

# EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

<b>Committee:</b>	Overview & Scrutiny Committee	<b>Date:</b>	Tuesday, 8 June 2021
<b>Place:</b>	Conference Suite - Civic Offices	<b>Time:</b>	7.00 - 9.22 pm
<b>Members Present:</b>	Councillors M Sartin (Chairman) R Jennings (Vice-Chairman) R Baldwin, P Bhanot, P Bolton, I Hadley, S Heap, S Heather, J Lea, A Lion, T Matthews, S Murray, S Rackham, J H Whitehouse and D Wixley		
<b>Other Councillors:</b>	Councillors L Burrows, A Patel, J Philip, C Whitbread and H Whitbread		
<b>Apologies:</b>	Councillors D Plummer, P Stalker and K Williamson		
<b>Officers Present:</b>	G Blakemore (Chief Executive), T Carne (Corporate Communications Team Manager), N Dawe (Chief Operating Officer), A Hendry (Democratic Services Officer), J Houston (Specialist Partnerships & Economic Development), P Messenger (Town Centres Project Manager), V Messenger (Democratic Services Officer), S Mitchell (PR Website Editor), R Moreton (Corporate Communications Officer), A Small (Strategic Director Corporate and 151 Officer), S Jevans (Qualis Group Managing Director) and S Rutter (Development Director, Qualis Commercial)		

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## 14. WEBCASTING INTRODUCTION

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

## 15. SUBSTITUTE MEMBERS

The Committee noted that Councillor S Heap had been appointed as a substitute for Councillor D Plummer.

## 16. MINUTES

It was noted that the minutes of the meeting of the Committee of 3 June would be confirmed at the next meeting on 1 July 2021.

## 17. DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Members' Code of Conduct, Councillor I Hadley declared a non-pecuniary interest in item 9, Qualis Quarterly Monitoring Report Quarter 2 2020/21, by virtue of being Chairman of the Audit and Governance Committee, and because of this he was not allowed to be on the Stronger Council Select Committee. The Democratic Services Officer advised that this Committee was not a decision-making committee nor would it be changing the report or taking a vote at this meeting.
- (b) Councillor S Murray declared a non-pecuniary interest in item (9a), Economic Development – Town Centre Regeneration, regarding The Broadway and High Road in Loughton by virtue of being an elected member of Loughton Town Council.

- (c) Councillor S Heap declared a non-pecuniary interest in item (9a), Economic Development – Town Centre Regeneration, regarding Buckhurst Hill by virtue of being an elected member of Buckhurst Hill Parish Council, and item (9), Qualis Quarterly Monitoring Report Quarter 2 2020/21, by virtue of being a member of the Audit and Governance Committee.

## **18. 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.

## **19. EXECUTIVE DECISIONS - CALL-IN**

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

## **20. SALE OF PYRLES LANE SITE TO QUALIS**

A Small, Strategic Director, introduced this report. When Qualis was created at the end of 2019 it was with the intention of taking forward a number of potential redevelopment sites that the Council had been holding on to for some time, as the market was unable or unwilling to respond, due to local conditions or site challenges. The Council had agreed last year to transfer the Pyrles Lane site but Qualis had held it in abeyance, as the access and site conditions made it more challenging to progress.

Qualis Commercial Development Director, S Rutter, outlined the redevelopment proposal, which was a Local Plan site and was now at the pre-application stage with the Local Planning Authority. The original scheme in 2016 had included flats and houses with a narrow access off Pyrles Lane, but the creation of a suitable entrance road was important. Regarding timescales, Qualis would be ready for the evaluation stage by the beginning of July 2021 followed by a formal offer, and a consultation would be organised for mid to the end of September 2021.

Councillor S Murray acknowledged this was an important site in Loughton. He wanted to see the financial model and queried the use of 'fair' market value rather than 'proper' market value. He felt it probably had around the right number / mix of properties and was conscious the application might go before Area Plans South. Adequate parking would be required as public transport links were not very good. If Cabinet decided to sell the site, what was in place to prevent Qualis submitting a completely different application? Councillor J Philip replied that fair market price was a recognised term. The Qualis Four-Year Business Plan would incorporate a proper business case. The planning committees were there to make decisions but if the plans were changed, the project would need a better business case and return to Cabinet.

