

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 17 JANUARY 2013 at 7.00pm**

Present: Councillor J Ketteridge – Leader (Chairman).
Councillor S Barker – Portfolio Holder for Environment.
Councillor J Cheetham – Deputy Leader.
Councillor J Redfern – Portfolio Holder for Housing.
Councillor H Rolfe – Portfolio Holder for Community
Partnerships and Engagement.
Councillor A Walters – Portfolio Holder for Community Safety.

Also present: Councillors S Howell, M Lemon, J Rose and L Wells.

Officers in attendance: J Mitchell (Chief Executive), R Dobson (Democratic Services Officer), R Harborough (Director of Public Services), S Joyce (Assistant Chief Executive – Finance), M Perry (Assistant Chief Executive – Legal), B Tice (Project Officer) and A Webb (Director of Corporate Services).

CA84 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Godwin, Morson and Ranger.

Councillor Barker declared an interest as a member of Essex County Council in respect of the item on Trade Waste Charges.

Councillor Chambers declared his interest as a member of Essex County Council and Essex Fire Authority.

CA85 MINUTES

Subject to the amendment below, the Minutes of the meeting held on 13 December 2012 were approved and signed as a correct record.

At the request of Councillor Cheetham, Minute CA71, regarding planning appeals, was amended to state that “the Government had recently made changes which made it easier for the appellants to be awarded costs”, rather than “for councils to resist cost claims”.

CA86 BUSINESS ARISING

(i) Minute CA69 – Greater Essex Demographic Forecasts

Councillor Barker said she would on 21 January be attending a briefing on this subject organised by the Essex Planning Officers Association with the Assistant Director Planning and Building Control.

CA87

ADOPTION OF CONSERVATION AREA APPRAISAL: ARKESDEN

Councillor Barker presented a report making recommendations on the Arkesden Conservation Area following an appraisal carried out in accordance with the Council's review of existing conservation areas under section 69 of the Listed Buildings and Conservation Area Act 1990. She highlighted aspects of the history and attractive features of the area, and drew attention to the fact that Arkesden's Conservation Area had originally been designated in 1977. Consultation on the Appraisal had taken place by means of a public exhibition held on 10 November 2012. The report summarised and commented on the representations received both at the exhibition and subsequently during the consultation period. A number of revisions to the Conservation Area and proposals for management were recommended.

Councillor Barker said she wished to propose the recommendations with two amendments. The first amendment was to take into account a late representation which had been received requesting the removal of a paragraph (1.44) and photograph relating to the flooding of Wicken Water in 1968. Councillor Barker said Councillor Menell had contacted her regarding this representation and had confirmed that Wicken Water had not been known to have flooded since that date. The second amendment was to correct a typographical error.

Councillor Walters seconded the proposal. He commended the Conservation Area Appraisal report which he felt was a work of art, and praised the work of the officers responsible.

Councillor Howell said that as the Member for Radwinter he echoed these comments, and that the reports showed the district was a most attractive area.

RESOLVED

- 1 to approve adoption of the Arkesden Conservation Area Appraisal, amended in accordance with the above Minute, to be used in assisting the process of determining planning applications and for implementing Management proposals
- 2 that the Arkesden Conservation Area boundary be formally amended.

CA88

ADOPTION OF CONSERVATION AREA APPRAISAL: ASHDON

Councillor Barker presented a report making recommendations on the Ashdon Conservation Area following an appraisal carried out in accordance with the Council's review of existing conservation areas under section 69 of the Listed Buildings and Conservation Area Act 1990. Representations received at the exhibition held on 19 November 2012 and during the subsequent consultation period, had raised a number of useful points which had been incorporated into the Conservation Area Appraisal.

Councillor Barker gave an overview of the contents of the report and mentioned several attractive features of the area. She said the report put forward a new Conservation Area at Church End, and proposals for management. She drew attention to a late representation which had been received asking that Pightle Cottage at Church End be excluded from the Conservation Area.

Members rejected this option for the reason that it was not the buildings themselves, but the landscape encompassing cottages including Pightle Cottage, together with the tree cover and hedging to the frontage of the cottages, which should form part of the Conservation Area.

