

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 9 June 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.00 pm

Members Present: C Whitbread (Chairman), S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, A Grigg, H Kane, J Philip, G Mohindra and G Waller

Other Councillors: N Bedford, Councillor L Girling, S Kane, J Lea, A Mitchell, A Patel, G Shiell, D Stallan, H Whitbread, J H Whitehouse and J M Whitehouse

Apologies: A Lion

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), R Palmer (Director of Resources), D Bailey (Head of Transformation), K Durrani (Assistant Director (Technical Services)), S G Hill (Assistant Director (Governance & Performance Management)), T Carne (Public Relations and Marketing Officer), M Kitts (Conservation Officer), G J Woodhall (Senior Democratic Services Officer) and P Seager (Chairman's Secretary)

1. WEBCASTING INTRODUCTION

The Leader of Council made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

2. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Councillor H Kane declared an interest in agenda item 12, Thrift Cottage, Waltham Abbey – Neglect of Grade II Listed Building, by virtue of being the ward Councillor. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Member Code of Conduct, Councillor J M Whitehouse declared an interest in agenda item 16, St John's Road Site, Epping – Options to Facilitate Development, by virtue of being a resident of St John's Road, a Member of Epping Town Council and a Member of Essex County Council. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Member Code of Conduct, Councillor C Whitbread declared an interest in agenda item 16, St John's Road Site, Epping – Options to Facilitate Development, by virtue of being a resident of Epping. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the issue. In addition, the Councillor repeated the personal statement that he had first made to the Cabinet in July 2012, namely:

“(i) in my own response as a local resident to the public consultation, I stated that I was opposed to the provision of a supermarket;

(ii) *my view has always been that the approved development brief should achieve the twin goals of revitalising the High Street economy and preserving its essential character;*

(iii) *it has never been my view that maximising the financial return on the Council's landholding in that area should be the only objective of the Authority, community benefits are equally important in my mind; and*

(iv) *the decision as to whether a supermarket or indeed any other form of development will form part of the brief is not mine as Leader of the Council but one for the whole Council."*

3. MINUTES

Decision:

(1) That the minutes of the meeting held on 7 April 2016 be taken as read and signed by the Leader as a correct record.

4. REPORTS OF PORTFOLIO HOLDERS

Finance

The Portfolio Holder gave the Cabinet an update on his role as Health & Wellbeing Champion for West Essex, as the Council was the lead co-ordinator for this work. Meetings had taken place with other local authorities and agencies to explore opportunities for further collaborative working and the response had been very positive. A date for the Essex Health Summit would be announced shortly, and work was currently underway on a Joint Health & Wellbeing Charter for West Essex.

Housing

The Portfolio Holder informed the Cabinet that lightning had struck the flats at 21 – 24 Edwards Court in Waltham Abbey, at approximately 6.20pm on Tuesday 7 June 2016. Essex Fire & Rescue had attended the scene as there were two flats affected by fire. All of the occupants escaped unhurt and the tenants of both flats were now in temporary accommodation. The Council's Housing Repairs Service attended to make the damaged flats safe and secure. The Council's insurers had also been notified and repairs were due to start very shortly.

Governance & Development Management

The Portfolio Holder reported that staff in the Elections team and Governance Directorate had been working hard to process the hundreds of additional online registration attempts made in the last few days, prior to the referendum on the United Kingdom's membership of the European Union. The Portfolio Holder also reported that Officers had been dealing with a sharp rise in postal vote applications and a further despatch of these was due on Friday 10 June 2016.

The Portfolio Holder thanked the staff within the Governance Directorate for their efforts in meeting this challenge.

5. PUBLIC QUESTIONS

The Cabinet noted that there had been no public questions submitted for

consideration.

6. OVERVIEW AND SCRUTINY

The Vice-Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 19 April 2016:

- (a) an update from the Epping Forest Youth Council on their work over the previous twelve months and their future work Programme for 2016/17;
- (b) a presentation from Essex County Council Children's Services concerning their '*Children's Centres in Essex*' consultation; and
- (c) the final report from the Grant Aid Review Task & Finish Panel.

The Vice-Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 7 June 2016:

- (a) a presentation from the Superintendent of Epping Forest and The Friends of Epping Forest concerning the outcome of the recent consultation on the Forest Management Plan;
- (b) agreement of the Overview & Scrutiny Annual Report for 2015/16; and
- (c) agreement of the membership of the four Select Committees for 2016/17.

