

**CABINET MEETING held at The Foakes Memorial Hall, Great Dunmow on 15 January 2015 at 7.00pm**

Present: Councillor H Rolfe – Leader (Leader)  
Councillor S Barker – Deputy Leader and Executive Member for Environmental Services  
Councillor R Chambers – Executive Member for Finance  
Councillor J Cheetham – Executive Member for Aviation  
Councillor V Ranger – Executive Member for Communities and Partnerships  
Councillor J Redfern – Executive Member for Housing  
Councillor A Walters – Executive Member for Community Safety

Also present: Councillors J Davey, A Dean, E Godwin, E Hicks, S Howell, K Mackman, J Salmon and L Wells.

Officers in attendance: J Mitchell (Chief Executive), D Barden (Communications Manager), R Dobson (Principal Democratic Services Officer), R Harborough (Director of Public Services), A Knight (Assistant Director – Finance), D Malins (Housing Development Manager), R Millership (Assistant Director – Housing and Environmental Services), M Perry (Assistant Chief Executive - Legal), B Tice (Project Officer) and A Webb (Director of Finance and Corporate Services).

**WELCOME AND PUBLIC SPEAKING**

Councillor Rolfe welcomed all those present to the meeting, which was tonight held not in Saffron Walden, but in Great Dunmow. He said it was pleasing to see a good number of people in attendance. He explained the meeting was being broadcast live and that two members of the public wished to speak.

Mr Buhaenko-Smith, who had registered his intention to ask a question, was invited to speak. At his request, Councillor Rolfe read out the question as follows:

“In relation to the Local Plan Examination, does the Council see any positives from the Planning Inspector’s report that we can build upon?”

It was agreed that the answer to the question would be given when the agenda item considering the local plan update and next steps was considered.

Councillor Rolfe then invited Mr Baldwin, a resident of Takeley, to make his statement. It was agreed that Mr Baldwin would speak when the item on day centres was considered. A summary of his statement is appended to these minutes.

CA71 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

*Councillor Cheetham declared a non-pecuniary interest as ward member and Chairman of Takeley Community centre.*

*Councillor S Barker declared a non-disclosable pecuniary interest as a member of Essex County Council in relation to the item on the extra care scheme, which the County Council was part-funding.*

CA72 **MINUTES OF THE MEETING HELD ON 4 DECEMBER 2014**

The minutes of the meeting held on 4 December 2014 were received and signed by the Leader as a correct record.

CA73 **MATTERS ARISING**

i) **Minute CA58 – Statement by Leader of the Council**

Councillor S Barker said the minute did not fully reflect the intention to hold future meetings of the Local Plan working group in public. It was agreed the minute should state that “all future meetings” of the new working group would be open to the public.

ii) **Minute CA66 – Anti-social behaviour policy and procedure**

Councillor S Barker said the name of the Anti-social Behaviour Officer was Fiona Gardiner.

CA74 **QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL**

Councillor Dean said he had to leave the meeting early, but wished to ask two questions in relation to the local plan and in relation to developer contributions items.

Councillor Dean said he and Councillor Loughlin had been nominated as the Liberal Democrat Group representatives on the proposed Planning Policy Working Group. He was pleased to rejoin meetings as they were now to be held in public. The proposed protocol for public speaking was however too restrictive, and resembled the public speaking procedure for the Planning Committee. That committee was a regulatory one, but the working group was not a decision-making group so the process should be different, as it needed to come up with ideas. There should be scope for members of the public to speak again either during or at the end of discussion if they heard new information.

Regarding the agenda item on developer contributions, Councillor Dean said no-one of any political group in the Council was happy with the Government's suggestion. He referred to the report in one of the national newspapers this week regarding Derbyshire Dales district council, a small rural council, which had complained to its MP about the planning rules which had had a detrimental effect on affordable rural housing in that district. Councillor Dean said this council should express its unhappiness with the planning rules which had resulted in reduced funding for affordable housing.

