

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 17 February 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 J Redfern – Executive Member for Housing
Councillor A Walters – Executive Member for Community Safety

Also present: Councillors A Dean, E Godwin, J Ketteridge and J Salmon.

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), R Millership (Assistant
Director – Housing and Environmental Services), M Perry
(Assistant Chief Executive - Legal), and A Webb (Director of
Finance and Corporate Services).

CA81 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Howell, Mackman and Ranger.

CA82 MINUTES OF THE MEETING HELD ON 15 JANUARY 2015

The minutes of the meeting held on 15 January 2015 were received and signed by the Leader as a correct record.

CA83 MATTERS ARISING

i) Minute CA76 – Saffron Walden Park and Ride Scheme

Councillor S Barker asked how many people were using the park and ride facility provided at Saffron Walden County High School.

Councillor Rolfe said numbers the previous weekend had grown to 20 people per week, and he anticipated use would continue to increase with new publicity and better weather.

Councillor Cheetham asked for thanks to be recorded to officers who were staffing the car park. She said she had been made aware of a problem with the bus waiting to pick up passengers in Hill Street, due to parked cars opposite the bus stop. Councillor S Barker said this was

due to parking by holders of blue badges, which unfortunately had the potential to obstruct the flow of traffic.

ii) **Minute CA77 – Extra care scheme**

Councillor Redfern said planning permission had now been given for the extra care scheme at Radwinter Road, Saffron Walden.

iii) **Minute CA80 – Developer contributions guidance**

Councillor Cheetham said some authorities were challenging this guidance in the High Court. She asked for an update.

Councillor Rolfe said he would be attending a meeting on 4 March with the MP and the Minister, Brandon Lewis, at which he would raise this matter. The Director of Public Services said an update could be provided after the meeting.

CA84

QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL

Councillor Dean said the comments he wished to make related mainly to the budget items which were to be considered by Council and about which he would be putting a motion. He first wished to say he was pleased about the signing of the lease for the health centre at Lower Street in Stansted, and that progress was being made on associated parking.

Regarding the budget items, Councillor Dean referred to the Council's reserves and the strategic initiatives fund. He said there was no indication after next year of any initiatives for which these reserves would be used. He asked if there was any possibility of implementing a revitalisation initiative on Cambridge Road in Stansted.

Councillor Rolfe said the Strategic Initiatives Fund gave scope for longer term schemes, and this project remained a possibility.

CA85

REPORT FROM SCRUTINY COMMITTEE: BUDGET

Councillor Godwin presented a report from the Scrutiny Committee which had at its meeting on 10 February 2015 considered all the budget papers now before Cabinet. Councillors Chambers, Redfern and Rolfe had attended and contributed to the discussions. Comprehensive discussion had taken place on each of the budget reports, and all recommendations in those reports had been endorsed. Councillor Godwin said the Committee was particularly pleased to see that the recommendation from the Day Centre review for a fixed term part-time post to assist day centre management committees had been included in the budget. She thanked those officers from the finance team for their assistance to members in understanding the budget process.

CA86

CORPORATE PLAN 2015-20 AND CORPORATE RISK REGISTER

Councillor Rolfe presented a report setting out the Council's priorities for the next five years set out in the Corporate Plan. He summarised the key themes of High Quality, Low Tax, Responsibility and Thriving Communities. The plan was accompanied by a corporate risk register, and both these documents were included in the report for Cabinet's approval.

Councillor Dean said he wished to suggest additional wording to the corporate plan and risk register in relation to the references to the Local Plan, to refer to a "vision and planning framework" and a mechanism to allow alternative sites to be suggested in response to those identified.

Councillor Rolfe said this suggestion would reduce transparency and objectivity. He understood the point Councillor Dean had made, but it was important that all sites which were identified were assessed against agreed criteria. To include suggestions of alternative sites would detract from objective assessment.

The Chief Executive said he too understood the point being made, but the Local Plan was the backdrop to delivery of housing: the risk focused on that delivery. The risks set out in this document would be reviewed quarterly through the next council year by the Performance and Audit Committee.

