

EPHING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 19 October 2020

Place: Virtual Meeting on Zoom **Time:** 7.00 - 9.14 pm

Members Present: C Whitbread (Chairman), N Bedford, A Patel, J Philip, S Kane and H Whitbread

Other

Councillors: S Murray, R Baldwin, R Bassett, P Bolton, R Brookes, L Burrows, I Hadley, S Heap, H Kauffman, A Lion, C McCredie, R Morgan, S Neville, M Sartin, J Share-Bernia, D Stocker, B Vaz, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: N Avey

Officers Present: G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), A Small (Strategic Director Corporate and 151 Officer), S Jevans (Strategic Director), A Blom-Cooper (Interim Assistant Director (Planning Policy)), J Chandler (Service Director (Economic Projects)), Q Durrani (Service Director (Contracts & Technical Services / Commercial & Regulatory)), D Fenton (Service Director (Housing Revenue Account)), V Gayton (Culture & Community Team Manager), J Houston (Specialist Partnerships & Economic Development), D Gilson-Butler (Youth Engagement Officer), A Hendry (Democratic Services Officer), G Woodhall (Team Manager - Democratic & Electoral Services), S Mitchell (PR Website Editor) and W Cockbill (Young Persons Assistant)

Also in attendance B Nedelcu and J Schooling

60. 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.

61. DECLARATIONS OF INTEREST

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

62. MINUTES

Decision:

The Minutes of the Cabinet meetings held on 14th September 2020 be taken as read and would be signed by the Leader as a correct record.

63. REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports made by Members of the Cabinet on current issues affecting their areas of responsibility.

64. 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.

65. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 15th October 2020:

(a) they received a presentation from Ms S Rea the Associate Director of West Essex Mental Health Services from the Essex Partnership University NHS Foundation Trust;

(b) they received a verbal update on the progress of the accommodation strategy and the people strategy;

(c) they also received a Qualis monitoring report for quarters 1, 2 & 3 for 2019/20;

(d) they also received an update on the Covid 19 situation and the quarter 2 progress on the Corporate Plan, Key Action Plan 2020/21;

(e) finally they considered issuing an invitation to the youth mental health services to put into their work programme;

(f) the next meeting in November will be attended by an officer from the UK Innovation Corridor (formally known as the London-Stansted-Cambridge Consortium)

The Cabinet's agenda was reviewed but there were no specific issues identified on any of the items being considered.

66. THE HEALTH AND WELLBEING OF YOUNG PEOPLE IN EF DISTRICT DURING COVID 19, 2020 - #YOURSAY SURVEY

The Housing and Communities Portfolio Holder introduced the officers from the Council's Youth Council and two Youth Councillors to give a presentation on their work on how the pandemic had affected the young people of the district during the period of lockdown and what effects it had on them over time.

The team manager for culture and communities, Vanessa Gayton introduced the two youth councillors who would be giving the presentation. They were Jamie Schooling and Bianca Nedelcu. The Youth Councillors explained that they had conducted a survey during July 2020, providing an opportunity for young people to share their experiences during the pandemic and express their concerns about their health and wellbeing, their future regarding their education, and mental health. The Youth Councillors hoped the findings would help shape the services for young people in 2021 and beyond.

The youth councillor shared the results of the survey with the Cabinet and other members present.

The Chairman thanked them for their presentation. Councillor Holly Whitbread said that it was a good piece of work and they had reached a significant number of people

in the local population. It was an impressive and thoughtful report and the theme of economic development was particularly interesting, and vital for the young people effected. Also, the mental health project was very important with some interesting comments made. She noted that the youth council had historically found alternative grants and funding streams to fund their innovative projects and hoped they continued to look for that. The Cabinet would use their recommendations to help shape services for the future.

Councillor Bedford commented that it was an interesting report and it was good to see their work on mental health issues. He noted that as a district council we were trying to cover some of the issues around mental health.

Councillor Philip noted the plea for additional funding but as the finance portfolio holder he could not commit at this stage due to the significant challenges faced by the council.

V Gayton remarked that they were looking for a project to deliver to schools using the social distancing required nowadays.