CA75

## **REPORT FROM SCRUTINY COMMITTEE: DAY CENTRES**

Mr Baldwin, a member of the public, made a statement regarding Takeley Community Centre. A summary of his statement is appended to these minutes.

Councillor Rolfe thanked Mr Baldwin. He said the proposals in the report were the results of a scrutiny examination of the district's day centres. He invited Councillor Godwin as chairman of the Scrutiny Committee to speak.

Councillor Godwin said the original recommendations had been presented to the Scrutiny Committee, which had debated and revised them for submission to Cabinet. There was no suggestion in the recommendations to Cabinet that any day centre be closed. The recommendations were to strengthen the day centres and improve them. The Scrutiny Task Group had visited all five centres, had talked to users and to the management committees. There was good feedback from customers, but the volunteers who ran the management committees were struggling. More support for them was needed.

Councillor Godwin highlighted some of the challenges faced by day centre management committees. These centres offered a real resource but needed more support, to help them to run more effectively and without imposing high levels of stress on the volunteers. She hoped Cabinet would implement the recommendations, which were to investigate whether part-time officer support could be provided for a fixed term of one year to the day centres, and to review the management agreements.

Councillor Chambers said the Council should try to help the elderly population which was increasing. In response to Mr Baldwin's statement, he said the Council had no intention that people would be bussed to their dinners. He felt people needed companionship to combat loneliness, and day centres were part of the solution. The Council would look at the situation regarding the building in Takeley which Mr Baldwin had described.

Councillor Cheetham said she was pleased the recommendations had changed. She supported passionately the district's day centres, which not only provided lunches but also the opportunity to see whether people were coping. Regarding the Takeley Community centre building, the Council had been helping to try to resolve the leaking flat roof. The Takeley management committee did a good job, but the burden on management committees

especially regarding statutory requirements was onerous and they needed support. She proposed the recommendations.

Councillor Ranger welcomed the report, which he said was a credit to the members who had carried out the scrutiny review. He referred to maps in the report which showed the age demographic for the district, and asked that the other places which offered help to the elderly also be shown for future reference.

Councillor Redfern said she supported the recommendations. She reminded members that the Council had looked at the issue of day centres not long ago, and gave income to the centres in the hope that they might become more self sufficient. She was aware that the Tenant Participation Officer gave a lot of time to the day centres. She noted the proposal was for a fixed term of one year, and suggested clarification was needed about what would then happen.

Councillor Cheetham said the day centres would need some point of contact in future particularly regarding the upkeep of the buildings, but that help to resolve many of their problems would be possible within a year.

Councillor Godwin said the work of the volunteers was very time-consuming, which made it hard to recruit successors. Officer support could set up better ways of pooling working methods.

Councillor Rolfe thanked Councillor Godwin and said the Cabinet, Council and community valued the day centres.

#### RESOLVED

- 1 Officers should be requested to investigate the feasibility of providing a fixed term (1 year), part-time resource (18.5 hours) to provide support and assistance to the day centres.
- 2 A review of the management agreements between the Council and the Management Committees that had responsibility for the day centres be undertaken. This should reflect the changes in responsibilities of both the Council and management committees and include agreed service levels, monitoring and the relevant communication channels.

CA76

#### **SAFFRON WALDEN PARK AND RIDE SCHEME**

Councillor Barker presented a report seeking Cabinet approval for the implementation of a park and ride scheme, the revenue costs of £20,000 for which would be met by the Strategic Initiatives Fund. She explained that the council's 305 space town centre car park at Fairycroft Road would not be available whilst it was reconstructed as part of Waitrose's development to extend its retail store.

Whilst Swan Meadow car park had sufficient capacity to accommodate displaced parking demand on most days of the week, on Saturdays it was

proposed to provide additional capacity at The Saffron Walden County High School's Gold Zone car park. The School had given permission for this parking to be made available for general public use on Saturdays. Transport would be arranged to convey people between the Gold Zone car park and Hill Street. The arrangement would be for six months.

