



Uttlesford District Council

Chief Executive: Dawn French

Cabinet

Date: Thursday, 26 May 2016
Time: 19:00
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors H Rolfe (Leader and Chairman), S Barker, S Howell, J Redfern and L Wells

Other attendees: Councillors A Dean (Liberal Democrat Group Leader and Chairman of Scrutiny Committee), J Lodge (Residents for Uttlesford Group Leader) and E Oliver (Chairman of Performance and Audit Committee)

Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of previous meeting** 5 - 10
To receive the minutes of the meeting on 7 April 2016
- 3 Matters Arising**
To consider matters arising from the minutes

- 4 Questions or statements from non executive members of the council**
To receive questions or statements from non-executive members on matters included on the agenda
- 5 Matters referred to the Executive (standing item)**
To consider matters referred to the Executive in accordance with the provisions of the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules
- 6 Reports from Performance and Audit and Scrutiny Committees (standing item)**
To consider any reports from Performance and Audit and Scrutiny Committee
- 7 Refugee Working Group**
To receive a report from the Refugee Working Group (standing item)
- 8 Presentation of a petition**
To receive a petition from Councillor Richard Freeman on behalf of Saffron Walden Town Council. The petition requests the reinstatement of the 4 hour maximum parking charge at the Common Car Park, Saffron Walden
- 9 Fairycroft House** 11 - 16
To consider a grant from the Strategic Initiatives fund to assist the purchase of the property
- 10 Street Naming and numbering Policy** 17 - 32
To consider the street naming and numbering policy
- 11 Procurement Strategy** 33 - 56
To consider the Procurement Strategy 2016/17
- 12 Statement of Community Involvement** 57 - 92
To approve the Statement of Community Involvement
- 13 Proposal for a revised airspace change process** 93 - 106
To approve the Council's response to the consultation

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| 14 | Appointment of working groups 2016-17
To appoint the Cabinet working groups for 2016/17 | 107 - 112 |
| 15 | Appointment of representatives on outside bodies 2016-17
To approve the list of member appointments on outside bodies | 113 - 114 |
| 16 | Aspire
To approve the establishment of Aspire Holdings (UDC) Ltd and three subsidiaries. | 115 - 206 |
| 17 | Asset Management Plan
To consider the Asset management Plan 2016/17 | 207 - 304 |
| 18 | North Essex Parking Partnership
To appoint a representative to the North Essex Parking Partnership | |
| 19 | West Essex Wellbeing Joint Committee
To appoint a representative to the West Essex Wellbeing Joint Committee | |
| 20 | Any other items which the Chairman considers to be urgent
To consider any items which the Chairman considers to be urgent. | |

MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

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**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 7 APRIL 2016 at 7.00pm**

Present: Councillor H Rolfe (Leader)
Councillor S Barker (Deputy Leader and Cabinet Member for Environmental Services)
Councillor S Howell (Cabinet Member for Finance and Administration)
Councillor J Redfern (Cabinet Member for Housing and Economic Development)
Councillor L Wells (Cabinet Member for Communities and Partnerships)

Also present: Councillor B Light (Residents for Uttlesford Deputy Group Leader) and Councillors H Asker and H Ryles.

Officers in attendance: D French (Chief Executive), R Harborough (Director of Public Services), C Oliva (Solicitor), M Cox (Democratic Services Officer) S Jackson (Economic Development Officer) and A Webb (Director of Finance and Corporate Services).

CA106 APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

An apology for absence was received from Councillor A Dean.

CA107 MINUTES

The minutes of the meeting held on 17 March 2016 were signed by the Chairman as a correct record, subject to removing Councillor Redfern and adding Councillor Howell to the list of apologies for the meeting.

CA108 REFUGEE WORKING GROUP

Councillor Redfern said there was no further information to report.

CA109 LEADERS ANNOUNCEMENT –The COMMON CAR PARK SAFFRON WALDEN

The Leader reported details of an executive decision he had taken in relation to car parking charges at the Common car park, Saffron Walden.

In 2015, the council had commissioned consultants to conduct a review of car parking in the district. In relation to the Common car park, it was suggested that the length of stay permissible should be reduced from 4 to 2 hours. This was intended to ensure a frequent turnover of cars and lead to increased footfall in the town. This report had been considered by the Scrutiny Committee on 4 December and Cabinet on 10 December 2015 and the

recommendations were subsequently consulted on, approved and implemented.

A number of representations had since been received in relation to this change, particularly from the retail and business sector in Saffron Walden. They felt that the reduction in the maximum stay had been counterproductive, shoppers were not staying in the town so long and there had been a noticeable effect on trade.

The Leader considered that a 3 hour maximum stay should be introduced as an appropriate compromise to responded to local concerns, whilst still taking account of the consultants' advice. There were other options for longer stay parking at Fairycroft Road and Swan Meadow. This proposal would still need to go through the appropriate procedures, reprogramming the ticket machines and revising the signage within the car park.

Councillor Redfern declared a non- pecuniary interest as a business owner in SW town centre.