Councillor Dean said that risk and others relevant to the Local Plan could be reviewed with the benefit of advice from the Planning Advisory Service.

Councillor Chambers said the Corporate Plan was an excellent document which linked with the budget.

RESOLVED

The draft Corporate Plan for 2015-20 and Corporate Risk Register be approved for submission to Full Council on 26 February 2015

CA87

2015/16 BUDGET

Councillor Chambers presented the Council's budget and council tax recommendations, for consideration by Full Council on 26 February 2015. He summarised each of the reports, and thanked officers for their hard work and excellent assistance. All the reports had been scrutinised by the Scrutiny Committee, which had endorsed the recommendations. There were no inequalities identified in the equalities impact assessment of the budget.

Councillor Chambers drew members' attention to main points in the reports. In the report on robustness of estimates and adequacy of reserves, he highlighted the fact that some level of risk and variability was inevitable. The only new risk which was highlighted this year related to Universal Credit and

the risk to the working balance amount should the project be delayed. The highest risk was again the volatility of costs and income in the Council's waste and recycling services. A high risk of business rates income being more than the budgeted level was also mentioned. The Council would maintain its working balance at the current level of £1.2 million.

Councillor Chambers referred to the report on temporary accommodation. The recommended measure was to transfer from the Housing Revenue Account (HRA) to the General Fund the temporary accommodation service. This measure had been subject to Secretary of State approval, which he was pleased to be able to tell members had now been obtained. The transfer of the temporary accommodation service from the Housing Revenue Account to the General Fund account at full market value would provide the HRA with a capital receipt. As the General Fund could not lend money to the HRA, the recommended proposal would help to achieve these aims without breaching the debt cap imposed three years ago when the Council had taken on the £88.4 million debt.

The Medium Term Financial Strategy (MTFS) confirmed that budget surpluses were expected for at least the next two years. From 2017 this stable position would continue, if the new homes bonus funding continued. However, there was no certainty that it would do so. Following the general election, reform of some kind should therefore be anticipated. The key point in the strategy was that once an indication was available from the new government regarding new homes bonus, the Council would have to be able to react if necessary to reduce the extent to which its revenue budget was funded from this source. The report set out how the Council planned to do so, including where appropriate, growing its income from other sources such as Business Rates. The Council's reserves strategy indicated a healthy level of reserves of approximately £5.5 million.

The Treasury Management Strategy for 2015/16 set out how risk was to be minimised, whilst ensuring prudent borrowing and investment. The strategy had been endorsed by independent advisers. Councillor Chambers summarised the main points, including the fact that housing debt repayment would start in 2018, and the Council would keep under review opportunities to commence repayment earlier if appropriate. Investments would be diversified to reduce risk, and the strategy therefore proposed limits as set out in the report for how much would be invested according to banks' ratings.

The Capital Programme for the next five years set out a programme for £3.9 million of expenditure on General Fund schemes and £9.8 million expenditure on housing schemes. Councillor Chambers detailed the main projects.

The Housing Revenue Account budget for 2015/16 and five year business plan strategy had been endorsed by the Tenants' Forum, Housing Board and Scrutiny Committee. This would be the fourth year of the 30 year business plan. Councillor Chambers summarised the main recommendations which were for an average rent increase of 2.2%, calculated in line with government guidelines of using the Consumer Price Index plus 1%. This was a change from the previous guidance which had required working towards rent

convergence. Councillor Chambers outlined the way in which the £5.6 million of investment in the HRA was made, and what it would be used for. He said that in 2018 repayments would start on the HRA debt, at the rate of £2 million per year in 2017/18 and 2018/19.

Cabinet had in December 2014 agreed a budget strategy, which informed the General Fund and Council Tax 2015/16 report. Councillor Chambers referred to key elements of the budget, including investment in Day Centres and £1 million to the Strategic Initiatives Fund for projects which would benefit the local economy. The ward member New Homes Bonus scheme would increase from £2,000 to £3,000 per member. There would be a 3% cut in the District Council Tax, maintaining the Council's position as having the lowest council tax in Essex.

