

# **EPPING FOREST DISTRICT COUNCIL CABINET MINUTES**

**Committee:** Cabinet **Date:** 16 November 2020  
**Place:** Virtual Meeting on Zoom **Time:** 7.00 - 8.15 pm  
**Members Present:** C Whitbread (Chairman), N Avey, N Bedford, A Patel, J Philip, S Kane and H Whitbread

**Other**

**Councillors:** R Baldwin, P Bolton, L Burrows, S Heap, H Kauffman, A Lion, C McCredie, R Morgan, S Murray, S Neville, C C Pond, C P Pond, M Sartin, J Share-Bernia, D Stocker, D Sunger, B Vaz, J H Whitehouse, 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 Corporate and 151 Officer), D Fenton (Service Director (Housing Revenue Account)), P Maginnis (Service Director (Corporate Services)), C Hartgrove (Interim Chief Finance Officer), A Marx (Development Manager Service Manager (Planning)), K Pabani (Chief Estates Officer), T Carne (Corporate Communications Team Manager), A Hendry (Democratic Services Officer), V Messenger (Democratic Services Officer) and S Mitchell (PR Website Editor)

**77. 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.

**78. DECLARATIONS OF INTEREST**

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

**79. MINUTES**

**Decision:**

The Minutes of the Cabinet meeting held on 19 October 2020 be taken as read and would be signed by the Leader as a correct record.

**80. REPORTS OF PORTFOLIO HOLDERS**

The Customer and Corporate Support Services Portfolio Holder, Councillor S Kane noted the government had introduced new grants to support businesses through Covid. These grants were to be administered by Local Authorities. There were three schemes; the first was a local restrictions support grant (closed) to support businesses that had to close under the national restrictions. The second was the local restrictions support grant (open) to support businesses that could remain open but were severely impacted by the restrictions. Thirdly, was the additional restrictions

grant, for businesses that remained open, was severely impacted, but did not qualify elsewhere. This was discretionary scheme, details of which were still being worked through with the County Council. The first two scheme's application forms were available on our website.

#### **81. 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.

#### **82. OVERVIEW AND SCRUTINY**

The Chairman of the Overview & Scrutiny Committee reported that they had not had a meeting since the last Cabinet meeting. However, they would be having one in a couple of days' time, when they would have John McGill, Director of the Innovation Corridor, and Dr Ann Limb, Chairman of the Innovation Corridor to speak about the Innovation Corridor, formerly the London-Stansted-Cambridge Consortium.

#### **83. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 8TH SEPTEMBER 2020**

The Portfolio Holder for Housing and Community noted that she wished to defer item 12 of the agenda "new policy- disposal of HRA assets", so that it could be taken to the Communities Select Committee for consideration before it came back to Cabinet. This was agreed.

On the Cabinet Housebuilding Cabinet Committee minutes, Councillor Neville asked about the parking allocations policy, referring to all new developments to have allocated parking, was that true and if so, from what stage. The Director, HRA Functions, D Fenton replied that in terms of taking the council housebuilding programme forward, they were committee to being more collaborative and liaising more. They will be asking the public what their needs were in the local area. Any application either with or without car parking would have to go through planning. They are also committed to making the best use of what they have, while meeting the needs of the residents.

Councillor Morgan asked about the Matching Green application that had been refused permission because of lack of parking. Had any progress been made on this site. D Fenton said that would contact Councillor Morgan directly on this matter.

#### **Decision:**

That the minutes of the Council Housebuilding Cabinet Committee held on 08<sup>th</sup> September 2020 be noted.

#### **84. INCOME RECOVERY STRATEGY AND POLICY**

The Housing and Communities Portfolio Holder introduced the income recovery strategy and policy report. The Income Recovery Strategy and Policy was required to give direction to the Income Recovery Service, conveying clear and consistent messages about the service ethos to staff, tenants and other stakeholders.

The Income Recovery Strategy and Policy drew upon the previous Strategy on Rent Arrears which was considered and endorsed by the Council's Housing Scrutiny Panel on 21st October 2014 and approved by the Housing Portfolio Holder in November 2014.