Councillor Murray thanked them for their report and said that he enjoyed their presentation. He had been impressed by how young people had dealt with this pandemic; but noted that he had received some feedback from parents that they were not happy with the way the GCSE and 'A' level exams had been handled. He went on to ask the youth councillors if they had received any feedback on how the schools were supporting them since September. He was told that their schools had been generally supportive on their return and positive feedback had been received, although some of the students did feel uneasy about returning.

Councillor Patel thanked them for their presentation. He was the Chair of the Health and Wellbeing Board and said that some of the recommendations could be linked up to this board. He also led on Covid recovery and would like to seek their views on this. They should come to one of the meetings and give their opinions and thoughts. The Chairman thought this was a useful way forward, there was a clear steer to have them actively engaged in this. He thought that they had already asked for a youth councillor to be involved in the Covid recovery meetings. They should be able to actively shape our community's future.

Councillor Wixley asked about one of the questions in the survey asking if there was anything positive people could learn from this experience. One of the answers was that there were more important things in life. Was there any general change in attitude about life, what did this represent? He was told that people were starting to be more grateful for their health and were being more careful.

Councillor Heap said that yes, they were the future and if the council could help them, by pump priming for the future, then it should.

The Chairman noted that this was what we wanted to be doing and asked that the Housing and Community Services Portfolio Holder in conjunction with the Community and Regulatory Services Portfolio Holder and relevant officers explore the recommendations in order to find the best way to take them forward and find a way for partnership working.

DECISION:

1. The Cabinet received and acknowledged the #Your Say survey report and findings undertaken by the Epping Forest Youth Council, supported by the Council's Community, Culture and Wellbeing service.
2. The Cabinet noted that Service providers worked together to address the increasing pressures on young people's poor mental health and their concerns about their future educational opportunities;
3. The Cabinet noted that officers would ensure that appropriate work identified as a result of the Survey would fit with and contribute to the Council's Economic Development – Local Skills and Opportunities project; and
4. The Cabinet noted that the Youth Council would:
 - continue the work with the CCG and introduce Youth Council representation on the Citizens Panel (One Health & Care Partnership);
 - Continue promotion of youth activities and youth groups via the EFYC Youth Activities Map to encourage motivation and positive mental health and wellbeing;
 - Provide training through partnership working for the Youth Council to address the issues raised in the report and signpost young people to relevant services such as bereavement, counselling services and J9 training.
5. The Housing and Community Services Portfolio Holder in conjunction with the Community and Regulatory Services Portfolio Holder and relevant officers explore the above recommendations in order to find the best way to take them forward.

67. GOVERNMENT CONSULTATION ON THE PLANNING WHITE PAPER 'PLANNING FOR THE FUTURE'

The Planning and Sustainability Portfolio Holder introduced the report on the Government Consultation on the Planning White Paper.

The Government White Paper "Planning for the Future" set out significant changes to the planning system for consultation. The White paper stated specifically that it "has not comprehensively covered every aspect of the system, and the detail of the proposals will need further development pending the outcome of this consultation." The focus was on ideas rather than details of implementation, but it signalled an intention to change the system in a holistic manner, including the introduction of new legislation. This included a signal to speed up and simplify both the production and role of Local Plans and the management of planning applications. The emphasis on outcomes was focused on delivering housing development and detailed design of proposals. The proposed changes were in many ways radical, and if they were implemented would require new ways of working, new skill sets and, it appeared, a very significant amount of resources.

This report provided members with a synopsis of the key proposals in the White Paper and contained the suggested response from the Council to the questions posed in the consultation.

Following the recent member workshop a few amendments were made to the officer response and this would be published in the next council bulletin.

Councillor Philip commented that this was an interesting approach to planning but it seemed to take away local representation. Beauty and good design were just part of it. It needed Member involvement. We have a high percentage of green belt land as well as needing a high number of houses, these cannot be put together. Perhaps this should be put more strongly. Councillor Bedford agreed that protecting our greenbelt was a high priority and how we did that was going to be challenging. Councillor Philip said that we need to make it clear that matching Green Belt and Housing allocations did not work.

Councillor H Whitbread commented that she had major concerns in relation to the green belt, this was challenging for housing. We also needed to strengthen the need for local representation. She also had concerns about quality of housing and permitted development rights. Also, in terms of zoning it had to be a long term strategy. While she supported the principle and spirit of the simplification of the planning system, there was still some work to do.