The Key Decision List was reviewed but there were no specific issues identified on any of the items being considered.

7. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 24 MARCH 2016

The Housing Portfolio Holder presented the minutes from the meeting of the Council Housebuilding Cabinet Committee, held on 24 March 2014.

The Portfolio Holder reported that there was a recommended update to the Development Strategy for the Council Housebuilding Programme for the Cabinet to consider. Other issues considered by the Cabinet Committee included: the outcome of a claim for an extension of time for Phase I of the Programme; Feasibility Reports; Sites unsuitable for development; Rent levels for properties purchased on the Open Market; and Street naming for Phase II of the Programme.

The Portfolio Holder added that, as at 1 June 2016, Broadway Construction Limited had been removed from the contract for Phase I of the Programme. The sites had been secured pending the appointment of a new Contractor.

Decision:

Development Strategy Update

- (1) That the revised Development Strategy for the Council Housebuilding Programme be approved.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the

relevant issues.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options and that there were no further options to consider.

8. ASSET MANAGEMENT AND ECONOMIC DEVELOPMENT CABINET COMMITTEE - 14 APRIL 2016

The Portfolio Holder for Asset Management & Economic Development presented the minutes from the meeting of the Asset Management & Economic Development Cabinet Committee, held on 14 April 2016.

The Portfolio Holder reported that there were no recommendations for the Cabinet to consider, and that other issues considered by the Cabinet Committee included: the Economic Development Team Progress Report; a report from the Asset Management Co-Ordination Group; the North Weald Airfield Community Day on 17 July 2016; and a progress report on the development of the Epping Forest Shopping Park.

When questioned, the Portfolio Holder stated that the Council received a ground rent only from Grangewood Investments for their Cr@te development at Oakwood Hill Industrial Estate. There was an agreement in place whereby Grangewood would develop that part of the site and receive the main rentals from the units; the Council did receive the full rentals from the other units on the site. The Council was also adopting a similar approach for new businesses at the Langston Road Industrial Estate.

Decision:

(1) That the minutes from the meeting of the Asset Management & Economic Development Cabinet Committee, held on 14 April 2016, be noted.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options and that there were no further options to consider.

9. OFF-STREET PARKING OPERATIONS - PROCUREMENT STRATEGY

The Portfolio Holder for Safer, Greener & Transport presented a report on the procurement strategy for the tendering of the off street parking operations for the Council's car parks.

The Portfolio Holder reminded the Cabinet that the Council had agreed to extract itself from the Off Street part of the Agreement with the North Essex Parking Partnership (NEPP). This required the provision of an alternative service delivery arrangement in place by 1 April 2017. The procurement strategy would encompass the tendering procedure, the tender evaluation methodology, the length of the proposed contract, and the elements of the off street parking operation that tenders

would be invited for. The procurement process would commence with the issue of Pre-Qualification Questionnaires later this month, which would enable the appointment of a suitable provider to ensure the service provision from 1 April 2017.

The Portfolio Holder highlighted the request by the Lee Valley Regional Park Authority for the Council to manage their car park at Abbey Gardens in Waltham Abbey. This car park was situated next to an existing Council owned car park and the Council had similar arrangements with Sainsbury's Supermarkets in Loughton and Ongar. Therefore, it was felt that this could be agreed in principle, subject to a further report detailing the estimated costs and legal agreement. The Cabinet was advised of some revised wording for recommendation 1(c).

The Cabinet welcomed the report, and noted that the Council had managed its car parks very efficiently before the North Essex Parking Partnership took control. The Portfolio Holder emphasised that the Council did not currently have the necessary skills to manage the car parks in-house, but this was the contingency position if no suitable tenders were received. The use of the car park at Epping Sports Centre by commuters was also highlighted, but the Leader of Council reminded the Cabinet that the Council had a contractor running the Sports Centres and the possible implementation of a charging regime for the car park at Epping Sports Centre should be considered separately.

Decision:

(1) That the following parameters for the procurement of the off street parking operations for the Council's car parks be agreed:

- (a) the adoption of a Restricted tendering procedure;
- (b) the Tender Evaluation to be based on a price versus quality ratio of 60/40;
- (c) tenders to be invited for enforcement in car parks, cash collection and front line machine maintenance; and
- (d) The length of contract to be 5 years with a further possible extension of 2 years;

(2) That the request by the Lee Valley Regional Park Authority to manage one of its car parks at Abbey Gardens in Waltham Abbey, subject to a further report setting out the costs and the legal management agreement, be agreed in principle; and

(3) That the project timeline be noted.