The overall aim of the Income Recovery Strategy and Income Recovery Policy was to focus on prevention, allowing the Council to maximise rent collection, minimise tenant debt and enable tenants to maintain their tenancy wherever possible.

This strategy exceeded the obligations under the pre-action protocol, as the Council was now taking a holistic view and focusing on a one to one approach. This had been piloted during the Covid 19 period, and had been very successful in identifying those people who needed help, whilst driving down rent arrears.

Councillor Wixley asked about the visits undertaken by council staff, were they still going on through the pandemic and were we still identifying safeguarding issues. He was told that visits were still being undertaken before this current lockdown happened. Visits have been stopped during this lockdown period but will restart again after. Officer also picked up on tenancy issues and safeguarding issues. Also the council will shortly be starting its own tenancy audit and would hopefully visit every tenant.

**Decision:**

The Cabinet agreed to the adoption and implementation of the updated Income Recovery Strategy and the Income Recovery Policy which set out Epping Forest District Council's approach to the maximisation of income and recovery of rent arrears ensuring compliance with current legislation and recognised best practice.

**Reasons for Proposed Decision:**

The prevention and effective management of rent arrears is critical in terms of maximising the resources available to the Housing Revenue Account, so that the Council can maintain and continue to improve existing council stock, fund the development of new stock and continue to provide good quality service to customers. This Income Recovery Strategy had been formulated in consultation with representatives of the Epping Forest District Tenants and Leaseholders.

**Other Options for Action:**

Not to update the Income Recovery Strategy and Policy.

**85. THE MORE THAN BRICKS AND MORTAR ESTATE IMPROVEMENT SCHEME - EFDC CREATING GREAT PLACES WHERE PEOPLE WANT TO LIVE**

The Housing and Community Services portfolio Holder introduced the report on the Estate Improvement Scheme. It was noted that the More than Bricks and Mortar Estate Improvement Scheme, signalled a new way of thinking about, talking about and making decisions about the Council's HRA housing estates.

The aim of the scheme was to work with residents on a range of estate projects aimed at improving their look, feel and lived experience, with focus on the communal living environment.

The report explained how the Council might work with residents to better understand specific estate needs and aspirations, thereafter, creating resident centred "wish lists" of estate improvements from which tailored estate improvement plans may be

agreed. Where funding was required to realise specific projects, the report set out the proposed mechanism for approval.

Whilst this scheme was about giving choice to residents, enabling them to shape their own communities, the Council had a duty to protect its assets and safeguard the health and safety of the residents; as such residents would be given guiding principles to work within when proposing any upgrades to their estates.

Councillor Neville welcomed this approach and asked if any areas in Buckhurst Hill had been identified as yet. He was told that they wanted to hear from all voices in all the estates. When they would be looking at the Buckhurst Hill area, they would speak to Councillor Neville.

Councillor Murray said that it was good to have joint consultations and asked for member involvement.

Councillor Chris Pond put in a special word for the Oakwood Hill estate and asked if the Council would adopt a holistic approach to the improvement plan. He was told that officers were looking to have a far reaching holistic approach.

Councillor Jon Whitehouse asked about timescales on reporting back on all six estates and where did sheltered housing estates fit in here, would they be included in the package or were they to be treated separately. He was told that the six estates mentioned would be looked at in the first year. As for sheltered housing, they would carry out a separate survey.

Councillor Wixley noted that there was one resident group missing from the list in the report and that was the Debden Tenants Panel; he was not aware that they had broken up. The Portfolio Holder said that they would check to see if they still existed and if so contact them.

#### **Decision:**

- (1) The Cabinet agreed the principles of the More than Bricks and Mortar Estate Improvement Scheme ~ Creating Great Places where People want to Live.
- (2) That in the first instance, the Cabinet agreed to pilot the scheme on Council Housing Revenue Account (HRA) housing estates who enjoyed fully constituted residents' groups.

