body meetings. He asked if these bodies would be resurrected?

And on service charges, he was concerned that there had been a shortfall, and would different blocks be charged at different rates. D Fenton noted that this exercise was about transparency and making sure that we were charging the actual costs for the services that we provided. Our charges would be based on the size of the property. We were also working to reinvigorate the Tenant Panels, and some of them were still working really well.

Decision:

- (1) Cabinet noted the requirement to carry out a full review of service charges across the District;
- (2) The Cabinet agreed to receive a further paper in September to agree the proposals on introducing a fair and consistent approach to service charges for tenants living in blocks; and
- (3) The Cabinet approved the development of a new scheme *'more than bricks and mortar'* *'EFDC Creating great places where people want to live'*.

Reasons for Proposed Decision:

The development of an accurate and fair charging regime for service charges supports the overall aspirations of the Councils Corporate Plan – Stronger Communities, Stronger Council

Other Options for Action:

Not to develop a fair and accurate charging regime. This would leave us potentially in breach of the newly published Rent Regulations and at risk of legal challenge around fair charging.

21. PROVISION OF TELECARE

The Housing and Community Services Portfolio Holder, Councillor H Whitbread introduce the provision of telecare report. Essex County Council (ECC) had decided to procure a county-wide care technology service for telecare and assistive technology delivery. This had significant implications for EFDC's own future delivery of telecare to residents across the district.

The purpose of this report was to provide background on current services and set out the options available for the ongoing delivery of EFDC's telecare provision.

The report detailed two options available to the Council:

1. Status quo - do nothing;
2. Cessation of the delivery of telecare.

Ultimately recommending that EFDC cease the delivery of telecare to residents living in private dwellings across the district.

Councillor Philip noted that the current slight surplus would go into deficit if we did not take this action.

Councillor Wixley noted that there may be a risk to users during the transition phase and also asked if the new contract was for a fixed period. He was assured that it

would be a smooth transition and that this would happen in December this year so there was plenty of lead in time.

Councillor H Whitbread thanked the telecare staff for their outstanding work during the current lockdown period as they keep in touch with all the vulnerable residents to ensure their wellbeing.

Decision:

Following Essex County Council's decision to procure a county-wide care technology service Cabinet approved the recommendation to cease EFDC's own delivery of telecare.

Reasons for Proposed Decision:

Cessation of the delivery of telecare

ECC's county-wide model provided an alternative for existing users from a trusted provider that offered the potential for both economies of scope and scale. This approach would likely improve efficiency and harness resources to invest and innovate ensuring the new service was at the cutting edge of telecare and assistive technology which would likely be superior to EFDC's offer.

Cessation of service delivery would remove a number of financial and operational risks that currently sit within the Council. The likelihood was that 2.7 full-time equivalent staff who currently worked for the Council solely on the provision of telecare would be transferred to a newly contracted provider under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

Other Options:

Maintain status quo

There was an option to maintain the status quo with EFDC continuing to provide telecare to residents within the district. However, retaining current arrangements was unlikely to be a realistic option for the service given that the modest contribution it generates of around £20,000 per year currently would result in a deficit of at least c£15,000 following the mobilisation of ECC's new contract. The reasons for this include:

- The funding from Essex County Council to supply and maintain the telecare equipment and cover the installation costs will no longer be available under the new arrangement.
- Essex County Council currently fund the first 12 weeks of the service costs for service users. This will no longer be available outside of their new framework contract once the new contracts are awarded.
- Continuation of the service directly by the Council would require a sustainable business case (an increase in the charges to cover costs and support continuous improvement).
- Residents may view the other options such as those provided through ECC as representing better value for money in terms of both costs and potentially service quality.
- A likely outcome is that there will be little or no demand for the service without EFDC significantly investing to deliver outcomes to match the 'best in class' market offer.