Councillor Cheetham asked about contingency plans should the new car park not be ready within six months.

Councillor Barker said she did not foresee any difficulty with continuing the scheme. An alternative option might be to provide transport from the Council Offices car park to the town centre on Saturdays.

Councillor Rolfe said this measure was intended to support retail in Saffron Walden town centre. He expressed thanks on behalf of the Cabinet to the County High School for making its car park available.

CA77

### **EXTRA CARE SCHEME, RADWINTER ROAD, SAFFRON WALDEN**

Councillor Redfern presented a report on funding for an Extra Care housing scheme at Radwinter Road, Saffron Walden. The report set out the various funding streams required to deliver the project, and requested that Cabinet approve the allocation of £500,000 towards its delivery.

Councillor Redfern said the provision of extra care was a key target in the Council's housing strategy. The site was the affordable housing element of a larger development in the control of Countryside Homes plc and would enable provision of a 60 bed Extra Care scheme. Officers had worked closely with East Thames Housing Association, and a detailed planning application had been submitted to the Planning Committee meeting yesterday. Councillor Redfern expressed disappointment at the Committee's decision to defer the application for one month, pending clarification of to what constituted "Extra Care". She hoped it would proceed at the next meeting, and asked Cabinet to support the funding proposal, to be sourced from affordable housing contributions.

Councillor Howell said he supported the proposals, but was disappointed by the appearance of the design.

The Housing Development Manager said early discussions were held between planners and East Thames Housing Association regarding design, and account had been taken of the appearance of existing buildings at Radwinter Road. The design was contemporary, and certain design elements such as window size took account of the age and lifestyle of the age group of residents for whom it was intended.

Councillor Cheetham said the appearance of the building was intrinsic to the age group for which it was designed. She was disappointed the application had not been approved by the Planning Committee yesterday, but there had

been some confusion about the definition of Extra Care: she suggested that the explanation in the report to Cabinet should be circulated to Planning Committee members. To obtain 40 affordable homes on a site of 73 apartments was a wonderful achievement for the district.

Councillor Walters said this was an excellent initiative, and he did not find the design offensive. He supported the recommendations.

Councillor Ranger said, as a member of the Planning Committee, he had had concerns about how the extra care element would work, including details of internal layout. The design and access statements did not in his view satisfactorily provide residents with the facilities and services they needed. He had asked for deferral so that further discussions could take place between East Thames Housing Association and the welfare services.

Councillor Barker said that Dunmow residents would be pleased to know an extra care scheme of 55 apartments was to form part of the Smith's Farm development.

The Leader said it was with pride that the Council was hoping to embark on these Extra Care schemes, with a large proportion of the flats comprising affordable accommodation.

#### RESOLVED

To approve the allocation of £500,000 towards the delivery of the extra care housing scheme at Radwinter Road, Saffron Walden.

CA78

#### **LOCAL PLAN UPDATE AND NEXT STEPS**

Councillor Rolfe presented a report updating Cabinet on the outcome of the Local Plan Examination. He gave a response to the question put by Mr Buhaenko-Smith, "Does the Council see any positives from the Planning Inspector's report that we can build upon?"

Councillor Rolfe said the positives in the report on the Local Plan were its support for the Countryside Protection zone around the airport; support for the main development allocation round Saffron Walden in strategic terms, and general support for policies 2, 3 and 4 for Great Dunmow that together provided for housing, a health centre site, a site for a new secondary school and the redevelopment of the existing school. There was support for the range of policies for employment including land at Stansted Airport, Stansted Mountfitchet and Saffron Walden; and for the settlement classification. Councillor Rolfe referred to the inspector's closing comments, regarding a new form of settlement or settlements to cater for the long-term growth of the district by the sustainable growth of small towns. These were clear pointers

for the Council and the report was a material consideration in deciding planning applications until a new plan was adopted.