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

To develop a scheme that delivers a programme of estate enhancements on HRA housing estates, in partnership with residents, and which supports the Council's ambition to create great estates where people want to live.

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

- (1) To agree a different set of principles.
- (2) Not to restrict the pilot to only HRA housing estates with fully constituted residents' groups.

## **86. FITNESS FOR HUMAN HABITATION ACT 2018 - OBLIGATIONS**

The Housing and Community Portfolio Holder introduced the report the Council's obligations under the Human Habitation Act 2018.

The Fitness for Human Habitation Act 2018 came into place in 2019. This resulted in a large change for Local Authorities with retained stock. Until the change, enforcement action around non-compliance with the Housing Health and Safety (England) Regulations 2005 (HSSR) was not applicable to Local Authorities, because the Local Authority would not serve Notices on itself.

The Act served to overcome this and enable Tenants to seek redress themselves for breach of contract through the court.

The paper set out the reasons and benefits for introducing a 5-year bin store replacement programme. Specifically, the details of the Act and the potential risks of not meeting the requirements of the legislation.

As well as the community health benefits of living in a clean, safe environment, the Council had signed up to the Climate Emergency. As such the Council needed to be working towards becoming carbon neutral. In addition, there was the environmental cost of not providing adequate facilities for disposing of rubbish. The costs for removing excess rubbish last year was £39K. In addition to this there was the cost for pest removal, and fly tipping. This also had an overall detrimental impact on local areas as individuals begin to lose the sense of being proud of the area they lived in.

Councillor Avey thought it was an excellent idea as there had been some issues of collections from estates. Councillor Philip was glad to it will be financed by the HRA and was within budget.

Councillor Bedford added that it would make sense to ensure the new bin stores were built from fire retardant materials.

#### **Decision:**

- (1) The Cabinet adopted the 5-year bin store replacement programme, to meet the Council's requirements under the Fitness for Human Habitation Act 2018. Funded from the HRA
- (2) The Cabinet noted the improvements to the Council's estates and the opportunity for increasing the Council's recycling, thus supporting the climate emergency.

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

This report sets out our requirements under the Fitness for Human Habitation Act 2018 and recommendations to meet the requirements of the legislation.

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

Not to adopt the 5-year improvement plan. This may leave the Council in breach of the legislation and subject to possible legal challenges from residents.

### **87. NEW POLICY - DISPOSAL OF HRA ASSETS**

This report was withdrawn so that the Stronger Communities Select Committee could scrutinise and comment on it before it came back to the Cabinet for a decision

## **88. MEDIUM TERM FINANCIAL PLAN DEVELOPMENT AND SCENE SETTING**

The Finance and Economic Development Portfolio Holder introduced the report on the medium term financial plan.

The preparation of a Medium-Term Financial Plan (MTFP) provided the cornerstone on which the Council could build and deliver services in accordance with their aims and objectives.

This was the first iteration of the MTFP within the 2021/22 budget cycle. It was a forward-looking document which provided a tentative look at the Council's financial picture over the next five years (2021/22 through to 2025/26) and set the scene by providing a framework for developing the 2021/22 General Fund budget. Through the early consideration of the core issues it allowed budget development activity to be focused over the next two months on refining assumptions and developing options.

The impact of the Covid-19 pandemic on Epping Forest District Council had a huge impact on both operations and finances, with major losses being experienced on a number of income streams ranging from core funding sources such as Council Tax and Business Rates through to fees and charges from Leisure Centres, Car Parking, Building Control, Planning and Licensing. The 2020/21 financial year had so far borne the brunt of the financial pressure, with the position being alleviated – to an extent – by emergency financial support from the Government. However, at the time of preparing this MTFP, it appears inevitable that the financial effects would continue well into 2021/22 and beyond and, in some cases, income streams may never recover to pre-pandemic levels. The Portfolio Holder noted that they were looking at a deficit of at least £2.1 million for next year, after the assumption of getting £1million from the Government and using £1million from our reserves.

