

Report to the Council

Committee: Council

Date: 25 February 2021

Subject: Commercial and Regulatory services Portfolio Holder

Portfolio Holder: Councillor Aniket Patel

Recommending:

That the report of the Commercial and Regulatory services Portfolio Holder be noted.

Regulatory services:

Covid compliance and Enforcement: I am pleased to report that the Regulatory Service, with the Community Resilience Team and Licensing Team, continue to work pro-actively and reactively ensure compliance of the Corona virus restrictions in order to protect the community. The Teams react to complaints, carry out intelligence led compliance activity where appropriate and provide advice and guidance on a triage basis.

Most recently, the focus of proactive activity has been around compliance in supermarkets and the local convenience stores and corner shops that can be open by virtue of providing essential services during this lockdown period. Officers are working with police and our marshals to ensure compliance by both shop staff and management, and also the general public, to ensure covid safe arrangements are in place and that face masks are being worn where required.

Another area of concern is the increased numbers of people into the Epping Forest particularly at weekends as families and individuals take the opportunity to exercise. Steps are being taken to control the levels of activity into the this area by shared working with a number of partners including NEPP, the City of London, the British Transport Police, our community police, marshals and EHOs.

I am also pleased to report that the Private Sector Housing Team have been supporting the Essex and Southend Contact and Trace Service where they had been unable to contact residents with a positive test result. Officers have been contacting them to offer welfare support and assistance, as well as making sure they are able to properly self-isolate and that all contacts had been traced. This is further supported by additional agency staff that visit individuals at their home, where we have been otherwise unsuccessful in contacting them via phone or email. These are non- confrontational visits, principally to ensure residents have the support they need and can be directed to further welfare or financial help if needed. However, if evidence indicates an individual is failing to isolate, in breach of the Corona virus Regulations, the matter will be reported to the Police to investigate further.

Private Sector Housing: Aside from covid, the Environmental Health Officers in the Private Sector Housing Team have successfully taken enforcement action against two rogue landlords who unlawfully sub-let 3 properties, creating large houses in multiple occupation which have been operating without licences and without the required safety precautions. The

owners of the houses (in Chigwell and Buckhurst Hill) were unaware that this was happening. One house had 13 tenants, being charged £1000 per calendar month per room. Officers provided support for the owners to get their properties back with vacant possession; however, due to COVID restrictions, one property had to continue to be an HMO, and the owner was given help and advice to operate the property legally.

Following Police and Criminal Evidence Act interviews for the guilty parties, financial penalty notices are being issued resulting in £136K fines for the manager and £90k fines for the person having control. The fines are subject to appeal which may still be lodged. Tenants of these properties are being helped to reclaim rent paid during the unlicensed period via Rent Repayment Orders.

Neighbouring Local Authorities (LB of Redbridge & LB of Waltham Forest) have been advised of this action and intelligence has been shared between Councils to clamp down on this illegal behaviour.

Officers have also helped to rehouse a vulnerable gentleman found living in a dilapidated mobile home, without any connection to electricity, water or drainage. The conditions were appalling and urgent referrals to colleagues in the Homelessness Team resulted in him being offered emergency alternative accommodation.

I am also pleased to inform about our Teams activity in providing an often-forgotten service of Public Funerals; offered in circumstances when no next of kin can be found. The team make arrangements for a proper and legal funeral to be carried out. Excellent work recently by our officer ensured that one gentleman who died was able to have his ashes laid to rest with his wife, who had passed away 20 years before him, so they could finally be together. This is sensitive work and is always completed with compassion and understanding.

Private Sector Grants: I am pleased to report that the Private Sector Grants team are now fully bedded in and performing very well in challenging circumstances.

The year to date details are as follows:

YTD Approvals – DFG: £598,279.38
YTD Payments – DFG: £429,526.95
YTD Approvals DHRA/SWRA: £43,627.67
YTD Payments DHRA/SWRA: £21,217.81

This excellent performance has been achieved since new team members joined EFDC mid-July 2020 and everyone has worked extremely hard to recover from previous backlogs, some of which resulted from the first national lockdown in March which halted all grant work completely.

The whole team has continued to work through last and current lockdown period to support our vulnerable, elderly and disabled residents with essential adaptations. They are still carrying out home visits to grant applicants ensuring that they adhere to their risk assessment, and where necessary they are now also able to have Lateral Flow Tests for Covid-19 to reassure applicants that they are healthy, before visiting.

Licensing Team: In addition to dealing with covid related concerns within the licensed trade and providing support and guidance to our taxi drivers and licensed premises around financial assistance and business adaptation grants, I am pleased to inform that the Licensing Team continue business as usual. 8 new premises applications were heard at Licensing Panel since our last report and the Council has also processed its first adult gaming application.

Officers are successfully using zoom to carry out animal boarding inspections within people homes and they carry out remote Taxi Knowledge Tests to the taxi trade to allow new applications to be considered.

Commercial services:

North Weald Airfield: I am pleased to report that the national lockdown does not appear to have affected the vast majority of businesses on the Airfield with the logistics companies being particularly busy.

Aviation has however been seriously affected with the DfT grounding general aviation and flight training schools resulting in lost income for both aviation tenants and the Airfield. It has also delayed the implementation of the landing fee scheme which is now unlikely to commence before April.

The largest resident flying school is particularly suffering and has requested assistance from EFDC in order to survive this current national lockdown.

The current national lockdown has also resulted in the first public event of 2021 being cancelled. It is also highly likely that once again all public events will suffer the same fate.