Reasons for Decision:

To enable commencement of the procurement for the next off street parking enforcement, cash collection and front line maintenance contract(s).

Other Options Considered and Rejected:

It was possible to use the Open tendering procedure instead of the Restricted tendering procedure, have a different evaluation criteria and a different contract length. However, these were the recommended options following consideration by the Portfolio Holder Advisory Group.

10. TRANSFORMATION PROGRAMME - HIGHLIGHT REPORT

The Leader of Council presented a monitoring report on the Transformation Programme.

The Leader stated that regular monitoring reports on the progress of the Transformation Programme would be presented to the Cabinet, and this was the report for the period March to April 2016. It was anticipated that the format of the report would evolve over time in order to remain an effective tool for highlighting progress, slippage and remedial actions being undertaken. It was highlighted that the Transformation Programme was at an early stage and all progress indicators were green.

The Leader reported that a key project within the Programme was the Accommodation Review and the Cabinet had agreed in April that a procurement exercise should be undertaken for external support to produce a high level feasibility study. The procurement had now been completed and the bid that scored best on the combined price and quality assessment was from PricewaterhouseCoopers. However, this bid required an additional allocation of £14,000 from the Invest to Save Fund and agreement for this had been requested. It was expected that the Cabinet would consider the results of the feasibility study in October or November 2016.

The Leader added that, under the ICT Strategy, the Council had common systems in place wherever possible. Both the Leader and Chief Executive had attended the last quarterly Staff Briefing to answer questions from staff about the Programme. The Chief Executive affirmed that updates on the Programme were posted to the intranet, alongside regular briefings and consultations with staff where necessary. In respect of the possible move to a Hub at North Weald, managers and staff had been involved in the design of the new buildings. The Chief Executive felt that good communication processes were in place, but the Council could always do better, particularly to address any rumours that might circulate.

Decision:

- (1) That the progress of the Transformation Programme up to the end of April 2016 be noted; and
- (2) That the contract to provide expert assistance to the Accommodation Review be awarded to PricewaterhouseCoopers and that an additional allocation in the sum of £14,000 be made from the 'Invest to Save' Fund to cover the cost of this work.

Reasons for Decision:

To inform the Cabinet of progress with the Transformation Programme and to obtain additional funding for a key project.

The joint Member/Officer panel were unanimous in their scoring and in the decision to appoint PricewaterhouseCoopers.

Other Options Considered and Rejected:

To not award the contract to PricewaterhouseCoopers and conduct another procurement exercise. However, this would delay the Transformation Programme and might not produce a better or cheaper outcome.

11. THRIFT COTTAGE, WALTHAM ABBEY - NEGLECT OF GRADE II LISTED BUILDING

The Portfolio Holder for Safer, Greener & Transport presented a report on the neglect of the grade II listed building, Thrift Cottage in Waltham Abbey.

The Portfolio Holder reminded the Cabinet that, due to growing concern over the poor condition of the grade II listed Thrift Cottage and the potential threat of demolition, a report had been requested outlining the potential courses of action the Council could take to prevent further neglect, return it to a good state of repair, and secure its future maintenance. Thrift Cottage was a grade II listed building predominantly dating from the early 19th century, incorporating 18th century fabric and with late 19th and 20th century alterations. It was timber-framed, clad in pebble-dash render under a part plain tile, part pan tile roof. The property neighboured Thrift Hall, also an early 19th century grade II listed building. Both properties were listed in 1974. The cottage was renovated in the early 21st century, but had been vacant since 1997. Since then it had suffered from a lack of maintenance, leading to water ingress and damage to the historic structure and internal finishes, the failure of the cement based render, vandalism, and the demolition of a single storey rear extension. It was now in very poor condition.

The Portfolio Holder stated that the local planning authority was equipped with certain statutory powers which could be used to secure the future of listed buildings. However, guidance from Historic England suggested that, as a first step, owners should be requested in writing to carry out the necessary works and informed of the local authority's powers if they failed to do so. If this was not sufficient to remedy the situation then the guidance recommended that the relevant provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, or the Town and Country Planning Act 1990, be set out in writing to the owner and a site meeting requested. Following the site meeting, a further letter should be sent outlining a draft schedule of repairs considered necessary and a date for the service of a notice if the works were not carried out.