Councillor Barker moved the recommendation which was seconded by Councillor Cheetham.

Members commented on the management proposal to explore the potential for repairing and /or relocating Ashdon Railway Halt carriage body. It was felt this work should be carried out sooner rather than later, and that a request to take on this responsibility could be made to the voluntary groups that currently maintained Ashdon's windmill and museum.

RESOLVED

- 1 to approve adoption of the Ashdon Conservation Area Appraisal and its use in assisting the process of determining planning applications and implementing Management proposals.
- 2 That an additional Conservation Area be formally designated at Church End, Ashdon.

CA89

ADOPTION OF CONSERVATION AREA APPRAISAL: MANUDEN

Councillor Barker presented a report making recommendations on the Manuden Conservation Area following an appraisal carried out in accordance with the Council's review of existing conservation areas under section 69 of the Listed Buildings and Conservation Area Act 1990. Representations received at an exhibition held on 22 November 2012 and during the subsequent consultation period, had raised a number of useful points which had been incorporated into the Conservation Area Appraisal.

Councillor Barker said the Manuden Conservation Area was originally designated in 1977, and she spoke briefly about some of the attractive features of the area. The principal recommendations set out in the report were alterations to the existing Conservation Area boundary, and management proposals, which she proposed accordingly.

Councillor Cheetham seconded the proposal. She said Manuden was a beautiful area and she was delighted that the proposals aimed to save the old meadow opposite Manuden House.

RESOLVED

- 1 to approve adoption of the Manuden Conservation Area Appraisal and its use in assisting the process of determining planning applications and implementing Management proposals.
- 2 That the Manuden Conservation Area boundary be formally amended.

CA90

ADOPTION OF CONSERVATION AREA APPRAISAL: RADWINTER

Councillor Barker presented a report making recommendations on the Radwinter Conservation Area following an appraisal carried out in accordance with the Council's review of existing conservation areas under section 69 of the Listed Buildings and Conservation Area Act 1990. Representations received at an exhibition held on 12 November 2012 and during the subsequent consultation period, had raised a number of useful points which had been incorporated into the Conservation Area Appraisal.

Councillor Barker said this report again demonstrated another attractive area of the district. There were no proposals to change the existing Conservation Area which had originally been designated in 1980. She proposed the recommendation, which was seconded by Councillor Chambers.

Councillor Rolfe said all four Conservation Area Appraisals were indeed excellent reports. He presumed that the tasks suggested as management proposals would fall on the local community and asked whether there would be any monitoring of such requirements.

The Director of Public Services said that, where recommendations were made, monitoring suggested actions should take place, and consideration should be given as to how to support their implementation.

Councillor Rolfe said it would be sensible to have regard to how such tasks could be implemented without the actions becoming too onerous for local communities.

Councillor Ketteridge said this would be a matter for individual ward members to take up.

RESOLVED to approve adoption of the Radwinter Conservation Area Appraisal and its use in assisting the process of determining planning applications and implementing Management proposals.

CA91

PEDESTRIAN ACCESS AT THE MEAD, THAXTED

Councillor Redfern presented a report which informed Cabinet of a request from A S Planning Limited on behalf of Knight's Development to grant an easement across a strip of council owned land allowing pedestrian access to and from a proposed new residential development to facilitate better

pedestrian links within the town. Following legal advice, the sale of this strip of land to the developer was considered to be a better option than granting an easement, as this course of action would remove the council from any responsibility for the footpath or land.

Councillor Redfern said the sale proceeds should be earmarked for affordable housing use.

The Assistant Chief Executive-Finance said the Council's policy was that money from sale of its housing assets should be used for housing purposes.

Councillor Redfern said she was aware of the policy and in mentioning it she simply intended to emphasise the point. She moved the recommendation.

Councillor Chambers seconded the motion.

RESOLVED to approve the sale of the entire strip of land for £15,000 to enable the formation of a pedestrian access; the land to be sold subject to conditions preventing development of the land save for use as a footpath.