Casual bookings for activities such as driver training have all but stopped with the likelihood that will not be able to restart until the lockdown is lifted. Again, this has resulted in a loss of income.

It should also be reported that the proprietor of the business who provided driver training and supercar experience days has ceased trading. He had been a regular client for the past 20 years and it's therefore with regret to announce his departure from NW.

However, I am pleased to report that there is interest from other organisations to provide driver training and supercar experiences at NW and the Commercial Service Manager is working to have an alternative provider in place by April following the decision to permit the activity to continue.

The market experienced excellent trading conditions up until the national lockdown began but is now offering an essential goods only service. Trader numbers have been very low as you would expect as have the numbers of the public attending. However, the operator intends to continue on the basis that they are providing a service to local people.

National Police Aviation Service (NPAS): NPAS continue to operate 2 aircraft from North Weald and I am pleased to report that noise complaints from the wider community do appear to be minimal although there is an on-going complaint from an Airfield neighbour.

Essex & Herts Air Ambulance Trust (EHAAT): I am pleased to report that the construction of the new Hangar is almost complete and is on target to be completed in February. There has been a recent complaint regards the training activity of the Air Ambulance. The frequency has increased due to travel restrictions to Italy where their simulator is based. It should be noted that not all training takes place at North Weald as the aircraft will disperse activity to Stansted and Cambridge Airports respectively.

NWA Master Plan: I am pleased to report that the Quality Review Panel took place on December 4th with the panel providing some useful feedback. There have also been 2 PPA workshops take place which have looked at transport, highways, air quality, noise and utilities. Progress in on-going.

HMRC Inland Border Facility: HMRC space for customs and transit from 1st January 2021 has completed and they are now fully operational on site. This occupation lasts for 5 years, subject to tenant break after the first 12 months on a rolling basis thereafter.

I am pleased to report that since opening there has been very little disruption to the local road network and Airfield operations. There have been some complaints from residents regards a small number of HGV's parking in Vicarage Lane West which is a designated clearway. That said, the facility will not become fully operational until February 16th after which time we will have a far better idea as to its affect on the local surroundings.

NWA Commercial lettings: Former Gymnastics Centre under offer to a community sports centre, transaction approved by EFDC and with solicitors to progress to completion. This is now pending submission of the tenants works/fit-out and thereafter is expected to complete.

Hanger 1 is under offer for a 10 year lease. This is in an advanced stage and expected to complete shortly, pending approval of the incoming tenants proposals on roofing works to the unit.

A large number of asset management and lease initiatives are ongoing at the airfield (subject to the outcome of the Master Plan).

The Market licence has been renewed for a further year, expiring December 2021.

An increase in the rent of Hangar 5 (let to Kings Transport) has been agreed between the tenant's surveyor and EFDCs Asset Management Department as part of the rent review provisions. This is subject to final sign-off by EFDC Directors. This will raise an additional £73,000 per annum for the remainder of the 15-year term.

Building Control: The Building Control team have seen a downturn in application numbers throughout the first three quarters of the financial year due to the ongoing restrictions. Although construction work is classed as essential, understandably there remains some economic uncertainty and discomfort among some homeowners inviting trades people into their homes to undertake construction work.

The fee-earning account is trading at approximately 72% budgeted income (£311,000 of £430,000 budget to date). We forecast this position will hold to year end with a likely outturn of £408,000 of £560,000 budget.

Inspection workload for the previous quarter was 85% of that for the same period in 2019. Building Control Surveyors inspecting sites have voiced frustration at poor levels of compliance with social distancing and PPE use among construction workers. Certain types of internal inspection are currently being avoided in all but the most urgent of cases where it would cause problems with house sales or finances.

All staff have been brought onto the establishment cutting costs of external contractors – approximately a £20,000 yearly saving. The current focus within the team is on training and overhauling processes to align with the national Local Authority Building Control Quality Management system

Epping Forest Shopping Park: The Epping Forest Shopping Park is under Covid-19 related trading restrictions as per Government regulations, excepting essential traders including Aldi and Boots.

The original roofing contractors have now submitted formal proposals as to substantial roofing and drainage works specification. Our solicitors, specialist roofing contractor and specialist drainage surveyors have completed their review of the contractor's proposals and our solicitors have formally responded to the contractors solicitor with further enquiries. We also require a second specialist surveyors opinion on the roofing proposals which our solicitor is currently sourcing.

Landmark Building: Units B, C & D handed back to the Council in February 2020 has now let to a local boxing gym. The tenant has now discharged the planning conditions within its recent planning consent and its Building Regulations application is near to a decision being made and should be decided shortly.

Terms were agreed for Unit A with a local fitness centre / gym at the asking rent, however the operator has now decided not to pursue their interest. Property is now being marketed and despite difficult access arrangements, some initial interest has been shown with a couple of strong interests where we are trying to firm up to obtain an offer from the proposed applicant.

On 1 October 2020 the letting of Unit G completed to Wenzel's The Bakers, a good covenant with 60+ stores. The tenant has now completed their fit-out to a high standard and is trading. This is an excellent addition to The Broadway and will hopefully increase footfall.

There is an offer on Unit E from a local business who wish to open a tanning salon and a change of use application has now been granted. Legal completion is expected by January / February 2021.

The lease for Unit F has now completed. The tenant has submitted the necessary planning and building regulations applications. Following the recent refusal at planning committee, the tenant is working with the Council on the best way to secure consent for its mechanical and engineering works.