22. IMPACT OF COVID 19 ON OUR WORKFORCE

The Customer and Corporate Support Services Portfolio Holder, Councillor S Kane, introduced the report detailing the impact of Covid 19 on the council's workforce. This report was to formally recognise the exceptional work undertaken by the officers of EFDC in these exceptional circumstances. He noted that the Council had continued to provide services for customers throughout the Covid19 restrictions which were put in place by the Government at the end of March. Employees had worked collaboratively supporting the multifaceted Operation Shield, supporting our business community through Business Rate Grants and being innovative in using technology to provide online resources for both customers and employees.

From 11 March a total of 98 employees had been absent from work due to Covid19, 2% were confirmed as having the infection the other 98% stayed home for a variety of self-isolating reasons (figures as at 1 June). If well, employees continued to work from home. No employees had been furloughed.

Councillor Bedford also thanked the staff and noted that importantly we had continued providing our services across the district and not had to furlough any staff. He noted that we have had an increase of telephone enquiries of 30% in this period that had been dealt with by officers in a professional and timely manner. The staff had been tremendous, they had shown themselves to be a very flexible and adaptive workforce.

Councillor H Whitbread echoed these sentiments, adding that the Community and the Community Safety Team has had to face new challenges, as well as the Housing Team. They had gone above and beyond what was asked of them. Councillor Patel added his agreement to the sentiments raised.

Councillor Philip also welcomed this report and was pleased to see the annual leave flexibility that had been brought in for staff, as at these times it was easy to not take leave when working from home. He noted the resource implications of what we have been doing during Covid and that this would have financial consequences for the Council. But, in all we should be really proud of ourselves as a council and all the work we have done at this time.

Councillor Avey could not thank the teams that worked for his portfolio enough as well as the contractors such as Biffa who performed admirably over this period. Councillor Chris Pond added his agreement to this saying that the Council's contractors had been exemplary.

Councillor Murray was in total agreement. The staff had been flexible, committed and outstanding. He had received no words of complaint from his residents, no bins had been missed in Loughton and the grounds maintenance people still carried out their work to their usual high standard. He also wanted to thank the voluntary sector, the CAB, the food banks, the Rotary Club and the mutual aid groups that had sprung up.

Councillor Wixley voiced his concerns about Biffa operatives in close proximity sharing the cab and other staff working in close proximity with each other. He hoped they were getting appropriate guidance and advice. Councillor C Whitbread replied that they have been very mindful about the situation with Biffa and it was credit to all staff that they have adhered to the rules in order to work safely while serving our residents. Also, he paid tribute to the senior management team that had ensured that this happened and had kept the work ticking over these past few weeks.

Councillor Neville expressed his full confidence in the council's staff and contractors. He also wanted to mention the staff working with the elderly in the council's sheltered accommodation. As far as he knew there had hardly been any report of infections in the homes, and that was really good.

Councillor C Whitbread noted that the members had picked up on the great things that had happened in Epping Forest in a difficult time. Also, Councillor Murray had picked up on the volunteer army and the people who had again found their community spirit and the unity in the charitable sector. He would like the Covid recovery advisory panel to look at the voluntary sector and how we could keep that going post Covid.

Councillor S Kane thanked everyone for their comments saying they were very well deserved, and the officers would be delighted to hear it. He was so proud of the work they had done, and this report reflected that.

Decision:

The Cabinet recognised the performance, work and effort of all EFDC employees and contractors in supporting residents and the business community throughout the Covid19 restrictions as well as the work carried out by the voluntary sector.

Reasons for Proposed Decision:

No decisions were required as the report set out the impact of Covid19 on our workforce.

Other Options for Action:

No other options were required as the report was for noting.

23. COUNTY LED HOMELESSNESS RECOVERY PLAN

The Housing and Community Services Portfolio Holder, Councillor H Whitbread noted that local housing authorities faced a potential surge in homelessness presentations once Covid-19 lockdown restrictions were lifted. The surge was likely to come in a series of 'spikes' for different cohorts of people experiencing homelessness for different reasons followed by a sustained increase in homelessness as the economic repercussions of Covid-19 were felt.

Whilst the impact would vary in intensity and timescale across the different Districts and Unitary Authorities in Essex, the challenges were likely to be broadly the same.

