

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 23 JULY 2015 at 7.00pm**

Present: Councillor Howard Rolfe – Leader
Councillor Susan Barker – Deputy Leader and Cabinet Member
for Environmental Services
Councillor Simon Howell – Cabinet Member for Finance and
Administration
Councillor Julie Redfern – Cabinet Member for Housing and
Economic Development
Councillor Lesley Wells – Cabinet Member for Communities and
Partnerships

Also present: Councillors T Goddard, D Jones, John Lodge (Leader –
Residents for Uttlesford) and J Loughlin (Deputy Leader –
Liberal Democrat group).

Officers in attendance: John Mitchell (Chief Executive), D Barden
(Communications Manager), Rebecca Dobson (Principal
Democratic and Electoral Services Officer), S Ellis (Revenues
Manager), Roger Harborough (Director of Public Services),
Angela Knight (Assistant Director – Finance), R Millership
(Assistant Director Housing and Environmental Services),
Michael Perry (Assistant Chief Executive – Legal), J Snares
(Housing Needs and Landlord Services Manager), A Taylor
(Assistant Director Planning and Building Control), T Tice
(Principal Research Officer) and Adrian Webb (Director of
Finance and Corporate Services).

PUBLIC STATEMENT

At the suggestion of the Chairman, it was agreed the public speaking would
take place when the item regarding land clearance at Broxted was discussed.
A summary of the statement is appended to the minutes.

CA16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dean.

CA17 MINUTES

The minutes of the meeting held on 18 June 2015 were received and signed
by the Chairman as a correct record, subject to the correction of duplicate
Minute number CA13.

CA18 LAND CLEARANCE AT BROXTED

Councillor Howell thanked Councillor Clark of Broxted Parish Council for attending to make a statement about the recommendation.

Councillor Howell said the purpose of the report was to authorise funds for taking direct action to clear land at Broxted which had already been the subject of two enforcement notices. The preferred means of enforcement was prosecution and securing of injunctions. However, as a last resort, the direct measure of clearance was now proposed. Officers had pursued all reasonable options before recommending this step, which did not set a precedent. It was important the Council should be seen to act firmly.

In reply to questions, Councillor Howell said this was a relatively small patch of land and a charge had been placed over it. Whilst there was no guarantee the Council would recover the money, it would do everything possible to try to do so.

AGREED To approve expenditure of fund to an amount up to £16,000 plus VAT for the payment of professional fees to a certified enforcement agent for direct action to clear land at Brick End, Broxted.

CA19

ALLOCATIONS POLICY

Members considered a report outlining proposed amendments required to the Council's allocations policy following a change in government policy in relation to social housing tenants having a right to move for reasons of employment. In addition to the proposed amendments reflecting the new statutory instrument, some further amendments were proposed to clarify the eligibility criteria and the allocation of properties on rural exception sites.

Councillor Redfern referred to the detailed proposals set out in the report. The Right to Move would be incorporated into the Allocations Policy, requiring the Council to remove the local connection criteria from tenants of social housing who lived outside the district but who needed to move to the district either to take up a definite offer of employment or to be able to maintain their existing employment. The new regulation also required that additional preference be given to such applicants. It was proposed to place applicants meeting the strict Right to Move criteria in in one Band higher than their housing need. The Council would be able to restrict the numbers assisted by this regulation to no more than 1% of annual allocations, and this provision had been incorporated into the policy change.

Councillor Redfern outlined the other proposals in the report and said all proposals had been endorsed by the Tenant Forum and recommended to Cabinet by the Housing Board.

Councillor Lodge asked whether the proposal to place applicants meeting the Right to Move criteria into one Band higher than their housing need reflected the national guidance, and how the mechanism for restricting this number of tenants to 1% of annual allocations would work.

Councillor Redfern confirmed that this policy would be in line with national guidance.

The Housing Needs and Landlord Services Manager said the cap of 1% was also a provision set out in national guidance.

Councillor Redfern drew attention to a minor correction to the document: at paragraph 2 of page 68 of the Policy document, the wording needed to be changed from “planning agreement” to “planning obligation”.

AGREED to amend the Council’s allocations policy as follows:

1. To incorporate The Right to Move into the Allocations Policy (Appendix III)
2. To equalise the qualification period for residence and employment within the district to 3 years (5.2.iii)
3. To add clarification that tenants have to have lived in a flat for more than 2 years and have conducted their current tenancy in a satisfactory manner (8.2.4)
4. To add clarification on the eligibility criteria and the allocation of properties on rural exception sites

CA20

REPLACEMENT ESSEX WASTE LOCAL PLAN

Councillor Barker presented a report on the revised preferred approach to the replacement Essex waste local plan. She said Cabinet was invited to consider the proposed response to the consultation being conducted by Essex County Council. She referred to the meeting of the Planning Policy Working Group on 13 July, at which proposed preferred site allocations in Uttlesford had been considered.