Councillor D Wixley, the Ward Councillor, clarified that the Council's Pyrles Lane Nursery had previously been located here and the site had first been disclosed 10 years ago but he had not been kept informed on developments as the Ward Councillor and for residents. A press release would be helpful to avoid any misunderstandings. Based on the houses proposed it would go before the District Development Management Committee (DDMC) not Area Plans South and to Loughton Town Council for comments. He had a phone conversation with S Rutter yesterday. The biggest concern on residents was to those whose properties backed on to this site, especially 77 Pyrles Lane and no. 81, as Qualis wanted to purchase

some land. Since the Council had annually trimmed the trees on the site, what would happen in future? There had been a suggestion that the water supply that went to the GROW community garden would be cut off, but this should be preserved. A site visit before the planning application determination would be useful as the drawings in the report made the site look bigger than it was. He stated that any comments he made were not final, and he reserved final judgement for such meeting. The 167 bus route no longer existed and there were issues in relation to the Epping Forest Special Area of Conservation and air quality. There were also concerns about the density of the site, parking and access – Pyrles Lane was a very busy road and the concealed entrance sign got covered up by vegetation, which needed to be addressed. Was 79 Pyrles Lane going to be demolished? In relation to the three additional portions of land being purchased, one included the rear part of 81 Pyrles Lane but where were the other ones? How would the consultation be organised? Qualis' Commercial Director replied that the three portions included the triangle of the access, 79 would be demolished, 81 and the land next to it was owned by the Council. Once the plans had been developed, Qualis would talk to councillors again. Letters would be sent out to the surrounding streets. The Council website would host the consultation and all the documentation/plans, and the consultation would be set up to allow people to register their comments. Near to September, people would be able to visit the Civic Offices to talk to Qualis and see the plans for the site. Councillor J Philip added that if the Council no longer owned the land and land transfer had happened then it might not go to DDMC. A clear steer was needed on what Cabinet should be looking at because if the Council was not the landowner, the planning application would go to the Area Plans South Committee. The application would not be determined by officers under delegated powers.

Qualis' Commercial Director replied to the following questions raised by members.

- Regarding the dates of the timeline, had land values been secured? The land valuations had taken longer than anticipated, but the timescales would become clearer once these were in place by the beginning of July.
- Was affordable housing included, or in addition? Affordable housing would be a percentage of the total number of units in the current scheme.
- What would be the percentage of affordable housing? This would be covered in the viability assessment, as the 14-metre fall across this location meant there were expensive constraints to the site.
- How many and what sort of affordable housing units would there be and what sort of consultation would there be with residents? Qualis had not defined the affordable housing numbers yet. The valuations were being done by the Council and conversations were taking place with those residents that bordered the site. Once Qualis was fully assured of the access arrangements the development could then move forward.
- Had the City of London Corporation expressed an interest in acquiring this buffer land as it owned a section of Hillyfields? Qualis was not aware of any such negotiation but the land was an allocated site in the Local Plan.
- Can we guarantee that any damage caused by construction traffic would be rectified? Yes, Qualis would look at the impact of construction traffic and take any necessary action.

- Regarding the portions of additional land, were they privately owned and could one of the parties say no? The Council had sold no. 81 on a long lease in 1982.
- Housing had a big part to play in carbon emissions, what assurance was there of keeping the carbon footprint as low as possible? Qualis would be looking at the sustainability criteria. There would be numerous environmental improvements, e.g. thermal insulation. Therefore, there would be a comprehensive set-up to meet the carbon agenda, which was part of the Council's criteria.
- Were there any other potentials for the site? Only in relevance to housing stock types. Councillor J Philip added that it was earmarked in the Local plan for residential use.

**RESOLVED:**

- (1) That the Committee had discussed Qualis' outline proposal for the redevelopment of the Pyrles Lane site; and
- (2) That the Cabinet consider members' comments and observations from this meeting when Qualis put forward a detailed acquisition proposal.

