

EPPING FOREST DISTRICT COUNCIL OVERVIEW & SCRUTINY COMMITTEE MEETING MINUTES

Tuesday 18 July 2023, 7.00 pm – 9.25 pm
Council Chamber - Civic Offices

Members Present:	Councillors D Wixley (Chairman) J McIvor (Vice-Chairman), R Baldwin, S Heather, H Kane, M Markham, C McCann, C McCredie, S Murray, C Nweke, J Parsons, A Patel, R Pugsley, J H Whitehouse, I Hadley and D Stocker
Other Councillors:	Councillors R Balcombe, N Bedford, R Brookes, S Kane, S Patel, J Philip, C Whitbread, H Whitbread, J M Whitehouse and K Williamson
Apologies:	Councillor(s) R Bassett, S Heap and J Lucas
Officers In Attendance:	Andrew Small (Strategic Director, Corporate and Section 151 Officer), Charlotte Graham (Project Team Manager (Performance)), Christopher Hartgrove (Interim Chief Financial Officer), Gill Wallis (Community, Culture & Wellbeing Service Manager), Gary Woodhall (Team Manager - Democratic & Electoral Services), Natalie Cole (Corporate Communications Officer) and Sam Hunt (Consultant)
Officers In Attendance (Virtually):	Jennifer Gould (Strategic Director and Chief Operating Officer), Paula Maginnis (Service Director (Corporate Services)), Rob Pavey (Service Director (Customer Services)), Nigel Richardson (Service Director (Planning Services)), Mandy Thompson (Interim Acting Service Director (Technical)), James Warwick (Interim Acting Service Director (Contracts)), Vivienne Messenger (Democratic Services Officer) and Rebecca Moreton (Corporate Communications Officer)

[A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

1 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.

2 SUBSTITUTE MEMBERS

The Committee noted the following substitutions reported at the meeting:

- (1) That Cllr D Stocker had been appointed as a substitute for Cllr R Bassett; and
- (2) That Cllr I Hadley had been appointed as a substitute for Cllr J Lucas.

3 DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Members' Code of Conduct, Cllr R Brookes declared a non-pecuniary interest in item 19 on the agenda – Epping Forest District Museum – by virtue of being a member of the Museums Association.
- (b) Pursuant to the Council's Members' Code of Conduct, Cllr H Kane and Cllr H Whitbread declared a non-pecuniary interest in item 19 of the agenda – Epping Forest District Museum – by virtue of being trustees of the Museum.

4 MINUTES

RESOLVED:

- (1) That the minutes of the meeting held on 20 April 2023 be taken as read and signed by the Chairman as a correct record.

5 MATTERS ARISING AND OUTSTANDING ACTIONS

The Committee noted that actions (1) and (2) from the last meeting had been resolved via post meeting updates in the minutes of the last meeting, and actions (3) and (4) would be answered via the Council Bulletin.

6 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.

7 EXECUTIVE DECISIONS - CALL-IN

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

8 COUNCIL'S CORPORATE PRIORITIES

The Leader of Council stated that, against the backdrop of the current uncertain economic conditions, the Council's priorities for the forthcoming municipal year were:

- (i) to maintain sound finances, for which Qualis would play a part;
- (ii) to implement the recently agreed Local Plan;
- (iii) to continue with the Council's Housebuilding Programme, with new homes planned for Buckhurst Hill and Waltham Abbey;
- (iv) to create an Arm Length Management Organisation to deliver the waste collection services throughout the District, to address the issues arising from the current Waste Management contract;
- (v) to continue to improve the Council customer service; and
- (vi) to continue to focus on the importance of the non-statutory services provided by the Council, and in particular:
 - Health partnerships;
 - Leisure provision; and
 - The Police Officers wholly funded by the Council.

The Leader reminded the Committee that the new Corporate plan was agreed last year and praised the Council's Officers for the services they provided, but also highlighted that further partnership working would save the Council money in the long term.

In response to queries from the Committee, the Leader reiterated the importance of the Council's partnerships, acknowledged that there was an issue in recruiting Planning Officers

but possible solutions were being investigated, and was looking forward to the Cabinet being challenged by Scrutiny in the year ahead.

Resolved:

- (1) That the corporate priorities for the municipal year 2023/24 be noted.