Councillor Heap said this was a difficult one and added that good design was a difficult issue and should be handled locally. He was not aware that we had a problem with planning permission in our district at present although there were a lot of planning permissions were being sat on, so maybe the planning permission should live with the developer.

Councillor McCredie commented on beauty and placemaking. Beauty was in the eye of the beholder and beauty should be defined.

Councillor Bedford noted some key points that have come out, like the planning permission lives with the developer and in his view once a development had been approved but not completed in a certain amount of time, we should be charging rates on the premises.

Councillor Wixley agreed the green belt was important and so was green spaces to urban areas. He was puzzled about the proposition to abolish the duty to co-operate. Some development would straddle borders and we would need a duty to co-operate.

DECISION:

- (1) The Cabinet agreed the response to the Government White Paper '*Planning for the Future*' issued on 6 August 2020 for consultation.
- (2) Following the members workshop on the White Paper the comments made then were to be added to the Council's response. These comments were to be gathered together and reproduced in the Council Bulletin.

Reasons for Proposed Decision:

- To ensure that members are kept fully up to date on proposed changes to the Planning System.
- To enable the Council to make a formal response to the Governments proposals.

Other Options for Action:

Not to make a formal response to the White Paper consultation. This would mean that the Council misses the opportunity to influence further thinking on future changes to the Planning System that will be required prior to implementation.

68. DRAFT SUSTAINABILITY GUIDANCE FOR THE DISTRICT AND HARLOW AND GILSTON GARDEN TOWN

The Planning and Sustainability Portfolio Holder introduced the report on the draft sustainability guidance for the district and Harlow and Gilston Garden Town.

It was noted that the Council's emerging Local Plan set out policies in relation to sustainable and high quality design and construction of developments. On 19 September 2019 the Council declared a Climate Emergency, including a resolution to do everything within the Council's power to make Epping Forest District Council area carbon neutral by 2030. To support these policies and this declaration, the Council had produced two EFDC draft Sustainability Guidance documents for use across the District; one for Major Developments (10+ units) and one for Minor Developments (1-9 units). The documents are in addition to the draft HGGT Sustainability Guidance and Checklist, which was relevant for sites which were located both within Epping Forest District and the Harlow and Gilston Garden Town.

A Blom-Cooper (Planning Policy and Improvement) noted that these documents were proposed for consultation, starting from 2nd November. Almost all the consultation would be carried out virtually.

Councillor Philip commented that sustainability was a key driver for the council and also by making it sustainable it was also good for the environment and lined up with the Council's declaration of a climate emergency.

Councillor Heap remarked that there needed to be buses to Epping. Councillor Bedford replied that buses were not really in our remit but down to Essex County Council. We could make suggestions to them for the need for buses, but we would have to say where they should come from. There were a lot of villages in our district. At present TfL were running about 100% of their services but with minimum passengers' levels. Councillor Heap came back saying that we need to provide them first and then consider how they interacted as a whole network.

DECISION:

(1) The Cabinet agreed that the Draft EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and Draft HGGT Sustainability Guidance and Checklist (Strategic Sites) be approved for public consultation for a six week period;

(2) The Cabinet agreed that the Planning Services Director, in consultation with the Planning Portfolio Holder be authorised to make minor amendments to the Draft EFDC Sustainability Guidance (Major Developments and Minor Developments) prior to the public consultation;

(3) The Cabinet noted that, following consultation, and any subsequent revisions to the documents, it was intended that the final EFDC Sustainability Guidance and Checklists (Major Developments and Minor Developments), would be considered by Cabinet for endorsement as a material planning consideration for the preparation of

masterplans, pre-application advice, assessing planning applications and any other development management purposes within the District;

(4) The Cabinet noted that, following consultation, and any subsequent revisions to the documents, it was intended that the final HGGT Sustainability Guidance & Checklist, would be agreed as a material planning consideration for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purposes within the Harlow & Gilston Garden Town.