Councillor Chambers informed Members there were two changes to this report in respect of Fees and Charges, one of which related to pest control, as the charge for rat control was agreed at £45 two years ago; the second related to pre application planning fees which had been reworked since publication of the report, and an amended schedule had been tabled. Subject to Cabinet approval, the report would be amended before going to Council.

Councillor Chambers proposed the recommendations in the financial reports as set out in this summary report, subject to the above amendment.

Councillor Redfern referred to the transfer to the General Fund of the temporary accommodation budget, which she said would enable housing to continue its plan and made financial sense. The budget for the HRA had been approved by the Tenants' Forum, Housing Board and Scrutiny Committee, and she hoped Cabinet would support these items and recommend them to Full Council.

Councillor S Barker said she welcomed the reserve strategy and would like to see this as a regular element of the reporting. She asked whether the reserves information could include section 106 balances.

Councillor Dean said he would table amendments at Full Council but that tonight's meeting was an appropriate place at which to mention them in advance. He was pleased Councillor Chambers had included the report on reserves, as it was important to be rigorous about their purpose. He supported the transfer to the General Fund of the temporary accommodation service. He queried a reference to the economic development budget which indicated zero.

Councillor Chambers replied to Councillor S Barker's question regarding section 106 funding, stating this information could be included with the budgetary information. In reply to Councillor Dean, he said the reserves strategy would evolve over time. Regarding the budget for economic development, the Council aimed to help businesses through support from the Strategic Initiatives Fund. It would be important for local authorities not to rely on the New Homes Bonus and to try to increase income from other sources such as business rates.

The Director of Finance and Corporate Services said the reserves included £50,000 which was the final part of the discretionary rate relief. Section 106 funds were not part of the budget process but an annual summary could be reported to members.

Councillor Rolfe said the report included at appendix B, which was the community partnerships and engagement portfolio, the budget for economic development. He agreed that economic development was important, and an officer was now in post to support this work.

Councillor Dean said the Local Plan was important in bringing into the district new houses and jobs. He considered the proposal to reduce Council Tax by 3% risky, as it would reduce the income base in the context of possible future financial constraints for local government. He would be proposing a refund to every household of £4.25, which he considered would be more equitable.

Councillor Dean said he would also propose that from reserves and underspent funds £400,000 should be put towards photo voltaic panels for buildings such as leisure centres in the district. He would also propose a Capital Initiatives Fund which would enable “pump priming” of initiatives to tie in with the Local Plan to address infrastructure needs and encourage private development. He was concerned about the planning reserve of £1 million, so he would propose the Planning Policy Working Group should agree studies to be undertaken, as any use of this pot of money should be transparent. A further proposal would relate to improving recycling rates and reducing contamination of recycling, as this issue had been identified by the Performance and Audit Committee. He would therefore be proposing a sum of £60,000 per annum over three years be used to employ staff to promote recycling and to monitor recycling for contamination.

Councillor Rolfe noted these proposals would be brought before Council. Regarding Councillor Dean’s comments about the planning reserve and any question of its transparency, he said it was not right to state that this was a pot of money that officers could “dip into”, and he referred Councillor Dean to the information which was published on the transparency section of the Council’s website.

Councillor Rolfe read out all recommendations in the budget reports, which were voted upon and carried, as minuted below, and thanked officers for the significant work involved in preparing the budget reports.

CA88

ROBUSTNESS OF ESTIMATES AND ADEQUACY OF RESERVES

RESOLVED

To approve, for recommendation to Full Council:

- a) That the Council takes account of the advice in the report when determining the 2015/16 General Fund budget and Council Tax.