**21. QUALIS QUARTERLY MONITORING REPORT - QUARTER 2 2020/21**

This report presented the second Quarter's monitoring report for the Qualis trading year 2020/21 and covered the period from 1 February to 31 March 2021. This reflected a shortened quarter due to the change in the Qualis year end. This report would usually be reviewed by the Stronger Council Select Committee but, as this Committee would not be meeting until July, the Overview and Scrutiny Committee would scrutinise progress instead, and any actions could be identified in a timely way. Appendix A detailed the Qualis Board monitoring report for quarter 2 as agreed by the Qualis Board on 29 April 2021. Performance was measured against the business plan targets for 2020/21. The Board report had highlighted performance against these using the recognised Red, Amber, Green reporting system (RAG). The majority of the deliverables for quarter 2 were flagged as green. The Strategic Director and 151 Officer, A Small, advised that generally the promise was good as there were few ambers highlighted. As detailed in the report at paragraph 3.2, the cash balance had moved from amber to green last quarter. Regarding Qualis Living (3.3), the delay in securing the third commercial property was the reason that this KPI was flagged as amber, but he believed Qualis had found a suitable property. Income and expenditure remained at amber, as detailed at 3.7. It was reported that the Roundhills site (3.8) had moved to the consultation stage. In conclusion this was an improvement on the last quarter.

Councillor I Hadley referring to the cash balance as being £3.2 million higher, would Qualis reinvest this? N Dawe, Chief Operating Officer, replied that this was essential cash that was needed to run Qualis to the end of year and was not for reinvestment.

Councillor S Murray asked about the use of 'should' in paragraph 3.2 and why was Qualis not more confident? The Strategic Director replied that the Qualis Business Plan expected to make a profit in the second year.

Councillor R Baldwin remarked that in relation to assets (income) versus liability, what tangible assets did Qualis have to offset these liabilities? The Strategic Director replied that the tangible assets it had were the two commercial assets it had

acquired. As long as it had cash in the bank, a current asset, it would ultimately have work in progress showing on the balance sheet as money in the bank, which was an asset as well.

Councillor D Wixley asked what the difference was between assets and long-term assets? The Strategic Director replied that a fixed / long-term asset was anything that could not be liquidised within a year, so cash was usually a current asset while property was a fixed term asset.

Councillor M Sartin reminded members that this would be going to Cabinet on 21 June 2021.

**RESOLVED:**

- (1) That the Committee reviewed the Qualis Quarterly Monitoring Report for quarter 2 2020/21 and no actions were identified.

**22. ANY OTHER BUSINESS - ECONOMIC DEVELOPMENT: TOWN CENTRE REGENERATION - LOUGHTON BROADWAY, LOUGHTON HIGH ROAD, BUCKHURST HILL AND EPPING TOWN CENTRES**

Portfolio Holder Councillor J Philip introduced the town centre regeneration reports. The District had more than one key town centre and they were all very different. The first of the town centre reports had been produced for the last municipal year to kickstart regeneration. The consultant, Mr P Messenger, who was now the Council's Town Centre Project Manager, had looked at these as retail centres, and they were produced throughout the lockdowns. The Council wanted to move forward at a reasonable pace but would not be doing everything in the reports. It had to be done as a collaborative approach driven by businesses in the town centres and was looking at sources of funding from partnership working. Waltham Abbey and Ongar town centres had already achieved improvements, so the Council was looking favourably on things that could be done quickly to improve the town centres. For the longer term in conjunction with other stakeholders in the town centres and with a real commitment from businesses, this was seen as the way forward.

J Houston, Partnerships and Economic Development Specialist, reported that there were six market towns in the District each with their own character, strengths and opportunities. The challenges high streets were facing was recognised and the Covid epidemic had impacted on shops in the high streets, but not at the vacancy levels apparent in other places, so the high streets in the District were starting from a strong base. The Council was at the beginning of the process on how to tackle long term strategy and was one stakeholder in the partnerships. The reports provided a starting point of a localist approach as the high streets had their own characters and attractions.

Councillor A Lion commented that the reports were interesting and detailed. Localism had come in 2011, so it was important to do things 'with' not 'to' businesses and asked about feedback from the work in the Ongar and Waltham Abbey town centres. Was there a plan on timescales as there seemed a lot to do at one point in time? Councillor J Philip replied that it was important to move across all town centres promptly. The Council had employed a Town Centre Project Manager to oversee the schedule but had also budgeted for additional support because one officer might not be sufficient. People were positive about working in partnership with the Council. The project would be rolled out to larger villages as well. Guidance and priorities would initially help to identify the quick wins. The regeneration projects had to be brought in

by the various town centres on what they wanted to see happen through collaborative working.