Against this backdrop – where uncertainty reigns, and the country enters a second 'lockdown' – it was extremely challenging to prepare a robust budget for 2021/22.

Councillor Heap asked about various aspects of the report; he questioned the paragraph on miscellaneous income and the assumption of a stable income stream of £2.9 million assumed from 2021/22 from Qualis. Could this be fleshed out. He then questioned the assumed 3% pay award and asked what individual fees would have to go up. And finally, there was no mention of the need to repay £33 million to the public works loan board. The Portfolio Holder replied that the miscellaneous income would be picked up in the Qualis Business plan to go to the next cabinet meeting. As for the employees cost in terms of the annual pay award. The indications were that it would be at 3%, but we do not know this for sure as yet. There were no indications yet as to which fees were going up or which would be capped. And as for the repayments, he assumed these were the HRA ones, this report was looking at the general fund.

Councillor Bedford noted that if the NJC award came out at 3%, we would wholeheartedly support it as staff have worked very hard over the last few months. But this was only a guesstimate.

Councillor C Whitbread added that there were many unknowns and we have just gone through some very difficult months. But we were in a good position when we started. The Finance Portfolio Holder reminded the meeting that the accounts still

had to be signed off. The council had done its work on this and we were now waiting for the auditors to do their bit.

**Decision:**

- (1) The Cabinet noted the contents of the report, including Appendix A (Medium-Term Financial Plan 2021/22 to 2025/26); and
- (2) The Cabinet discussed and agreed any actions required, including the assumptions included in the MTFP and the potential options for addressing the underlying budget deficit in order to set a balanced budget for 2021/22.

**Reasons for Proposed Decision:**

To set a framework within which the Council can develop and set its Budget for 2021/22 and update its Medium-Term Financial Strategy through to 2025/26, ensuring that financial sustainability was maintained in the light of the shock caused by Covid-19.

**Options for Action:**

None at this time.

**89. ANY OTHER BUSINESS**

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

**90. EXCLUSION OF PUBLIC AND PRESS**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below as they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated, and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
16	Project Brief - Kickstart	3
17	Proposed Letting of Land at NWA to the HMRC	3

**91. PROJECT BRIEF - KICKSTART**

The Customer & Corporate Support Services Portfolio Holder, Councillor S Kane introduced the report on the Kickstart scheme.

The Cabinet noted that the Kickstart Scheme provided funding to employers to create job placements for 16 – 24-year olds on Universal Credit who were at risk of long-term unemployment. Employers of all sizes could apply for funding under the Scheme which covered:

- 100% of the National Minimum Wage (or the National Living Wage depending on the age of the participant) for 25 hours per week for a total of 6 months;
- associated employer National Insurance contributions;
- employer minimum automatic enrolment contributions;

Employers could spread the start date of the job placements up until the end of December 2021.

Each job placement needed to help the young person become more employable.

The scheme was supported by the Housing and Community Services Portfolio Holder who said that it was an exciting scheme with a really good website.

It was noted that the funding came from part of the Covid budget for use during the emergency and for development after, and there was also some government funding they could try to access.

Councillor Wixley asked about the difference between the national minimum wage and the national living wage. The officer said that she would find out.

**Decision:**

The Cabinet considered and agreed:

- (a) That the Council provide 8 – 10 Kickstart placements as an employer;
- (b) Officers continue to work towards a West Essex Partnership to deliver the Scheme and become a Kickstart Gateway; and
- (c) To progress the purchase of a support platform to support the Kickstart Scheme and other initiatives.

**Reasons for Proposed Decision:**

To progress the work to implement the Kickstart Scheme for the District's young adults, preferably as a West Essex Partnership.

**Other Options for Action:**

Officers believe members would wish the Council to be involved in the Scheme either in Partnership or on its own merits and therefore there are no other options for consideration.

**92. PROPOSED LETTING OF LAND AT NW AIRFIELD TO THE DEPT. OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT**

The Commercial and Regulatory Services Portfolio Holder, Councillor A Patel introduced the report on the proposed letting of land at North Weald Airfield.