- b) That the Council approves the risk assessment relating to the robustness of estimates as detailed in the report
- c) That the Council sets the minimum safe contingency level for 2015/16 at £1.214 million.
- d) That the Cabinet recommends to Full Council that it adopts the attached Reserves Strategy.
- e) That the Council agrees that no transfers to or from the Working Balance should be built into the 2015/16 budget

CA89 TEMPORARY ACCOMMODATION

RESOLVED to recommend to Full Council that it approves the transfer of the eight designated temporary accommodation units from the HRA to the General Fund at the estimated market value cost of £1,047,000 in accordance with Secretary of State Approval.

CA90 MEDIUM TERM FINANCIAL STRATEGY

RESOLVED to approve, for recommendation to Full Council, the Medium Term Financial Strategy.

CA91 TREASURY MANAGEMENT STRATEGY 2015-16

RESOLVED to approve, for recommendation to Full Council on 26 February, the following items:

- (1) Treasury Management Strategy 2015/16, Appendix A
- (2) Prudential Indicators, Appendix A1
- (3) Minimum Revenue Provision (MRP) Statement, Appendix A2
- (4) Economic Forecast, Appendix A3.

CA92 CAPITAL PROGRAMME 2015/16

RESOLVED to approve, for recommendation to Full Council, the Capital Programme and associated financing of the programme as set out in the report.

CA93 HOUSING REVENUE ACCOUNT 2015/16 AND FIVE YEAR BUSINESS PLAN STRATEGY

RESOLVED to approve, for recommendation to Full Council, the HRA Revenue Budget and Five Year Financial Strategy.

CA94

GENERAL FUND BUDGET AND COUNCIL TAX 2015/16

RESOLVED to recommend that Full Council approves

1. The General Fund Council Tax requirement of £4,653,312 summarised in paragraph 24.
2. The schedule of fees and charges in Appendix E, subject to two amendments as shown in the amended schedule (appended).
3. Approve the new criteria with regards to Members Allowances (New Homes Bonus) paragraph 30.

CA95

2014/15 BUDGET MONITORING

Councillor Chambers presented a report detailing financial performance relating to the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. He drew members' attention to the main points of note and variances as set out in the report. The General Fund was forecast a £24,000 net favourable variance; the HRA was forecast a £268,000 surplus; the Capital Programme was forecast to underspend by £2,221,000 and Treasury Management activity was routine and in accordance with policy.

RESOLVED to note and approve the report.

CA96

LOCAL DEVELOPMENT SCHEME

Councillor S Barker presented a report on the Local Development Scheme. This was the project plan for the Uttlesford Local Plan. Following the closure of the Local Plan Examination and the conclusions of the Inspector, a new Local Development Scheme was needed to reflect the next steps in the work programme. The report had been approved by the Planning Policy Working Group.

RESOLVED to approve the new Local Development Scheme.

CA97

LOWER STREET CAR PARK, STANSTED

Councillor S Barker introducing a report on parking for the new health centre at Lower Street, Stansted, said parking was an issue across the District, and that the Council had commissioned a study into parking. This followed a review by the Scrutiny Committee. Parking reviews were being carried out by Dunmow Town Council and Stansted Mountfitchet Parish Council. As the Council's representative of the North Essex Parking Partnership she was aware of the problem of displacement which changes to existing parking provision could cause, so she hoped the issue could be looked at holistically.

Members considered the report which recommended the transfer of land at the Lower Street car park, Stansted Mountfitchet. The purpose of the transfer

was to enable the utility provider to provide an electricity substation in connection with the development of the new health centre for which planning permission had been granted.

RESOLVED

- 1 The transfer be approved subject to the council being compensated for the value of the site and the wayleaves.
- 2 The Director of Public Services be authorised, in consultation with the relevant portfolio holders, to deal with any further detailed asset issues arising in relation to
 - a. the implementation of the development and
 - b. the development agreement between Hilton Developments and council which deals with the extension of the council's car park.

CA98 **TRANSFER OF LAND AT WOODLANDS PARK, GREAT DUNMOW**

Councillor Chambers presented a report on the transfer of land at Woodlands Park to Great Dunmow Town Council. The transfer would devolve this public amenity to the local community.