Councillor Rolfe said the Chief Executive had following the resolution of Council in December written to all group leaders regarding the Local Plan examination, proposing to withdraw the submission draft plan from the examination process and to advise that a programme for drawing up a revised plan would be issued.

Councillor Rolfe referred to the duty to cooperate with other authorities which was a continuing process. The Council would subsequently put forward a new housing number. The report before Cabinet this evening recommended the setting up of a new Planning Policy Working Group, the terms of reference of which were set out in the report, and for which a protocol regarding public speaking had been circulated to group leaders.

Regarding the points which Councillor Dean had raised earlier in the meeting, Councillor Rolfe said it was to be at the discretion of the Chairman of the new working group whether public speakers who had already spoken would be permitted to speak again on agenda items. He outlined the public speaking procedure and said he trusted the speaking arrangements would enable full transparency. He hoped people would gain an understanding of what was quite a statutory-driven process, which would ultimately mean that regardless of who was Leader, Uttlesford needed to build houses. He proposed the recommendations.

Councillor Redfern said she would support the recommendations. She had not been a member of the Local Plan Working Group, but had attended regularly and she hoped many other councillors and members of the public would be involved.

Councillor Rolfe said the new working group membership included only two members of Cabinet.

Councillor Cheetham said she too would attend the meetings of the new working group. She had been disappointed that the Local Plan had been stopped, but understood the reasons. She asked when the call for sites would go out, and when a timetable for the process would be available.

Councillor Rolfe said a timetable would be set out as far as practicable at the meeting of the Planning Policy Working Group. There was a need to carry out another housing needs assessment, which took time, but the intention was to move ahead as quickly as possible.

Councillor Rolfe invited members of the public present to ask questions.

Nicky Parsons said she worked for a developer and was involved in the inquiry in relation to Thaxted. She asked whether a figure of 580 was now the new housing target.

The Director of Public Services said for the purposes of assessment of the five year land supply, the Council would assume the Inspector's figure of 580 houses per year. However, that would not be the figure the Council would be working to with regard to the new submission draft local plan, which would be informed by the ongoing work on the housing market update and the duty to cooperate.

Nicky Parsons asked whether it was fair to state that this figure was to be used for monitoring purposes until such time as the new housing target was agreed.

The Director of Public Services said this was the case.

## RESOLVED

To note the report.

1. To agree the formation of a Planning Policy Working Group.
2. To agree the membership of the Planning Policy Working Group to be as follows:

S Barker	M Lemon
P Davies	J Loughlin
A Dean	E Oliver
K Eden	J Parry
S Harris	H Rolfe
S Howell	J Salmon

3. To agree that the terms of reference of the Planning Policy Working Group would be:

To give advice and guidance to officers in progressing the Local Plan and other planning guidance and report recommendations to Cabinet. The Working Group will meet in public and include public speaking.

4. To disband the former Local Plan Working Group.

CA79

## **CONSERVATION AREA APPRAISAL, AUDLEY END**

Councillor Rolfe said the next item was one of a series of conservation area appraisals which the Council had undertaken, and which together formed a fantastic library of reports.

Councillor Barker presented the report on the conservation area appraisal for Audley End. The area included the assets of St Mark's College and the Audley End estate, both of which had been maintained to a high standard of care, deserving compliment. The report set out the key issues within the appraisal, and recorded the results of a consultation. Councillor Barker said



there was an update to the report in that the cracked pump referred to had already been repaired. Two amendments to the boundary of the conservation area were proposed, and there were two management proposals.

Members commented on the record of the district which these conservation area appraisals provided, and thanked officers for what was an excellent report.

#### RESOLVED

1. The Conservation Area Appraisal be approved and used to assist in the process of determining planning applications for implementing management proposals
2. The Audley End Conservation Area boundary be formally amended as follows:
  - (i) A small amendment to the boundary to the east of Audley End village former Post Office to exclude the area of an open woodland and grass verge.
  - (ii) To extend the boundary to include the whole of the area currently designated as the Audley End Scheduled Monument.