Councillor Light welcomed this announcement. She said that Saffron Walden was not a place for a quick shop and retailers had noticed a down turn in trade since the maximum stay had been introduced. She asked that the situation continue to be monitored to gauge whether the additional one hour stay was sufficient.

CA110

ECONOMIC DEVELOPMENT STRATEGY 2016 -18

Councillor Redfern presented the Economic Strategy for 2016-18. She explained it continued the focus of the previous two strategies to facilitate sustainable jobs and business. A number of initiatives had been delivered over the last 2 years and these were set out in the report.

Members commended the work undertaken on the strategy and raised the following issues.

Councillor Asker attended the meeting for this item and spoke about the negative effect of the 2 hour maximum stay at the Common Car park on retailers in the town.

In answer to a question, Members were advised about the current situation at Fairycroft, Saffron Walden. The Leader said the council was supportive of this enterprise and he was liaising with the County member regarding future support.

Councillor Howell was pleased at the focus on the provision of superfast broadband and hoped it would be provided in rural communities, where it was most needed. Councillor Ryles mentioned a current initiative with Buzz.com for the provision of fibrewifi. He said this could be a workable short- term solution for communities with poor Wi-Fi coverage, but the council was still pressing for the provision of superfast broadband throughout the district, and funds would allocated from the Strategic Initiatives Fund.

Councillor Baker stressed the importance of suitable Wi-Fi for people that worked at home in rural areas and had found from personal experience that fibrewifi worked well. She suggested the inclusion of a policy in the new Local Plan, which would require the conduit for fibre broadband to be included in every new development.

Councillor Light asked a number of questions about the content of the strategy. Her main concern was that the strategy failed to include a vision statement for the district, or a unique selling point that would attract businesses to the district. The Economic Development Officer said the district tended to be promoted around the recognised brands of London, Cambridge and Stansted Airport. Councillor Redfern said that the district currently had very low unemployment and there needed to be a balance between encouraging growth and maintaining the character of the district.

RESOLVED

- 1 To adopt the Uttlesford Economic Development Strategy 2016-18.
- 2 To approve the actions with associated expenditure for the period 2016-17 as follows:
 - Help for local people to start and stay in business -£19,000
 - Access to superfast broadband and mobile communications £115,000
 - Help for business to expand in or locate in Uttlesford -£94,000
 - Help for town centres with their viability and vitality - £70,000.

CA111

ADOPTION OF STREET NAMING AND NUMBERING POLICY

Councillor Barker presented a report on the council's Street Naming and Numbering Policy. The policy aimed to ensure that new street and building names were allocated logically, to assist with the effective delivery of mail and to ensure that emergency services were able to locate the address. The current policy had been reviewed, taking account of other council processes and good practice. A user guide had also been developed, which explained how the system operated and the expected service levels. The charge for renaming streets and roads had been omitted and would be included in the final policy.

Councillor Barker said the emergency services sometimes found it difficult to locate rural roads and houses, when there were name only properties and the road name was the same as the village. The current scheme specified that 100% of residents had to agree a change of road name, which meant that just one household could prevent this going ahead. She suggested changing this percentage to 90%. The Chairman said he would like to consider this further and asked for a report to be prepared for the next meeting.

Councillor Redfern said she would like to see a street naming and numbering review for the Shire Hill industrial estate, which had grown organically over the years and was very confusing for visitors.

Councillor Howell welcomed the new policy and was pleased that the local knowledge of town and parish councils was an important consideration in the final decision on an appropriate street name.

RESOLVED

- 1 To adopt the Street Naming and Numbering Policy March 2016.
- 2 To include in the document the following charges for renaming of streets or roads
 - £250 plus £25 per property.
- 3 To adopt the Street Naming and Numbering guide to the process.
- 4 To receive a report at the next meeting around the requirement for 100% of residents to agree to a change in road name in cases where an accurate address was required for the emergency services.

CA112 TRANSFER OF LAND FOR SPECIALIST HOUSING PROJECT

In 2013, the council had agreed to transfer land at Newton Grove, Great Dunmow to the domestic abuse charity, Safer Places for the provision of a domestic violence refuge. Safer Places had now informed the council that under its new model of working the site was no longer required. Members were assured that the council would continue to fund work around domestic violence, and there were sufficient refuge spaces available for high risk cases.

The site would now be considered for delivering affordable council housing funded by capital receipts.

RESOLVED that the land at Newton Grove Great Dunmow that had been proposed for the project should now be used to deliver affordable housing properties.

CA113 TRANSFER OF FLITCH GREEN COMMUNITY CENTRE AND BAYNARDS AVENUE PLAY AREA TO FLITCH GREEN PARISH COUNCIL

The Cabinet considered a report on the proposed transfer of Flitch Green Community Centre and Baynards Avenue play area for nil value to Flitch Green Parish Council. These assets had been transferred to the council as part of a S106 agreement with the intention that in time they would be passed to the Parish Council, which was in line with the council's asset management strategy to devolve the responsibility for owning and maintaining assets to local people. The transfer would also include the balance of the S106 monies held for the two assets.

