

# ***Report to the Council***

**Committee: Cabinet**

**Date: 17 December 2020**

**Subject: Commercial and Regulatory services Portfolio Holder**

**Portfolio Holder: Councillor Aniket Patel**

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## **Recommending:**

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

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## **Regulatory services:**

I am pleased to report that the Regulatory Service, with the Community Resilience Team continue to pro-actively and reactively work together to promote and enforce the Corona virus restrictions in order to protect the community. A report was sent to members last month explaining in more detail the approach taken by officers and also included data on the number of engagements in terms of advice and information and enforcement action.

The team continues to work in the same way and will be advising businesses and the public on the new Tier restrictions from 2 December 2020 and beyond.

The impact on the Licensing income as a result of covid is being monitored on a monthly basis. There has been an overall income loss of approximately £100,000 since lockdown, as a result of reduced licence renewals taxi licences and other small businesses.

The Private Sector Grants Team continue to deliver Disabled Facilities Grants and Loans under the Housing Assistance Policy, with the following expenditure to date:

- 59 DFGs approved = £426,105.80
- 44 DFGs paid = £267,837.92
- 5 Decent Homes Approved = 29,758.46
- 2 Decent homes Paid = 12,678.93

There are also over 100 live cases being processed at various stages.

## **Commercial services:**

### **North Weald Airfield**

I am pleased to report that the second lock down has not impacted on the majority of the Airfield businesses too adversely and they remain very busy.

Unfortunately all public events have been cancelled for 2020.

Before the second lockdown the casual bookings were very slowly starting to pick up with a number of regular hirers returning to use the facilities. We wait to see what affect this latest lockdown will have.

The second lockdown has unfortunately affected aviation with the DfT grounding general aviation and flight training schools. However, I am pleased to report that it looks very likely that as from December 2<sup>nd</sup> general aviation will be permitted to restart. It is envisaged that we will achieve pre second lockdown movement numbers very quickly.

The market has continued throughout the second lockdown offering essential goods only. Again, I am pleased to report that from December 5<sup>th</sup> it will re-open fully which is fantastic news for the traders who rely heavily on good Christmas sales.

### **National Police Aviation Service (NPAS)**

I am pleased to report that noise complaints regarding the NPAS operation have reduced significantly over the last 8 weeks. The recent independent noise monitoring exercise has concluded and the consultants report has been submitted for analysis.

Counsel's advice has also been sought following noise complaints and that advice would suggest that the Council has a robust defence against any actions taken against it.

### **Essex & Herts Air Ambulance Trust (EHAAT)**

I am pleased to report that the construction of the new Hangar is progressing well and is on target to be completed in early 2021.

### **NWA Master Plan**

The Master Plan is progressing well. Within the last two weeks the first engagement session took place with the Airfield tenants and the initial feedback being very positive.

### **Building Control**

Building Control income at the end of the last financial year was around £130,000 above budget, with a notable increase towards the latter part of the year. This positive result should, however, be treated with caution as this was influenced by the new high-volume partnership scheme working with Ken Judge Associates for nationwide conservatory roof replacement approvals. This produces up-front income with tail-off cost liabilities that run into subsequent years which are not typically encountered with other Building Regulations applications. A new accounting process has been instigated to better reflect and ring-fence our ongoing cost commitments resultant from this scheme.

Unsurprisingly Building Control income has been affected by Covid 19. Application numbers received are 30% fewer than the previous financial year discounting the partnership scheme with Ken Judge Associates. As of 31<sup>st</sup> July 2020, income was approximately £82,000 short of budget forecasts, but around £68,000 less than for the same period in the 2019-2020 financial year. We are awaiting income reports for August and September.

This conservatory partnership income recommenced this financial year only after the easing of Covid 19 restrictions and we have received a total of 522 applications, suggesting performance at or above the level expected.

Since the start of September, inspection requests to active building sites have picked up substantially. The remaining year performance will depend much upon any need for further Covid restrictions and any resultant uncertainty in the wider economy.

A vacant Senior Surveyor post was filled at the end of October and recruitment to fill the vacant Principal Surveyor post is ongoing.

A new Building Safety Bill published in July and awaiting Royal Assent introduces significant changes to the Building Control system by removing competition for Building Control services

on high risk buildings and placing increased expectations on competency validation for all professionals involved with Building Control for all building types. These changes are expected to be implemented over a two-year period.

### **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 are currently reviewing and reporting on these proposals.

### **North Weald Airfield**

Former Gymnastics Centre under offer to a community sports centre, transaction approved by EFDC and with solicitors to progress to completion.

Hanger 1 is under offer for a 10 year lease (this being the minimum term achievable given investment in the building required by any prospective occupant) following an extensive marketing period. Pending EFDC formal approval.

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

HMRC have requested an additional 5 years plus expanded occupation space for customs and transit from 1<sup>st</sup> January 2021. Negotiations over rent, space, use are ongoing and are also subject to simultaneous stakeholder engagement by HMRC and liaison with Planning over the proposed SDO.

### **Landmark Building**

Units B, C & D were handed back to the Council by the tenant on 24 February 2020 and immediately marketed by our agent. On 30 October 2020 the letting to a local boxing gym completed. In order to comply with planning permission conditions, the tenant will need to submit layout plans and also confirm that it complies with Building regulations in respect of noise & vibration emanating from the premises. The plans have been submitted and the noise conditions are expected to be submitted by December 2020.

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.

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 December 2020 / January 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.