

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 12 SEPTEMBER 2013 at 7.00pm**

Present: Councillor J Ketteridge – Leader (Chairman)
Councillor R Chambers – Portfolio Holder for Finance
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 M Foley, E Godwin, S Howell, M Lemon, D Morson,
E Parr, V Ranger and J Salmon.

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), A Taylor (Assistant Director Planning
and Building Control), B Tice (Project Officer) and A Webb
(Director of Corporate Services).

CA16 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

*Councillor Barker declared her pecuniary interest as a member of Essex
County Council in relation to any item involving ECC.*

CA17 MINUTES

The Minutes of the meeting held on 20 June 2013 were approved and signed
as a correct record.

CA18 MEMBERS' QUESTIONS

Councillor Foley said there was significant pressure on small businesses
across Uttlesford. He asked whether the Cabinet would urge the Chancellor
to control business rates. He was aware that an Essex MP had called for the
Chancellor to substitute business rates on small shops with a levy on out of
town retail parks.

The Assistant Chief Executive-Finance said small businesses received
subsidised rates. The Government had temporarily doubled that subsidy.
Furthermore the Council under the Sustainable Communities Act 2007 could
apply to the Secretary of State to charge an extra 8.5% rates to out of town
businesses. This measure would require extensive consultation in addition to
Secretary of State approval. Officers had carried out some work on a
discretionary rate relief scheme to enable the Council to set up its own policy,
but this initiative had been put on hold for the time being because central

government had not made it apparent how such a scheme would be funded. The scheme might be progressed next year.

The Assistant Chief Executive-Finance invited Cabinet to consider whether officers should research further the question of an out of town levy. Councillor Rolfe said it would be helpful to have a report on this question. He said the Economic Development Officer had undertaken much work in Saffron Walden to attract more footfall, and would be carrying out a similar exercise in Dunmow and Stansted with future possible plans for providing such assistance to Thaxted.

Councillor Cheetham asked that any report should give a definition of what was meant by the term “out of town shopping centres”.

Councillor Parr asked the reason for considering the final report in Part 2. The Chairman said this was because it contained information of commercial confidence.

Councillor Lemon asked about plans for food banks to be set up in Saffron Walden and Great Dunmow. Councillor Rolfe said a structure for a food bank had been set up in Saffron Walden as a joint initiative between the national body responsible for such arrangements and the Salvation Army. Local initiatives were therefore being supported but there was a need to co-ordinate the supply chain, and this aspect of the scheme had been done by Jack Trotti, on secondment from Waitrose.

CA19

REPORT OF CHAIRMAN OF PERFORMANCE AND AUDIT COMMITTEE

The Chairman of the Performance and Audit Committee gave a verbal report. He said the Committee had met on 6 August, when it had reviewed the statement of accounts. The Committee had found the draft document very positive and was expecting the final accounts to be signed off at its next meeting on 26 September. He commended the work of the Assistant Chief Executive-Finance and his team.

The Assistant Chief Executive-Finance thanked Councillor Howell. He said the outturn on the General Fund remained unchanged; but regarding the Housing Revenue Account this was likely to show a modest favourable adjustment, due to an accounting error. The final accounts would be brought for sign off to Performance and Audit Committee.

CA20

GARDEN WASTE KERBSIDE PROMOTION – URGENT DECISION BY THE LEADER

The Chairman said this decision was required as a result of a recommendation by the Waste Strategy Panel for a promotion of the garden waste collection service. To enable the promotion to be carried out as soon as possible he had taken the decision as an urgent item.

Councillor Barker said the promotion of the garden waste collection service had now taken place in Dunmow. 147 extra properties across the district had joined the scheme during the promotion period, of which 41 were in the target area. She asked that members continue to promote the scheme in their parishes. She would write a report for Council on the visit by the members of the Waste Strategy Panel to Bywaters' MRF facility.

Members noted the report.

CA21

HEMPSTEAD CONSERVATION AREA APPRAISAL

Members considered a report on the conservation area appraisal for Hempstead, under the Listed Buildings and Conservation Area Act 1990. The report gave details of the outcome of the consultation.

Councillor Barker referred to the changes detailed in the report to the existing conservation area boundary. Councillor Howell said Hempstead was a wonderful village, and this was an excellent report. The consultation event had been well attended, and he was aware that residents appreciated these recommendations.