Reasons for Proposed Decision:

- To ensure that the EFDC Draft Sustainability Guidance documents (Major Developments and Minor Developments) were afforded suitable planning weight by agreeing that the documents should be consulted upon prior to endorsement as material planning considerations. This would ensure that development proposals across the District target the Council's sustainability ambitions, and that clear parameters were established for future pre-application advice, assessing planning applications and any other development management purposes.
- To ensure that the HGGT Sustainability Guidance and Checklist were afforded suitable planning weight by agreeing the document should be consulted upon prior to endorsement as a material planning consideration, to ensure that development proposals within the Garden Town target the HGGT sustainability ambitions, and that clear parameters were established for future pre-application advice, assessing planning applications and any other development management purposes within the Garden Town.

Other Options for Action:

Not to agree the EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and HGGT Sustainability Guidance and Checklist can be published for a 6 week consultation which would mean that there would be no guidance to support the delivery of development proposals and achieve the objectives set out in the Council's emerging Local Plan policies SP3, DM5, DM9, DM11, DM15-22.

69. IMPLEMENTATION OF THE LOCAL PLAN: UPDATE ON PROGRESS

The Planning and Sustainability Portfolio Holder, Councillor Bedford, introduced the report on the update of the implementation of the Local Plan. He noted that we had submitted all our information to the inspector and have had a response from the inspector around timescales, but officers were working to sort that out.

The report provided members with an update on the progress of Strategic Masterplans, Concept Frameworks and Planning Performance Agreements within the District. Discussions were taking place with site promoters and developers with meetings still taking place virtually. Project programmes were being adjusted where necessary to account of the COVID-19 pandemic, in particular community engagement arrangements.

There had also been changes to the Community Infrastructure Regulations which introduced a new requirement for Councils to publish online, an annual infrastructure funding statement by 31 December each year. This applied from the financial year 2019/2020 onwards and the first statement was required this year to cover the period from 1 April 2019 to 31 March 2020. The statement must set out the projects which

the authority intends to be funded and details of how much has been collected, how much was spent and what it was spent on. This was to provide information to communities to enable a better understanding of how developer contributions have been used to deliver infrastructure.

Councillor Philip said that it was useful to see infrastructure funding statements and good to see Masterplanning was progressing.

Councillor Heap said that affordable housing on site rather than off site would be good, but he expressed his frustration that we have still not finished this project. Councillor C Whitbread shared his frustration noting that the process was very bureaucratic. Councillor Bedford added that they were pushing really hard to get this done by the end of this year. They had a meeting with Natural England coming up and were hopeful to make progress.

DECISION:

- (1) The Cabinet noted the progress of Masterplans and Concept Frameworks, including the use of Planning Performance Agreements and the progress of other proposals at pre-application and application stage; and
- (2) The Cabinet agreed the Infrastructure Funding Statement 2019/2020 for online publication by 31 December 2020.

Reasons for Proposed Decision

- To ensure that members were kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.
- Every Local Authority was required to publish an Infrastructure Funding Statement ('IFS') by 31 December each year that sets out the amount of planning obligation expenditure where funds have been allocated.
- Community Infrastructure Levy Guidance 2014 sets out that:

"Reporting on developer contributions helps local communities and developers see how contributions have been spent and understand what future funds will be spent on, ensuring a transparent and accountable system."
Paragraph: 172, Reference ID: 25-172-20190901
- The Councils Infrastructure Delivery Plan had identified the infrastructure projects that are required to deliver development in the District to 2033.

Other Options for Action:

Not to update members on the progress on the above issues would be contrary to the commitment made by the Implementation Team as noted in the 18 October 2018 Cabinet Report.

Not to publish the Infrastructure Funding Statement within the deadline would result in a failure to comply with the Community Infrastructure Levy regulations.

70. COUNCIL HOUSE BUILDING PROGRESS REPORT AND FUTURE APPROACH TO SITE SELECTION

The Housing and Communities Portfolio Holder, Councillor H Whitbread, introduced the report on the progress of Council Housebuilding.

The report set out the progress that had been made across phases 3 and 4 of the Housebuilding programme that had either been completed, were on-site and were currently being procured. Subject to the necessary planning consents the pipeline stands at 84 units up to the years 21/22.