The developer to pay all legal costs incurred including the Council's.

CA92

STREET NAMING AND NUMBERING

Councillor Redfern presented a report recommending that Cabinet adopt a formal policy on street naming and numbering.

Councillor Cheetham asked for assurance to be given that the suggestions of parish councils for naming streets should be followed, as often they felt sidelined in those decisions.

Councillor Redfern said it was her understanding that parishes were consulted, that ward members and parishes had 14 days to respond; the decision was a delegated power of the Assistant Director Planning and Building Control.

Councillor Barker questioned whether there was a mechanism to permit suggestions to be made not by a developer but by parishes. Councillor Redfern said parish councillors and ward members could put forward names.

Councillor Howell agreed it was preferable that suggestions for street names should come from local councils, as in his experience names put forward by developers could be unimaginative or tasteless.

Councillor Redfern proposed the motion, which was seconded by Councillor Cheetham.

RESOLVED to adopt the Street Naming and Numbering Policy 2013.

CA93 **TRADE WASTE CHARGES**

Councillor Barker presented a report regarding the setting of charges during the year 2013-14 for the Council's provision of a trade waste collection service. Councillor Barker proposed a 4% increase which she said would allow the Council to "break even". A review of the service would then take place in 2013 to confirm the actual cost of providing the service to ensure ongoing financial stability and to consider the future of the service.

Councillor Barker proposed the recommendation. Councillor Cheetham seconded it and said she was pleased the service was to be reviewed, as she knew other authorities were conducting reviews also.

RESOLVED to increase trade waste charges by 4% on 2012/13 charges.

To review the service during 2013 to confirm the actual cost of the service, ensure ongoing financial sustainability or review the future of the service.

CA94 **GARDEN WASTE SERVICE FEES AND CHARGES**

Councillor Barker presented a report regarding subscription fees and charges and periods of operation for the two garden waste services provided by the Council: kerbside collection for subscribing households; and bring facilities where commissioned by local councils.

Councillor Barker said these were popular services. The proposals to run a longer operating season for kerbside collection and keep the cost to 2012 fees were intended to persuade existing customers to renew and to attract new joiners. The weekend garden waste 'skip' service had also continued to be popular in 2012 and consultation with parish and town councils suggested that generally they would be prepared to commission services in 2013.

Councillor Barker proposed the recommendation. Councillor Rolfe seconded the motion. He said the report set out a number of extremely prudent actions, and asked a question about a small difference in operating periods for the two services as he felt a consistent approach was important. He said that Great Chesterford parish council would renew its subscription to the skip scheme, but asked that the timing for collections be reconfigured.

RESOLVED to approve the following fees and charges and period of service operation:

1.

- a) The subscription fee for the household garden waste collection service from April 2013 to March 2014 be £40, with stepped reductions for households joining

part way through the period. The one off charge for supply of a bin to subscribers will remain £20.

b) Service to operate from the week beginning 5 March 2013 to Easter 2013 for 2012 subscribers; and from Easter until week ending 13 December 2013, and from week beginning 4 March 2014 until week ending 28 March 2014 for households renewing their subscription and new joiners (break in service December 2013 to March 2014).

c) The charges to local councils for a community bring garden waste 'skip' service until week ending 30 March 2014 will be based on the number of hours a week/ fortnight/ month the service is required:

1 hour a week service = £1,443

1 hour a fortnight service = £722

1 hour a month service = £382

6 hours every weekend = £8,661

6 hours on alternate weekends = £4,330

Service during March 2013 would be met from 2012/13 budget.

d) The community bring 'skip' service will operate from 2/3 March 2013 to week ending 15 December 2013 and from 1/2 March 2014 to 29/30 March 2014 for those councils participating in FY2013/14 (with service break from December to March).

CA95

VOLUNTARY SECTOR SUPPORT

Councillor Rolfe presented a report seeking approval for the Leader of the Council to delegate power to him as the Portfolio Holder for Community Engagement in assessing three-year funding applications from voluntary sector organisations. He said the intention was to extend the funding period by putting it on a three-year footing and to ensure an equitable process was followed. He said the Council's support for the voluntary sector was oversubscribed and whilst this paper did not address it, the Council might wish in future to consider an increase in funding.