Councillor Rolfe asked whose responsibility it was to ensure actions arising from conservation area appraisals would be implemented.

The Assistant Director Planning and Building Control said all parish councils who had undergone these appraisals had received a reminder of their responsibility for actions. Whilst some aspects such as drawing up plans would be carried out by the district council, generally speaking it was for parish councils or the owners of properties to implement.

AGREED

- 1 To approve adoption of the Conservation Area Appraisal and its use in assisting the process of determining planning applications and implementing Management proposals
- 2 To approve the amendment of the Hempstead Conservation Area boundary to include the minor adjustments set out in the report.

CA22

GREAT SAMPFORD CONSERVATION AREA APPRAISAL

Members considered a report on the Conservation Area Appraisal for Great Sampford.

Councillor Howell declared a pecuniary interest in that he lived in a property adjacent to a section of the Conservation Area which was proposed to be extended. He said he supported this change to the Conservation Area, as did the local community. He said already improvements identified under the appraisal had been implemented by the owners of The Red Lion, and in his

view it was clearly the case that the community itself wished to act on the recommendations.

The Chairman said he would like members' thanks to be passed on to officers for all their work in preparing these reports.

AGREED

- 1 to approve adoption of the Conservation Area Appraisal and its use in assisting the process of determining planning applications and implementing Management Proposals;
- 2 to approve the amendment of the Great Sampford Conservation Area boundary to include the minor adjustments set out in the report.

CA23

STATEMENT OF COMMUNITY INVOLVEMENT

Councillor Barker introduced a report on updates to the statement of community involvement. The updates took into account representations received following consultation, furthermore it was necessary to amend the SCI in order to comply with changes in national legislation and to provide clarity to ensure practices remained of the highest standard in involving the community in plan making. The Local Plan Working Group had at its meeting on 14 June 2013 considered the representations and had agreed amendments to be proposed to be adopted by Cabinet.

The Director of Public Services said the recommendations which had been put forward by the Local Plan Working Group related to the following changes: that Supplementary Planning Documents did not have development plan status; that once adopted, a Neighbourhood Plan would become part of the District's Development Plan; that the Council would publish a Local Development Scheme setting out the timeframe for production of documents; that the role of the Local Plan Working Group was to consider reports from which it would advise and guide the Cabinet, with all documents and Members comments at those meetings to be reported in the Minutes of the working group.

AGREED

To adopt the Statement of Community Involvement 2013 as amended following consultation and review.

C24

ASSETS OF COMMUNITY VALUE

Councillor Rolfe presented a report giving details of recent submissions from town and parish councils regarding assets which should be included on a list of assets of community value, in accordance with section 87 of the Localism Act 2011.

Councillor Rolfe said Uttlesford was considered an exemplar in its approach to assets of community value, and would shortly be visited by the Communities Minister, Don Foster MP.

AGREED

- 1 that the asset listed in Appendix A to the report before Cabinet be included on the assets of community value list (Allotment Gardens, The Street, High Roding)
- 2 to agree that the assets listed in Appendix B to the report before Cabinet not be included in the assets of community value list (Car Park, Broadfield, High Roding and Land at Brick Kiln Farm, Great Dunmow)

C25

POOLING OF BUSINESS RATES

Councillor Chambers presented a report on the possibilities for the Council to enter into a scheme for pooling of business rates with other Essex local authorities. The benefit of doing so would be to minimise the amount of growth in business rates paid to central government which would maximise the funds retained in Essex. Agreement in principle to officers exploring the suitability of the scheme for this Council was sought, so that a further report would be brought to Cabinet on 24 October.

Councillor Cheetham asked whether the pooling scheme included unitary authorities. Councillor Chambers said the scheme included districts, counties and unitaries as well as fire authorities.

The Assistant Chief Executive-Finance said there was no compulsion and authorities could opt out of the scheme. Currently in Essex all local authorities were considering opting into the scheme with the exception of Basildon and Thurrock, which were looking at pooling with some of the London boroughs. The Essex authorities were proposing to develop a scheme which closely followed the model of one in Suffolk which had been constructed on the basis that no authority would be worse off as a result of joining the pool.

Councillor Barker asked why the Government allowed the scheme when it clearly aimed to maximise business rates it collected.

The Assistant Chief Executive-Finance said the localisation of business rates was an incentive to local authorities to grow economies in their areas. With pooling of business rates this incentive would be even stronger, and would allow greater investment in infrastructure.