9 CORPORATE PLAN 2023/27 YEAR 1 - QUARTER 1 CORPORATE PERFORMANCE REPORT

The Committee reviewed the Corporate Performance Report for quarter 1 of the Corporate Plan for the period 2023-27, and noted that:

- The report currently provided progress updates on identified priority projects, alongside key performance indicator targets and actual performance figures.
- The report conformed to the financial year, which did not align with the municipal year.
- A revised and re-formatted Corporate Performance report to better show how the Council was delivering against the new Corporate Plan would be presented at future meetings and aligned with the municipal year.

The Committee felt that the targets for both recycling and resolving customer queries at the first point of resolution were too low. However, it was noted that targets for key performance indicators were set in different ways: some were historical while others were national or regional targets; but all targets went through internal governance processes for agreement, and the Committee could play an important future role in determining these targets.

Further questions raised by the Committee included:

- Qualis not recognising trades unions in a negotiation process.
- Issues with performance when the Grounds Maintenance Team was initially transferred to Qualis, although it was recognised that performance had improved over time.
- What were the product issues with the Housing Asset Management system.
- A summary of the closure reports completed after every project, which included the lessons learnt for the future.

Resolved:

- (1) That the review of the Corporate Performance Report for quarter 1 of the Corporate Plan for the period 2023-27 be noted.

Actions:

- (1) To investigate and report back on whether the current target for the resolution of customer queries at the first point of contact (45%) is too low – Customer Services Director, R Pavey;
- (2) To investigate and report back on the reasons for Qualis not recognising trades unions – Interim Technical Services Director, M Thompson;
- (3) To investigate and report back on the product issues with the Housing Asset Management System – Interim Housing Services Director, S Balu; and
- (4) To investigate and report back on whether a summary of the project closure reports could be produced – Project Team Manager, C Graham.

10 QUARTER 4 BUDGET MONITORING REPORT 2022/23 (PROVISIONAL OUTTURN)

The Chief Financial Officer presented the Budget Monitoring report for quarter 4 of 2022/23.

The Chief Financial Officer reported that the General Fund ended the financial year overspent by £1.286million. There were several factors which contributed to this, including:

- rising inflation leading to higher pay demands across the public and private sectors;
- a shortfall in income from the delay in approving the Local Plan;
- inflation also impacting on energy and contract costs; and
- rising interest rates.

The General Fund Reserve ended the year at £3.219million, which was below the adopted minimum contingency of £4million.

The Chief Financial Officer stated that, despite facing similar challenges, the Housing Revenue Account (HRA) ended the year with a budget underspend of £4.065million. The primary factor in this was the slippage in the Housing Development Programme, which led to reduced borrowing costs and revenue contributions to capital. The HRA ended the year with a balance of £4.552million, which was above the adopted minimum contingency balance of £2million.

The Chief Financial Officer also confirmed that both the General Fund Capital Programme and HRA Capital Programme had been underspent against their budgets for the year.

The Portfolio Holder for Finance & Economic Development, Cllr J Philip added that the Council had been running below full staffing levels for a number of years now, and that he was taking measures to further reduce the level of bad debts against the Council.

Resolved:

(1) That the General Fund revenue position at the end of Quarter 4 (Provisional Outturn) for 2022/23 be noted;

(2) That the General Fund capital position at the end of Quarter 4 (Provisional Outturn) for 2022/23 be noted;

(3) That the Housing Revenue Account revenue position at the end of Quarter 4 (Provisional Outturn) for 2022/23 be noted;

(4) That the Housing Revenue Account capital position at the end of Quarter 4 (Provisional Outturn) for 2022/23 be noted; and

(5) That the Movements on Earmarked Reserves highlighted in paragraphs 3.3 to 3.5 of the report, including the proposal (approved by Cabinet on 30 May 2023) to fund one-off severance costs of £260,025 from available resources within the District Development Fund, be noted.

11 QUARTER 1 BUDGET MONITORING REPORT 2023/24

The Committee noted that this report was not available to be considered at the meeting, and would be scheduled for the next meeting cycle.

12 QUALIS MONITORING REPORT QUARTER 2 (YEAR 4)

The Strategic Director, A Small, presented the Qualis monitoring report for quarter 2 of their fourth trading year.

A Small reported that Qualis continued to make positive returns in three of its four companies, albeit below target levels. Qualis Living continued to struggle to achieve its targets, and this would be addressed in the next Qualis Business Plan when the target would be revised to reflect economic conditions. Qualis had also made £2million of interest payments to the Council for its lending and this directly supported the Council's provision of services. Overall, Qualis reported a quarter 2 loss of £350,718, which was almost £200,000 greater than forecast.