Local Members for Waltham Abbey expressed their support and delight at the proposed action. Members of the Cabinet understood the economic pressures on owners of listed buildings, but Waltham Abbey was a tourist area within the District and the Council should be seen to be taking the proper steps. The Portfolio Holder reassured the Cabinet that Officers were aware of the need to resolve the situation as swiftly as possible.

Decision:

- (1) That the potential courses of action which could be taken to prevent further neglect of the listed building and return it to a good state of repair be noted; and
- (2) That the proposal to pursue appropriate action to preserve the listed building, including the service of appropriate notices and enforcement, be supported and agreed.

Reasons for Decision:

As a grade II listed building, Thrift Cottage was considered to be of national importance as well as being of local historic and architectural interest. It had remained unoccupied since 1997 and was in a poor state of repair. Options of retention, conversion and demolition had been pursued by the owner, but the building had remained neglected.

Other Options Considered and Rejected:

It was likely that an application to demolish the building would be submitted in the near future. If no decision was made on what action to take then the potential loss of the building would be assessed during the planning process.

12. CORPORATE PLAN KEY ACTION PLAN 2015/16 - OUTTURN

The Leader of Council presented a report on the progress made during the final quarter of the municipal year with the Corporate Plan Key Action Plan for 2015/16.

The Leader stated that the Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years. The Key Objectives were delivered by an annual Action Plan, with each year building upon the progress made in previous years. The annual Action Plans contained a range of actions designed to achieve specific outcomes, to ensure the actions remained relevant and appropriate, and to identify opportunities to secure further progress or improvement. Since the Action Plan for 2015/16 was agreed by Cabinet in March 2015, five additional actions had been identified as appropriate to progress the Key Objectives during 2015/16, and these were added to the Action Plan for Quarter 2.

The Leader reported that, at the end of 2015/16, progress was as follows:

- 36 (65%) of the individual deliverables or actions supporting the Key Objectives had been achieved; and
- 19 (35%) of the deliverables or actions were not completed by the end of the municipal year, although significant progress had been made.

In relation to the management of the effects of an aging population, an issue with elderly people who either had no children, or whose children lived too far away to provide any care, was highlighted to the Cabinet. The Finance Portfolio Holder stated that one of the aims of the Health & Wellbeing Charter for West Essex would be to combat loneliness, including with older people, and this issue would be incorporated in the Charter. The Deputy Chief Executive added that the available census data could be analysed to ascertain the scale of the problem within the District, and enquiries could be made with Adult Social Care at Essex County Council who had the statutory responsibility for older people.

Decision:

(1) That, as part of the Council's Key Objectives for the period 2015/16 – 2019/20, the progress with the achievement of the Council's Key Action Plan for 2015/16 at the end of the municipal year be noted.

Reasons for Decision:

It was important that relevant performance management processes were in place to review progress against the Key Objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of under-performance.

Other Options Considered and Rejected:

None, as failure to monitor and review performance against the Key Objectives and to consider corrective action where necessary, could have negative implications for the Council's reputation and might mean that opportunities for improvement were lost.

13. ANY OTHER BUSINESS

The Cabinet noted that there was no other business for consideration at the meeting.

14. EXCLUSION OF PUBLIC AND PRESS**Decision:**

(1) 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 item of business set out below as it 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 is considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
16	St John's Road Site, Epping – Options to Facilitate Development	3

15. ST. JOHN'S ROAD SITE, EPPING - OPTIONS TO FACILITATE DEVELOPMENT

The Leader of Council reported that significant progress had been made in discussions with Essex County Council regarding the redevelopment of the St John's Road area in Epping. Consequently, the Leader requested that this item be deferred to the next meeting as a gesture of goodwill pending further discussions with Essex County Council.

Decision:

(1) That this item be deferred to the next meeting pending further discussions with Essex County Council.

Reasons for Decision:

To seek agreement with Essex County Council concerning the future of the site and wider area.

Other Options Considered and Rejected:

To consider the published report; however, significant progress had been made in discussions with Essex County Council following the publication of the agenda.

CHAIRMAN