Councillor Chambers said the scheme in Suffolk was working well.

Councillor Rolfe said this was a “win: win” situation.

The Assistant Chief Executive-Finance said those councils participating would proceed to bid for the scheme to be accepted by the Department for

Communities and Local Government. If any council which was part of the bid then dropped out the entire list of participating authorities would collapse. Therefore this decision was not one to be taken lightly.

Councillor Lemon said he hoped the Cabinet would vote in favour of going ahead with business rate pooling.

Councillor Parr asked whether the scheme would allow flexibility on the levy of out of town shopping and parking centres.

The Assistant Chief Executive-Finance said the scheme would not rule out such a levy.

The Chairman said the Council had to look at ways to generate income.

AGREED

- 1 to confirm, in principle, that the Council is willing to join a business rates pool, subject to a final decision at the 24 October Cabinet meeting;
- 2 to agree, in principle, that a scheme similar to that in existence in Suffolk be pursued, on the basis that no authority can be worse off in the pool than they would have been outside it;
- 3 to authorise the Assistant Chief Executive – Finance, in consultation with the Leader and the Finance Portfolio Holder, to contribute to the development of the pooling proposal and pooling governance arrangements.

CA26 **MUSEUM ACCESS POLICY**

Councillor Rolfe said the Saffron Walden Museum wished to provide the widest possible access to its collections and services to visitors, volunteers and staff. The Museum had undergone accreditation, and was required to set out its policy on access in a document to comply with accreditation requirements. The Working Group had therefore considered the document submitted to Cabinet and had recommended that it be adopted.

AGREED to approve the Museum Access Policy.

CA27 **SCRAP METAL DEALERS**

The Assistant Chief Executive-Legal presented a report advising Cabinet of the requirement to make provision for the regulation of scrap metal dealers and motor salvage operators under the Scrap Metal Dealers Act 2013. Unusually for legislation of this type, the Act did not exclude such functions from being executive functions. Therefore Members' views were sought on suggestions for how the Council should implement the Act.

The Assistant Chief Executive-Legal outlined the way in which the delegation scheme was proposed to operate. The detail of the delegation scheme had been provided to Members before the meeting.

The Chairman proposed that Councillor Walters be responsible for the delegated powers under the Act.

AGREED

- 1 To designate to the Executive Member for Community Safety overall responsibility for the Council's functions under the Scrap Metal Dealers Act 2013;
- 2 to determine that the mechanism for dealing with applications under the Act be: the Assistant Chief Executive-Legal to deal with all non-contentious matters; contested applications to be dealt with by the Executive Member for Community Safety; and to grant necessary delegations as set out in the document appended to these minutes;
- 3 to determine the level of fees for licenses granted under the Act as follows:
 - (i) For the grant of a new licence the sum of £365 plus an additional sum of £79 for each site after the first named site named in the licence;
 - (ii) for a variation of a licence on the application of the licensee £157 plus an additional sum of £79 for each site added to the licence;
 - (iii) for the renewal of a licence the sum of £276 plus an additional sum of £79 for each site after the first named site named in the licence.

CA28 **BED AND BREAKFAST CHARGES**

Councillor Redfern said this report had been withdrawn, so as to enable the equality impact assessment to be considered and to obtain further comparative charges.

CA29 **HOUSING ASSET MANAGEMENT AND DEVELOPMENT STRATEGY**

Councillor Redfern said the housing asset management and development strategy had been finalised by the Housing Board, which had recommended it to Cabinet. The document aimed to meet the Council's strategic planning needs by informing the medium and long-term approach to maintaining, improving and developing the Council's housing assets.

AGREED to approve the adoption of the Housing Asset Management and Development Strategy as a framework to make decisions about the Council's housing assets.

CA30 **PIG MARKET TRUST**

Councillor Barker said this report provided a summary for Cabinet of the status of the Pig Market Trust, and was provided in view of the development being considered for the Fairycroft car park.

AGREED to note an update on the work of the Pig Market Trust and future issues to be considered over the coming months.

CA31 **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.

CA32 **URGENT DECISION TAKEN BY THE LEADER ON TRADE WASTE**

Members received details of the reason for the decision being taken by the Leader as an urgent item on 26 July 2013.

AGREED to note the urgent decision taken by the Leader on 26 July 2013 regarding trade waste charges.

The meeting ended at 8.10pm.