Councillor Barker referred to further emailed representations which had been received today regarding the site at Gaunts End, Elsenham. These additional points referred to the proximity of the proposed allocation to listed buildings; the cumulative impact of the existing mineral extraction, and the proposed inert waste recycling; and the existing operation at Gaunts End.

Councillor Loughlin said she endorsed the proposed response document, although she had concerns that lorries travelling through Elsenham would cause nuisance to residents. She asked that the response include a reference to reinforcement of weight restrictions for traffic approaching from Grove Hill.

AGREED the Council's response to consultation be as set out in appendix 2 to the report, and additionally that officers be requested to add to the response points in relation to the proposed Elsenham allocation about proximity to listed buildings and the cumulative impact of the existing mineral extraction, the proposed inert waste recycling and the existing operation at Gaunts End; and that weight restrictions for traffic approaching from Grove Hill be reinforced.

CA21 **BUILDINGS AT RISK**

Councillor Barker presented a report updating Cabinet on the listed buildings at risk within the district and the work being carried out by officers.

Councillor Howell welcomed the report. He said whilst it was sad that some properties had been allowed by their owners to slide into disrepair, it was encouraging that the list comprised a relatively small number of properties. This was the start of a process of working with owners, and he would like a regular update to be provided.

Councillor Lodge agreed, as the situation in the district used to be much worse. He congratulated officers on the work being done.

Councillor Rolfe said there were limits to the powers available to officers, and the Council might therefore need to consider a broader solution.

In reply to a question from Councillor Redfern regarding the risk to listed buildings located in fields arising from ploughing, the Assistant Director Planning and Building Control said although the report from Historical England included advice to farmers, there were no measures available to prevent damage to listed buildings other than to communicate with the owners to offer guidance.

AGREED to note the report and to endorse proactive working with owners to restore buildings and bring them back to use.

CA22 **COUNCIL TAX WRITE OFF**

Councillor Howell presented a report for information on the recovery of money which had been written off as a council tax debt of £11,839 in March 2014. Following an Independent Voluntary Arrangement obtained by the customer in April 2015, the Council had recovered an interim payment of 90p in the £, totalling £11,083. It was expected that the full amount of the outstanding monies would be recovered in due course.

AGREED to note the report.

CA23 **COUNCIL TAX AND HOUSING BENEFIT PENALTIES POLICY**

Councillor Howell presented a report requesting Cabinet's approval of the implementation of a Council Tax and Housing Benefit Civil Penalties Policy for those customers who failed to advised the Council of a change in circumstance which affected a discount, benefit or exemption or who failed to respond to a request for information relating to those allowances.

Councillor Howell said this policy was not intended to be an additional source of income generation, but aimed to encourage the prompt notification of changes of circumstance.

Councillor Barker asked how people would be informed of the introduction of this policy.

The Director of Finance and Corporate Services said the bills and letters currently sent to customers already included reference to penalty provisions. The intention to implement these provisions, which were available under existing legislation, would be the subject of a press release.

AGREED to approve the introduction of the Council Tax and Housing Benefit Civil Penalties Policy as set out in the appendix to the report.

CA24 **ASSETS OF COMMUNITY VALUE**

Councillor Barker presented a report on the recent response of parish and town councils to the Council's request for submissions of land of community value under section 87 of the Localism Act 2011.

AGREED to include the following on the Assets of Community Value list:

1. Three Willows Public House, Birchanger
2. Birchanger Social Club and Field
3. Birchanger Village Sign

CA25 **EXCLUSION OF THE PUBLIC**

AGREED under Section 100I of the Local Government Act 1972 the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

CA25 **ESSEX BUILDING CONTROL PROJECT**

AGREED to commit to joining the Essex Building Control project subject to there being a critical mass of participating councils.

The meeting ended at 8pm.

Public Statement

Councillor Roger Clark of Broxted Parish Council addressed the Cabinet. He said he endorsed the report recommending clearance of land opposite the Prince of Wales public house at Brick End, Broxted. The direct action would rid local people of what was currently an eyesore, and the removal of items such as sheds and containers would inhibit nuisances emanating from the land. There would be a benefit to the community in terms of nuisance from noise of trucks on the land, to the burning of car tyres. Councillor Clark said the Parish Council supported the proposed land clearance.