CA80

#### **DEVELOPER CONTRIBUTIONS GUIDANCE**

Councillor Barker presented a report on recent changes to the developer contributions guidance, to which there had been a revision in the light of further legal advice. Following the issue of the previous guidance, there had been a number of enquiries made by developers from which it had become apparent that Uttlesford had no parishes classified as rural. The threshold for developer contributions was therefore higher, which would further restrict the Council's ability to raise funds from developer contributions. She asked the Leader to write to the Government to express the Council's dissatisfaction with this position, which was a retrograde step.

Councillor Redfern said she would abstain from the vote on the recommendations, as she did not understand how the coalition government could suddenly remove contributions from developments of fewer than 10 houses. The Council was doing all it could to reduce its housing list, and this legislation made the job harder. It would be different if the Council had had difficulty collecting contributions, but it had not. The Minister should be made aware of the effects of this legislation for this authority.

Councillor Cheetham said she agreed with Councillor Redfern and would abstain. From the perspective of the Planning Committee, Uttlesford was a rural area, and now the Council was being told it was not rural enough. It seemed the Government had listened to developers' protests, and was now cutting the opportunities to collect money for housing for people in the district.

The Council should write to Eric Pickles MP and the Local Government Association.

Councillor Ranger said he had seconded the proposals, as whilst he felt supportive of the views expressed, the Council had no option but to comply with legislation. He supported the lobbying of Government and the LGA to change the situation.

Councillor Walters said he agreed with this approach. He would abstain.

Councillor Chambers said whilst he did not intend to abstain, he sympathised with the comments made, and the Council should make forceful representations to express its objection to this situation. He would support the recommendations only because it was the law.

Councillor Howell said he did not believe members should support something they disagreed with. He urged members not to support the recommendations, and to wait and see if the Government changed its mind.

Councillor Godwin said she agreed with Councillor Howell. The authority was being asked to roll over, and this was wrong for the district.

Councillor Ranger said he wished to respond to the comments which had been made, as if the Cabinet did not adopt the policy, members would throw into turmoil the planning and accounts of this authority.

Councillor Rolfe reminded members of the recent history regarding the requirement for housing numbers, and said the idea that the authority could locally determine numbers was effectively a myth. He sympathised with comments made. He had made representations to the MP and would write to the LGA, the Secretary of State and the Prime Minister.

Developers' contributions were important for this community. The balance on this occasion was wrong, but the Council was a statutory body. Whilst it would be irresponsible not to follow the law, he respected the abstentions for the reasons given by members, and assured them he would make strong representations.

The proposals being put to the vote, Councillors Barker, Chambers, Ranger and Rolfe voted in favour; Councillors Cheetham, Redfern and Walters abstained.

RESOLVED to adopt revised Developer Contributions Guidance, in accordance with the updated National Planning Practice Guidance, as a material planning consideration.

The meeting ended at 8.45pm.

## **Summary of public statement of Brian Baldwin**

Mr Baldwin said the village of Takeley had expanded since the Community Centre was built in the 1970s. The report to the Scrutiny Committee had suggested that if the centre was closed, people who currently attended for lunch should travel to another centre for their lunches. Many of the Takeley residents lived within easy walking distance of the centre, so bussing people somewhere was not acceptable. Coaches tended to have limited room for those people who used wheelchairs. Furthermore the report had compared the price of meals at the district's day centres: the lunches at Takeley Community Centre were lower than at other centres. People did not want to pay more.

Mr Baldwin said there was an issue regarding the future of the current building. It required attention, particularly regarding problems with the flat roof. There was a need for a community centre in the village, for many other organisations, and options such as rebuilding the centre or relocating to a different building within Takeley, such as the Old School House at Brewer's End, should be explored. The youth club also needed a permanent building. He suggested the Old School house be redeveloped as a modern community centre.