Councillor M Sartin said that small shopkeepers had been very creative during the lockdowns. Councillor B Jennings remarked that from events that Loughton Town Council had organised, it was larger chains that were governed by head office or the owner of the building, so the high streets were controlled by larger businesses.

In reference to Loughton Broadway, Councillor S Murray remarked that groups and residents had not been consulted. The retail park had impacted on The Broadway as only three out of twelve units were fashion based. District and County should be doing the quick win improvements. Regarding town centre leadership, this could be provided by Loughton Town Council, but he was unsure if there was the staffing capacity at local level, so it depended on what was meant. The Town Centre Project Manager should be the key organiser to work with The Broadway in respect of reinstating the four flagpoles above Brickclamps Path. He was interested in the shuttle bus service between The Broadway and the retail park. If there was Wi-fi in The Broadway it would be useful in attracting a younger profile. He supported working with New City College. Cycling and making places to put bikes was to be encouraged but remarked that the roads were very busy leading to The Broadway and also, any parking recommendations would always be controversial. Councillor M Sartin cautioned that free complimentary parking could be used by shoppers who only wanted to get to the retail park and would not take the time to look around The Broadway shops. Councillor J Philip replied that the Council's Economic Development Team was working with Essex County Council. Multiple people were showing leadership. There were priorities for both Loughton Town Council and the District Council. The shuttle bus was a service the Town Council might fund. Also, short term parking was returning to pre-Covid prices. It was important to identify what the priorities were, as the Town Centre Project Manager would take these forwards.

Councillor S Rackham commented that longer shopping hours were needed. Also, as we were coming out of the lockdown, might it be timely to reintroduce the Local High Streets Task and Finish Panel?

The Town Centre Project Manager replied that shopping had to change perhaps by being more experience driven to entice people back. High streets would change dramatically but the challenge was how to keep core shops and make high streets more attractive. Most of Ongar closed on Sunday but people came into the town to visit the Ongar Railway. He supported the return of the flagpoles to Brickclamps Path in The Broadway. The Partnerships and Economic Development Specialist added that the Council was supporting businesses to trade online. Click It Local was deployed in the District. Shops were trading longer and trading on the pavement, but this was not impinging safety.

Councillor D Wixley commented that the Loughton Broadway report was quite nostalgic, and he supported making the town centre a conservation area because of the 1950s architecture. During the last enhancement of The Broadway parking spaces were removed to the detriment of shop retailers. There was currently a problem with on-street parking that needed to be tackled. The Broadway's central reservation was one of the schemes with the Local Highways Panel, but as it had too many schemes, perhaps it could be dealt with in a different way. Also, the retail park was supposed to have been fashion-led. There was no longer a Town Centre Partnership for Loughton High Road owing to a lack of interest as there were a lot of chain stores. When would this project go forward to the town and parish councils? Councillor J Philip replied that these reports would be going to Cabinet on 21 June when the boundaries and aims of what the Council wanted to achieve would be set.

The Town Centre Project Manager had contacted Loughton Town Council already. The District Council was sensitive as to what to do with conservation areas. Both the retail park and The Broadway were fully tenanted and provided income for such projects and for residents, but we needed to support both shopping centres. Councillor M Sartin queried if the utilities were too close to the central reservation to put in greenery. The Town Centre Project Manager advised that plans had been drawn up for the central reservation. There was a need to get people from the retail park to The Broadway. Also, the Loughton High Road Town Centre Partnership needed direction and support.

Councillor J H Whitehouse was concerned that there had been extensive consultation on Epping High Street, which she had not been included in, but hoped to be involved in this in future. Shop front uniformity had been discussed in the past but she did not agree with this as different and older shop fronts made the high street more interesting, as long as they were kept in good condition. In relation to future residential developments and a cinema, both she and residents had highlighted the need for more parking, but it was doubtful if anything could be done at this stage for those planned developments. There were many buses that came into the town centre and station, but they were not integrated, so improved bus awareness was important. There was a lot of concern about e-scooters and their safety, especially since an accident had happened. Regarding change of use, she was not sure what market driven adaptive look, as opposed to planning determined look, meant. Councillor J Philip thought that planning committees would have no control over market driven adaptive change of uses. The Council would be working with the town and parish councils, but these documents were not going out to consultation. E-scooters were not allowed on roads or pavements in the District except in trial areas across the country where they could be rented. Councillor H Whitbread had raised an e-scooter incident with officers and enforcement action had been taken. The Partnership and Economic Development Specialist replied that during the Covid pandemic there was a lot of free-up (relaxation) by the Government to work with businesses to drive the market forward. There were major opportunities, as a place, with more people working from home and not commuting, so town centre spend was local as opposed to in London when people had been commuting.