The Council had been approached to extend the lease granted last year for the provision of an HMRC custom clearance facility for vehicle freight at North Weald Airfield for a further five years, i.e. until November 2025.

In granting any extension to the lease, due account needed to be taken of the impact of this facility on the airfield, North Weald Basset Village and the surrounding area,



including the trunk road and national road networks. The potential impact of the facility on the environment in general and Epping Forest in particular.

It also needed to be recognised the HMRC facility at North Weal Airfield forms part of the national infrastructure that would facilitate trade with the European Union post 1st January 2021 until custom clearance at source comes fully on-line.

It was noted that all upgrades would be paid for by the tenant and that it would be kept by us after their vacation of the premises.

Councillor Philip welcomed the work that had been put into this and he was keen to see that the proposals worked. If the monitoring proposals were kept, then it was something that we should welcome.

Councillor Bedford also welcomed the report and noted that the Council had liaised with the local council and HMRC. Councillor C Whitbread added that it was a way to look after the local residents as well as addressing their concerns. Councillor Murray agreed with the report but added that we must also listen carefully to the Parish Council. Councillor Patel replied that there would be monthly meetings of all the parties concerned as well as weekly local meetings with the Parish Council.

Councillor Jon Whitehouse noted that this was a less temporary arrangement than it was originally. There was the question of off-site issues such as porta-loos etc. for the drivers. Mr Pabani (Chief Estates Officer) said that officers had raised a number of issues with HMRC but they said that it was outside of their premises, but it was still an issue non-the-less. The best way to deal with this was by way of a legal side letter. This was being prepared to send to HMRC. Councillor C Whitbread added that the members of the Cabinet would like sight of this when it was available.

Asked if any SAC contributions would be going to the Council or Qualis it was noted that the Council would be getting this.

Concerns had been raised about site workers driving through the forest and this was being raised with the planning inspector. Lorries would come in via the motorways.

Councillor Baldwin wondered what implications there would be with the Local Plan; and, what facilities would be left by the HMRC. He was told that any upgrades made would be kept and would be of benefit to the airfield. Councillor Bedford added that the contract had been designed so that HMRC had to restore the site to original. There would only be temporary structures. They would widen the gates and restore some of the roads and put in high speed broadband. This was part of the Local Plan and also the Masterplanning area.

Councillor Kaufman was concerned about the number of lorry movements and wondered what would happen if we were swamped over time. Did we have a safety valve to stop lorries blocking the roads. Would it become an overnight parking area for lorries, and should we put in charges for these lorries? This needed some fine tuning.

Councillor Patel thanked the councillors for their input and would pass on their comments to the Council's solicitors. He added an extra sentence to recommendation 4 about a side letter and this was agreed by the Cabinet.

**Decision:**

1. The Cabinet recognised that the proposal to extend the provision of an HMRC facility for a further five years formed part of the national preparations for the full exit from the European Union;
2. The Cabinet noted the overall concerns raised by the Council in its planning response, following discussions with North Weald Basset Parish Council and issues raised by other individuals;
3. The Cabinet agreed to set up a monthly monitoring meeting between HMRC, the Council and the Parish, (in addition to the day to day operational meetings with the North Weald Airfield Management); and
4. As a consequence of the national interest, the formal raising of concerns and the suggestion of a close local monitoring of the facility and its operation, the Cabinet agreed to the approval of a new lease of land at North Weald Airfield (NWA) to the Department of Housing, Communities and Local Government for a Common Transit Convention System facility and to grant delegated authority for such lease and any required side letter to the Chief Executive of the Council in consultation with the Leader of the Council.

**Reasons for Proposed Decision:**

Officers had recommended that the Council extend the leasing this land to the HMRC as in the short term it would generate additional rental income and in the medium to long term would facilitate the future development of this section of NWA by setting a precedent and by providing the installation of facilities and infrastructure at zero cost to EFDC.

**Other Options for Action:**

Refuse to progress negotiations with HMRC and the Ministry of Housing, Communities and Local Government.

**CHAIRMAN**