Councillor Barker seconded the proposal. She said she was aware that at County level there was a recommendation involving the funding of the Citizens Advice Bureaux and asked whether Councillor Rolfe would liaise with his opposite number at Essex County Council.

Councillor Ketteridge said he hoped Essex County Council would deal equitably with the CAB services across the districts.

Councillor Rolfe thanked Councillor Barker. He said it was apparent from figures available that the CAB was becoming increasingly pivotal to disadvantaged people and therefore it was vital to know of any change or withdrawal in funding.

Councillor Cheetham agreed with these comments. Sudden withdrawal of funding could be very difficult for organisations and those they helped.

Councillor Chambers thanked Councillor Rolfe for his report. He said the voluntary sector in the district was very important and as Portfolio Holder for Finance he would be considering various options for the future including the increase of funding for the voluntary sector. He asked Councillor Rolfe to keep him informed on CAB funding by Essex County Council.

Councillor Ketteridge said currently this Council co-funded the CAB in Bishop's Stortford in order to help those from this district for whom it was the nearest CAB and who used its services. It was important to be conscious of this element of funding in assessing applications for voluntary sector support. He said he had seen also a reference to a decision by South Cambridgeshire District Council to reduce their contribution to CAB funding. As that council contributed to Uttlesford CAB again it was important to be aware of such factors.

Councillor Rolfe agreed that it was important to ensure that such funding was still coming in.

RESOLVED that the Leader of the Council be requested to delegate the power to the Community Engagement Portfolio Holder with support from officers to assess the three year funding applications.

CA96

ELIZABETH WAY CULVERT COLLAPSE

Councillor Barker presented a report informing members of urgent remedial work undertaken to the Elizabeth Way culvert following its collapse on 20 December 2012. Initial works to make the site safe and to prevent public access to the site had been undertaken and one of the Council's partner contractors would be appointed to carry out the remedial works. On the basis of urgency an exception request to contract procedure rules had been made, in order to avoid the delay which a tendering process would have occasioned. The cost of repairs was estimated to be approximately £350,000. These costs were not recoverable under insurance because culverts were a standard exclusion due to their inherent risk.

Councillor Barker said about 50% of the costs were for works to lower the ground level of the culvert, and that the advice from the engineer was that the culvert should be reconstructed as a closed culvert. She proposed the recommendation. Councillor Chambers seconded the proposal and said the action taken had been the right approach.

The Assistant Chief Executive-Finance gave an update on the application to secure a contribution from central government under the Bellwin Scheme. He had today received a letter from the Scheme's administrator indicating that only the costs of clearing the site and not costs of repairs would be met. Under the scheme the first £15,700 was to be borne by the applicant. Unfortunately, as clearing costs amounted to £15,000 the Council could not benefit from the Scheme.

Councillor Cheetham said she noted that the Council intended to close the culvert. She advised ensuring the culvert was re-designed in such a way that no one could throw things into the culvert entrance, as obstruction could cause huge problems.

RESOLVED to note the remedial action taken following the collapse of the Elizabeth Way Culvert as follows

- 1 Spend of up to £350,000 has been authorised by SMB, the Leader, Portfolio Holder for Finance and Portfolio Holder for Environment
- 2 Schedule of works has been drawn up and costed
- 3 A claim had been lodged under the Government's Bellwin emergency scheme (and an update supplied at the meeting as noted in the Minute above)
- 4 All the main utility agencies have been informed and brought up to speed (Gas/Water/Environmental agencies)
- 5 The site has been made safe to prevent public access to the site (via a security boundary fence & a separate fence around the collapsed area)
- 6 One of UDC partnering contractors will be appointed to carry out the remedial works - the costs will be based on an existing schedule of rates. On the basis of the urgency, rather than delay the process going through a traditional tender process an exception request to contract procedure rules will be submitted. This will allow works to proceed quickly

The meeting ended at 7.50pm.