Councillor S Heap commented on Buckhurst Hill town centre and that local/independent shops were the way forward as 75% of what was spent in local/independent shops stayed in the District whereas possibly only 45% with chain stores. The library in Buckhurst Hill was mentioned in the report but it required a lot of money from County to repair it. The Parish Council was getting organised and keen to get going, but would there be funding, or would this be through applying for a grant? Town centres could also benefit from greater artistic sensibilities, like flagpoles in The Broadway, to make them more attractive. Councillor J Philip hoped rather than coming to the Council for funding they will be looking to organisations for funding and that businesses benefitting would also put in money. The recommendations in these reports needed to be prioritised and it was also key to meeting residents' desires.

Councillor P Bhanot remarked that he spent lunchtimes in the District as opposed to the City. He queried what success looked like. Free Wi-fi in the town centres would help and help retailers with their online, marketing or retail objectives, but who decided if we had met that objective and what did that objective look like? Councillor J Philip was against free Wi-fi as there were significant issues around security and it did not make sense for the District Council to provide it. The Council needed a project plan on which objectives to achieve but some would be difficult to measure. If footfall was increased that would be a measure of success. Click It Local was a success as a number of businesses had signed up to it. Also, had councillors clicked

on this? It would only benefit businesses if members used it and promoted it with residents. Councillors also needed to publicise to businesses the Economic Development Team's monthly newsletter, Business Matters.

Councillor B Jennings remarked on the lateness of the report published as a supplementary agenda as this was a very important project. Although Loughton Town Councillors had been consulted, District Councillors had not but the Ward Councillors needed to be included in the consultation. He was wary that the Council was in danger of slipping into window dressing with better planting schemes when better shops were necessary. The town centres needed shops to reflect our aspirations and there should be more emphasis on this. He thought the Council was being unambitious in relation to free parking, and lowering rents as it was a private landlord having purchased Centric Parade. It could contribute to rateable properties to help start-ups which would help to get new blood into the high streets. The Council could take a more active role in the types of businesses it was looking for. Councillor J Philip apologised for the lateness of the report. He disagreed with dictating on the types of shops. Centric Parade was a significant investment for the Council, but it was not in the business of dictating retail types. He did not think the Council was unambitious, as shops were driven by what residents wanted, but should encourage people to move in the right direction.

Councillor R Baldwin was disappointed that pedestrianising The Broadway was not mentioned. Vere Road could go one way and Burton Road the opposite way with a through route for delivery vehicles, as this would help solve the parking problems. Councillor M Sartin advised that pedestrianisation of Waltham Abbey town centre had not been particularly successful. Councillor J Lea emphasised that Waltham Abbey town centre had gone downhill after being pedestrianised and unless traffic was coming through a town centre, no traffic resulted in no business.

Councillor S Murray did not believe the College would run Debden Library and that it should return to The Broadway. Regarding the catchment area of Loughton High Road as having a higher disposable income, Valley Hill residents in his ward walked to the High Road but a lot of the independent traders were too expensive for lower income families to use. Loughton Residents Association had been the driving force behind the High Road's successful farmers' market since 2002. Councillor J Philip said that there were many other successful markets in the District and the Council definitely wanted our streets to be places people wanted to come to. Regarding Loughton High Road independents being too expensive, this was one of the challenges. Councillor C Whitbread added that in respect of the development of Debden Library, Essex County Council Cabinet had just reformed following the elections.

Councillor M Sartin said that there was no mention of accessibility in the reports about people with disabilities and consideration should be given to improvements that could be made which might be obstacles for people with disabilities.

Councillor J Philip encouraged councillors to make their comments known to himself or J Houston before Cabinet considered the town centre regeneration reports on 21 June 2021.

**RESOLVED:**

- (1) That the Committee reviewed the reports and members had expressed opinions detailed above around the immediate actions identified prior to consideration by Cabinet on 21 June 2021.



**23. EXCLUSION OF PUBLIC AND PRESS**

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**