In addition to the pipeline our retained consultant (Metaplan) was reviewing 2 additional sites, St John's Baptist Church (9-10 residential units for key workers and a community building). Also, there was an opportunity to purchase some land at below market value in Waltham Abbey to provide up to 10 affordable units. These sites would be presented at the next Cabinet to recommend progressing to full planning and the allocation of capital funding.

Phase 5 has the potential to deliver approximately 160 properties, again subject to planning consents and the necessary consultation with members and residents.

Councillor Janet Whitehouse was pleased that the report referred to St John's the Baptist Church and not just St John's Church.

Councillor Neville welcomed the change in approach, as the original approach could be controversial, and he now welcomed the community led approach. He had asked a question at a previous Council meeting about retro fitting our council houses and was told that it would appear in the bulletin, but it has not appeared as yet. Councillor H Whitbread apologised that they had not got back to him yet and promised to do so.

Councillor Patel said that it was a good news report regarding phase 5.

Councillor Murray said it was a good report. He noted that back in 1982 the council had a housing stock of 13,500 homes, now we have only approximately 6,500 this was a reality check. He welcomed the philosophy behind the phase 5 developments as set out in the report. What a pity we did not follow this philosophy for Loughton Broadway or the retail park. Councillor H Whitbread replied that the right to buy has been a challenge to councils and seen a decrease in our council housing stock and it is something they were conscious of and it was something they wanted to increase and deliver and keep council housing in house. While it provided challenges it also gave people the opportunity to buy homes.

Councillor Heap noted it was a good report but asked about the overspend on damage from trees. D Fenton replied that there would be a report about trees coming to a future Cabinet meeting.

Councillor Wixley was pleased with this approach but wondered what was happening about garage sites as he had some in his ward. He was told that an officer would contact him after the meeting about this matter.

On a more general point Councillor H Whitbread made the point that they were now having a more collaborative relationship with Planning on housing. Her understanding was that garage sites that had been proposed were still being considered.

DECISION:

The Cabinet noted the contents of the Progress Report on Phases 3 and 4 and the approach to site selection of phase 5, of the Council House Building Programme.

Reasons for Proposed Decision:

This report sets out progress made and provides an overview of our future aspirations

Other Options for Action:

This report was on the progress made and was for noting purposes only. There were no other options for action.

71. REVENUE AND CAPITAL OUTTURN 2019/20

The Finance and Economic Development Portfolio Holder, Councillor Philip, introduced the revenue outturn for 2019/20.

This report provided Cabinet with an overview of the Revenue and Capital outturn, compared to budget, for 2019/20.

The figures included within the report were still subject to external audit so should be considered provisional at this stage. The report also briefly considers the Council's unallocated reserve balances for both General Fund and the HRA.

DECISION:

- (1) The Cabinet noted the Revenue outturn for 2019/20 for the General Fund and Housing Revenue Account (HRA) as presented within the report;
- (2) The Cabinet noted the General Fund Reserve position as presented in Section 4 of the report;
- (3) The Cabinet noted the HRA Balance set out in Section 4, including the retention of £0.5 million originally approved for transfer to the Self-Financing Financing Reserve (prior to consideration for approval by Cabinet); and
- (4) The Cabinet noted the Capital Programme outturn for 2019/20 as presented within the report.

Reasons for Proposed Decision:

To provide an update on the year-end financial position for 2019/20, thus supporting Cabinet in making better informed decisions on the allocation of the Council's financial resources based on up-to-date financial information.

Other Options for Action:

None, as this was a review of the previous year.

72. COVID 19 DEVELOPMENT PROJECTS - UPDATE 1

The Finance and Economic Development Portfolio Holder, Councillor Philip, introduced report outlining the recovery projects for Covid 19.

When Cabinet gave approval to proceed with the projects it was recognised at the time that these projects would need to have:

- Short-term objectives, i.e. that would need to be delivered in this financial year.
- Medium-term objectives, i.e. that are coherent with the approved plans and priorities of the Authority.
- Longer-term objectives i.e. that are coherent with the strategic objectives and emerging strategic objectives of the Authority.

The project briefs set-out the work and considerations that have taken place in August and September.

He noted that this was about moving towards Covid recovery and the report recorded the individual projects and what we were doing to take this forward. They were also reviewing each project to see if they should be taken forward.