Consequently, the Essex Resilience Forum (ERF), in conjunction with Essex Housing Officers Group (EHOG), commissioned Essex County Council (ECC) to review the current position in relation to both rough sleepers and homelessness and consider the development of recovery plans and/or strategies to support measures that seek to mitigate the impact of additional pressures on homelessness services and the use of temporary accommodation as far as possible.

EFDC presently had 11 rough sleepers who were in accommodation so that they could self-isolate at this time, this was something that officers were constantly monitoring.

Councillor Brookes asked if our Homeless Prevention Team were working remotely at present or were they able to go out and see people. She was told that they did both, working remotely and making visits. People are still going to either Hemnal House or Norway House and we now have split the officers into two teams to enable social distancing. We also had strong partnerships with other housing providers including housing associations and other local authorities. The situation was under continual review.

Councillor Neville asked what sort of work did we do with the London Boroughs. He was told that as part of a number of local authorities that sit just outside the M25 we liaised with London Boroughs on the number of rough sleepers. There was concern we would see a rise in London migration and so were continuing with talks with London Boroughs on this and had reached agreements on a number of different points around support and communication. We have also got a contingency on asylum seekers working in partnership with them. There was some good partnership working going on.

Decision:

The Cabinet noted the County-led post Covid-19 homelessness recovery planning that had taken place to date and approved the progression of EFDC's involvement in the drafting of a plan.

Reasons for Proposed Decision:

For EFDC to benefit from the oversight of ECC in reviewing the current homelessness position across Essex; with an Essex collective, make more robust representations to MHCLG and Homes England on any agreed policy asks to support recovery; through partnership working seek to secure a more coherent support offer from ECC for the benefit of Epping residents.

Other Options for Action:

Not to approve the progression of EFDC's involvement in the drafting of a plan and to progress homelessness recovery planning in isolation.

24. BUSINESS GRANTS TOP-UP - DISCRETIONARY POLICY

The Customer and Corporate Support Services Portfolio Holder, Councillor S Kane, introduced the report on business grants top-ups. The report was asking Cabinet to approve a Discretionary Top-Up Policy for the issuing of Business Grants for those businesses who had suffered financial losses since the Covid-19 lockdown and had not this far received financial support. The Policy follows Government guidance on where the priorities for awarding grants should be and allowed authorities an element of discretion on other property types within its local area, The allocation for the scheme was a maximum of £1.49m for the district and is funded through s31 grant from Government.

Councillor Avey asked if market traders fell under this scheme. Councillor Kane said that if it was a micro business then it would, depending if the levels were appropriate. But there were only so many businesses that we could help as the £1.5million was a finite resource. This was something that we wanted to discuss this evening, was the policy acceptable as it stood or were there other things we could move forward on.

Councillor Philip said that they needed to think if the £5000 was right or should we have it at £2,500. There would never be enough for all the businesses in our district. We also needed to be clear about making an application form for this grant scheme and to publicise it on social media and our website and through our business contacts. Speed was important.

Councillor Kane agreed with setting the lower banding at £2,500 so that we could help as many businesses as possible, anything lower would prove to be ineffectual. Was there anything else that we could add to help officers in making their decisions.

Councillor Bedford clarified the point on the market traders, they had to be regular market traders with fixed property costs. The traders at Epping Market would not qualify.

Councillor Philip noted that one category of business had been missed off, that of businesses manufacturing things for retail. We should include them. Also, add businesses that have operated in our district for a long time. These additions were agreed.

Decision:

The Cabinet approved the Discretionary Top-Up Policy for the issuing of Business Grants, with the addition of the following modifications to the policy. That:

- A lower band be set at £2,500;
- To include the manufacture of retail goods; and
- To give precedence to the long-term business that have operated in the district.

Reasons for Proposed Decision:

To enable the Council to issue grants to qualifying businesses due to the effects of Covid-19

Other Options for Action:

1. To vary the terms of the Discretionary Policy;
2. To not issue the Discretionary Policy.

25. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

26. EXCLUSION OF PUBLIC AND PRESS

The Cabinet noted that there was no business for consideration which would necessitate the exclusion of the public and press from the virtual meeting.

CHAIRMAN