Councillor Chambers said the recommendation in the report was now amended to include additional wording, to provide that the land would be retained in perpetuity as open space to promote the economic, social and environmental wellbeing of the area.

RESOLVED land as detailed in the report be transferred to Great Dunmow Town Council, together with a payment of £46,935, subject to no objections being received following the public notice of the proposed disposal of the land, and that the Council ensures the land in question remains as amenity land for the benefit of the residents of Great Dunmow in perpetuity by means of a legal agreement.

CA99 **UTTLESFORD CYCLE STRATEGY**

Councillor Walters presented a report on the cycle strategy developed by Essex Highways after having been commissioned by the Council. He said this was an excellent study, which took a comprehensive approach to the interconnection of villages in the district through improved cycling infrastructure. Government funding was yet to be decided, but it was hoped this funding would be forthcoming, with some of the money to come from section 106 funds.

Councillor Cheetham said she would like there to be a cycle route from Takeley into Stansted Airport as the road across the main roundabout at the Airport was dangerous for cyclists to negotiate. Discussions about this possibility had taken place with the Airport's owners, MAG and she hoped

Councillor Walters would have an opportunity to continue those discussions via the Stansted Airport Advisory Panel.

RESOLVED

- 1 The Cabinet adopt and publish the Uttlesford Cycle Strategy.
- 2 The strategy should be used as a Material Planning consideration when assessing planning applications.

CA100 STANSTED COMMUNITY POT

Councillor S Barker presented a report on the allocation of section 106 funding arising from developers' contributions from residential development at Rochford Nurseries and Forest Hall Road in Stansted. The uses for which this money was intended included leisure, recreational, and/or community facilities in the District as arose out of or were reasonably related to the needs of persons occupying or to occupy dwellings within the development. A proposal for funding of the skateboard park rebuild project in Stansted had been submitted, which would benefit the community at these developments. The recommendation in the report was to allocate a maximum of £52,290 to the Stansted Skateboard redevelopment fund. Since the report had been finalised, Stansted Mountfitchet Parish Council had confirmed it had received £30,000 from Essex County Council as part of the funding for this project, therefore the allocation from the section 106 money which was now recommended was £20,290.

RESOLVED

- 1 A maximum of £20,290 be allocated to the Stansted skateboard redevelopment fund, subject to agreement with the developer(s) as required.
- 2 The allocation will be reduced to take account any grant also awarded by Viridor to whom an application for funding this project had been made by Stansted Mountfitchet Parish Council.

CA101 FARNHAM PARISH PLAN

Members considered a report setting out the findings and action plan of the Farnham Parish Plan.

RESOLVED The Parish Plan be adopted as Council Approved Guidance in determining planning applications in the Parish and as background evidence in the preparation of the Local Plan.

CA102 COMPLIANCE WITH WASTE REGULATIONS

Members considered a report on compliance with the Waste Regulations in relation to separate collections of dry recyclables. Councillor S Barker, introducing the report, said there was a current publicity campaign by Essex

County Council regarding wayside waste. A community clear up day was planned for 21 March 2015, which would enable communities to participate.

Councillor Barker said the report related to the Council's compliance with the Waste Regulations, which required that all waste collection authorities collect materials such as glass, metal, paper and plastics for recycling separately. However these items could be collected on a different basis where it was not technically, economically or environmentally practicable to make separate collections. The Council collected dry recyclables on a co-mingled basis. The report before Cabinet asked that members consider an assessment which concluded that the Council's current system had been chosen because it was seen as more technically practicable, environmentally and economically beneficial than collecting the four materials separately.

Councillor Rolfe said the analysis in the report was clear, and supported the Council's key aim of increasing recycling. He fully endorsed the community clear up event which the County Council were promoting.

Councillor Cheetham asked when a further recycling booklet would be distributed to households.

Councillor Barker said a booklet would be sent out in May after the commencement of a new recycling contract.

RESOLVED to approve the Uttlesford technical, economical, or environmental practicability assessment.

The meeting ended at 8.30pm.