A Small confirmed that the lessons learnt by the Council in setting up Qualis would be used when setting up the Arms Length Management Organisation to deliver waste collection services across the District.

Resolved:

- (1) That the monitoring report for quarter 2 of the fourth trading year for Qualis be noted.

13 OVERVIEW AND SCRUTINY 2022-23 ANNUAL REPORT

The Chairman of the Committee, Cllr D Wixley, presented the final draft of the Committee's Annual Report for submission to the Council on 25 July 2023. The final draft had been updated to include comments made at the meeting of the Committee on 20 April 2023.

Resolved:

- (1) That the final draft of the Overview and scrutiny Annual Report for 2022/23 be agreed; and
- (2) That the Annual Report be submitted to the Council for approval at its next meeting on 25 July 2023.

14 CHAIRMEN TO REPORT ON THEIR SCRUTINY COMMITTEE BUSINESS, TERMS OF REFERENCE AND WORK PROGRAMMES

The Chairmen of the Communities Scrutiny Committee and Place Scrutiny Committee updated the Committee on progress against the achievement of their work programmes.

Following the restructure of the Council's Overview and Scrutiny function, the Committee received draft Terms of Reference and work programmes for both the Communities Scrutiny Committee and the Place Scrutiny Committee. The Chairman of the Communities Scrutiny Committee highlighted that an extra meeting in March 2024 would be scheduled for the annual presentation from the District Police Commander for Epping Forest and Brentwood.

Resolved:

- (1) That the reports from the Chairmen of the Communities Scrutiny Committee and Place Scrutiny Committee be noted;
- (2) That the draft Terms of Reference and work programme for the Communities Scrutiny Committee in 2023/24 be agreed; and
- (3) That the draft Terms of Reference and work programme for the Place Scrutiny Committee in 2023/24 be agreed.

15 OVERVIEW AND SCRUTINY COMMITTEE - WORK PROGRAMME

The Committee considered its draft work programme for the forthcoming municipal year for agreement.

A proposal was made by Cllr C McCredie that scrutiny of one of the Council's commercial partners should be undertaken and added to the work programme. However, the Committee felt that this was inappropriate at the current time and the Council's Strategic Director would respond privately to the issues raised by the Councillor. The Committee requested for the response to be shared with the members of the Committee.

The Committee noted that a document had been issued by the Joint Health Scrutiny Committee for Whipps Cross Hospital on the hospital's future redevelopment. Although the hospital was outside the District, it did provide services to residents in the south of the District. It was proposed by Cllr A Patel that an all-Member briefing be scheduled to consider the proposals.

Resolved:

- (1) That the draft work programme for the Overview and Scrutiny Committee for the 2023/24 municipal year be agreed.

Action:

- (5) To schedule an all-Member briefing on the proposed redevelopment of Whipps Cross hospital – Service Manager for Community, Culture and Wellbeing, G Wallis; and
- (6) To share the private response from the Strategic Director regarding the issues raised with one of the Council's commercial partners with the Committee.

[Post Meeting Update

- (5) The all-Member Briefing was being scheduled for either Tuesday 21 November or Thursday 23 November and confirmation of the date would be advised to Members in the Members' Bulletin.]

16 CABINET BUSINESS

The Committee reviewed the Cabinet's current programme of key decisions, dated 1 July 2023. There were no appropriate matters identified for inclusion on the Overview & Scrutiny work programme.

Resolved:

- (1) That the Cabinet's current programme of key decisions, dated 1 July 2023, be noted.

17 EXCLUSION OF PUBLIC AND PRESS

It was agreed that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below on grounds that they would involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
19	Epping Forest District Museum	3

18 EPPING FOREST DISTRICT MUSEUM

The Committee received a report on the Epping Forest District Museum.

The Committee noted that the Epping Forest District Museum was currently managed as a directly provided service within the Council's Community & Wellbeing service area. However, in November 2022, the Cabinet agreed, in principle, to move the Museum into an independent trust in order to best secure its long-term sustainability and future success. A detailed overview of the work undertaken to date, the new vision and concept for the future of the district's museum service, and future grant support options for the Council was provided for the Committee's consideration.

Resolved:

- (1) That grant support option 2 be supported and recommended to the Cabinet for approval.