The town centre regeneration was clearly something we wanted to keep on doing. As for the Digital Gateway for Place, after closely looking at this he had concluded that was a challenge to high on the risk level and on the returns we would receive on the money we would need to invest. Having spoken to the Housing and Communities Portfolio Holder they were both of the view that this should not be taken forward.

The Gazetteer for the Council to have a complete list and understanding of all business activity across the district. There was also the North Weald Airfield Business Zone that ties in with the masterplan. The Accommodation Review, officers have said that there had been significant interest in the top floor of our building, and they were hoping to have a tenant identified by the time it was reopened.

The Local Business Suppliers was tied up with the Gazetteer certainly something we should be doing. We were also looking to continue work on Sustainable Transport, on the Climate Emergency action, and on Local Skills and Opportunities, significant work was being done with the Government on this.

Councillor Philip stated we were doing a lot of things; on one project we shall have to pull the plug on but the rest we shall continue with.

Councillor H Whitbread noted that this was an impressive body of work and it was good to see proactive measures for the Covid recovery. She did share Councillor Philip's concern over the Digital Gateway project, it was costly and replicated things that was already there.

Councillor Patel noted that when these projects were mentioned at a previous Cabinet meeting the term aspirational was used, it's good to see the amount of work that has gone on since then. He commended Julie Chandler and Nick Dawe on the work done. He then remarked that he was taught to look for opportunity costs and believed that they should look at the opportunity costs for taking the Digital Gateway forward and what we could be doing to give us "more bang for our bucks".

Councillor Philip agreed, opportunity costs were a key part of this and one of the reasons why we should not be going ahead with this. This had been tried in larger councils without it being successful.

Councillor Bedford, on behalf of Councillor Avey, reminded members about the money and commitment given to the Ongar Leisure Centre. They had managed to find between £1.3 to £1.5 million to refurbish the centre.

Councillor Murray agreed with the decision to lose of the Digital Gateway project. He noted that the local skills and opportunities was really important and would like the younger people to be kept in mind for this. He was surprised that we did not already hold the information for the Gazetteer. He was also disappointed with how the accommodation review was going, he did not think it was going to be much of a community hub. It seems that it was going to be the library and the voluntary services.

Councillor Philip said that they were still working out who exactly was going to be in the Community Hub. As for the Gazetteer there are over 8000 businesses in the district and we were aware of a number of them, however the economic development section consisted of about 2.5 people. We would like much more detail hence the project.

Councillor Janet Whitehouse noted that the town centre development programme was important. To what extent were ward members to be involved in the meetings about different high streets? Councillor Philip replied that the initial focus was around Waltham Abbey and the local councillors and town council were involved.

Councillor Bedford noted that a big problem we had with the Gazetteer was GDPR, and that we could not use all our old information.

Councillor Heap asked if we could develop new sites for North Weald we could realise a lot of money for the district. Was this a possibility? Councillor Philip replied that it was not in our Local Plan to do this and it was known that the residents of North Weald wanted to intensify flights at North Weald Airfield.

DECISION:

- (1) The Cabinet reviewed and discussed the scope and progress of the Covid Recovery projects detailed within the report and agreed that the project 'Digital Engagement & Gateway for Place' be withdrawn; and
- (2) The Cabinet reviewed and noted the overview of the project portfolio across the council.

Reasons for Proposed Decisions:

In July 2020 a series of actions were recommended that could assist with the economic recovery from Covid 19. This report outlined the projects.

Other Options for Action:

None, as this was a review of the established projects.

73. QUALIS QUARTERLY MONITORING REPORT - Q3 2019/20

The Portfolio Holder for Commercial and Regulatory Services, Councillor Patel introduced the report of the Qualis Board monitoring report for Quarter 3 as agreed by the Qualis Board on 22 September 2020.

The key message for Cabinet was that Qualis had been engaged over this period in completing the loan funding transaction, progressing planning work on the Epping Development sites and preparing for the transfer of Housing Maintenance at the end of September.

As reported in the last Cabinet report, Covid19 has delayed many of the key actions for both Epping Forest District Council and Qualis and as a result some of the originally planned targets had slipped. However, good progress was now being made.

For Qualis, Quarter 3 represented a further phase of planning, set-up and initiation works because of the delays associated with Covid19. Key asset acquisitions and service transfers would take place during Quarter 4 and monitoring reports would look different from that point forward.

Given the points above and noting the impact of Covid19 on all Council activities, Qualis had performed in line with expectations during Quarter 3.

Councillor Murray noted that he had issues and concerns with Qualis. He asked if he could have assurance that the mentioned staff consultation plan was not only for individual staff but for the Unions. The Housing Maintenance Staff had kept their terms and conditions; would new staff have lesser terms? Councillor Patel assured him that the Unions had been consulted. As for new staff, new employees would sign new contracts, but he could not comment on the terms offered. Councillor Murray said that he would like this information in a future report. Councillor Philip added that Qualis was operating as a separate company, so contracts were commercially sensitive. S Jevans as the Managing Director for Qualis added that Terms and Conditions for Qualis employees were different from the council's and had a greater ability to incentivise staff.

Councillor Brookes asked what other services were to be reviewed to be transferred over. Councillor Patel said that a survey would be carried out to determine which services would stay or be moved. A report will then be brought to Cabinet detailing this. Councillor Wixley asked if there were any guiding principles or set criteria governing this. He was told that each area would be looked at as a business case for each service.

Councillor Heap said that as the only shareholder in Qualis we should be able to set the terms and Conditions for new staff. He was told that any services would be transferred over on a TUPE basis, but any new staff would not be guaranteed the same terms as existing staff. You may find that in the long term things would improve for staff, especially in areas where there were skill shortages.

Councillor Neville asked if there was a limit to the number of services that could potentially be transferred over. Councillor Patel replied that there was no limit as each new case would be judged as a separate business case. Councillor Heap interjected that it should be a public service and not a private enterprise. Councillor Patel responded the purpose of Qualis was to safeguard services to residents.

Councillor Murray said that staff employed on new contracts after other staff came over on TUPE would almost always be employed on worse conditions and it seemed to him that Qualis would become a Trojan Horse where the Council would offload as many services as they could. Councillor Philip, speaking as someone who had been TUPE'd on more than one occasion offered that Terms and Conditions could be better after TUPE. The aim was to have better contracts for our staff to get the things that need to be done, done. As for how many services were moved across depended partly on the business case and what capability Qualis had.

DECISION:

The Cabinet discussed and noted the Qualis Quarterly Monitoring report.

Reasons for Proposed Decision:

The Governance framework for Qualis, as agreed by Cabinet in February 2020, set the requirement that Qualis should report to Epping Forest District Council on its performance Quarterly.

Other Options for Action:

None, as this was a report on the previous quarter.

74. QUARTER 1 BUDGET MONITORING REPORT (GENERAL FUND)

The Portfolio Holder for Finance and Economic Development introduced the report on the first four months of the general fund budget.

The focus on Covid19 related activities and the impact this had on the normal delivery of Council services had made the production process more complex. Hence, 4 months of performance was reported, as opposed to the normal 3 (one quarter) in order to provide a more up to date understanding of the position.

Covid19 has had a massive impact on the Council, in terms of its focus and in terms of generating cost pressures. Necessarily, the Council had to respond to the impact, but the consequence of this, in financial and service delivery terms, was large variances against the spend and income profiles which were anticipated when the budget was set.

As the majority of the impacts, response and variances had been associated with General Fund services, effort and focus had been focused on understanding the impact in this area for this report. An update on the Housing Revenue Account and Capital would be contained in the next monitoring report.

Although confidence was low, as had previously been reported, the Council had comfortable levels of Balances and Reserves and this meant that there was confidence that the Council could cover the in-year impacts on the budget from the Pandemic.

Councillor Philip noted that the report was for 4 months of the pandemic and there was still 8 months left.

DECISION:

The Cabinet discussed and noted the contents of the report.

Reasons for Proposed Decision:

This report presents the first four month's (till the end July 2020) General Fund Budget Monitoring report for Epping Forest District Council.

Other Options for Action:

None, as this was a report on the first four month period.

75. ANY OTHER BUSINESS

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

76. EXCLUSION OF PUBLIC AND PRESS

The Cabinet noted that there was no business for consideration which would necessitate the exclusion of the public and press from the virtual meeting.

CHAIRMAN

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