RESOLVED that the Flitch Green Community Centre and Baynards Avenue play area are transferred to Flitch Green Parish Council along

with the balance of S106 monies totalling £38,368.97 subject to no objections being received following the public notice on the proposed disposal of the assets

CA114 **APPOINTMENT OF PORTFOLIO LEAD – ARMED FORCES**

The Leader said he intended to formalise the role that Councillor Artus was currently undertaking as liaison with the armed forces at Carver Barracks.

RESOLVED to appoint Councillor Artus as portfolio lead for the Armed Services, which would sit under the communities portfolio.

The meeting ended at 9.30pm.

Committee: Cabinet

Agenda Item

Date: 26th May 2016

9

Title: Proposed grant of £80,000 to Fairycroft House Community Interest Company (CIC)

Portfolio Holder: Cllr. Howard Rolfe

Key decision: **Yes**

Summary

1. ECC acquired Fairycroft House, 37 Audley Road, Saffron Walden CB11 3HD in 1939. They stopped delivering services from the site and closed the building in September 2014.
2. Fairycroft House Community Interest Company (CIC) was formed in 2014 by a rock musician, Tim Atkinson, who was leading workshops in Fairycroft House prior to its closure. Its purpose is to purchase and manage Fairycroft House as a community asset, an Arts and Media Centre, providing access to state-of-the-art resources, meeting rooms and areas for rehearsal and performance as well as delivering various activities from the site themselves.
3. Fairycroft House CIC has raised a mortgage of £240,000 towards the purchase price of the property, which is £400,000. Essex County Council has agreed to grant £80,000 from their Assisted Purchase Scheme.
4. Fairycroft House CIC needs £80,000 to cover the full purchase price of the property.

Recommendations

5. To grant £80,000 from the Strategic Initiatives Fund to Fairycroft House CIC to assist in the purchase of Fairycroft House, subject to the conditions and restrictions referred to within this report.

Financial Implications

6. The cost of implementing the recommendation is £80,000, which will be funded from the Strategic Initiatives Fund.

Background Papers

7. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

8.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

9. Essex County Council (ECC) acquired Fairycroft House at auction in 1939. It was the ARP Headquarters during the War and the Police Station for a short while after the War ended. In the early 1950s it served as the original Saffron Walden County High School.
10. It subsequently served as a youth centre, an Area Youth Office and a Careers Office and was the base for adult education. In September 2014 ECC re-provided its services in the adjacent Saffron Walden multicentre.
11. For much of the last ten years a rock musician has been leading a music workshop in Fairycroft House as part of the ECC Youth Service provision. Mr. Tim Atkinson was born and raised in Uttlesford and still lives in the district. Many of his music industry friends have visited the music workshop, teaching and inspiring local young people.
12. In response to the ECC decision to close the building Mr. Atkinson established Fairycroft House CIC in August 2014. Fairycroft House CIC's vision is to purchase and then manage Fairycroft House for the benefit of the local community.
13. The primary core features of any company holding CIC status are two-fold:
 - Assets owned by the company are held in an asset lock which secures those assets to applications for the good use of the community.
 - Limitations applied to dividend and interest payments made to shareholders and financiers ensure a profit can be made, but the primary focus remains on achieving benefit for the community.
14. In February 2015 ECC leased the building to Fairycroft House CIC. Since that time Mr. Atkinson and a group of volunteers have managed the property and promoted its use to local community groups, businesses and public sector agencies. The building houses two recording studios and a

video editing suite, two halls, one with a stage and numerous rooms for hire.

15. By March 2016 there were between 250 and 300 people per week visiting the building and participating in a wide range of activities including drama workshops, music lessons, choir and band rehearsals, art classes and homework clubs.
16. Fairycroft House is the home of the Saffron Walden Young Carers Group and stores costumes and props for the Saffron Walden Music Hall Society. It is the base for a local counselling service and a local marketing company. Waitrose use the building as a venue for team meetings and in the last year UDC, Job Centre Plus, Harlow College and the BEST Growth Hub have all used the venue.
17. Future plans include film-making workshops delivered by Saffron Screen and a programme of events delivered by Saffron Walden Arts Trust. A Music Academy will start on Sunday afternoons and it is hoped that a local luthier will move her business into the property in the autumn of 2016.

Strategic Initiatives Fund

18. The stated purposes of the Strategic Initiatives Fund are:
 - Support for the local economy
 - Partnership working with voluntary sector organisations
 - Community initiatives and services in rural locations
 - “Spend to save” projects to make the Council more efficient and more resilient to funding changes in future years
 - Putting some Council services onto a more commercial footing.
19. There are four key criteria that each project must meet to be considered for funding from the Strategic Initiatives Fund. These are:
 1. The project demonstrably supports the Council’s corporate priorities, as set out in the Corporate Plan
 2. The project fulfils at least one of the five suggested uses for the Fund, as set out above
 3. The project results in tangible financial benefit to the Council, either by reducing future cost pressures, efficiency savings, or income generation
 4. The project does not give the Council any additional ongoing revenue budget commitments beyond the 2016/17 financial year.
20. Any UDC grant would need to be linked to conditions that protect the investment, whilst allowing Fairycroft House CIC to generate sufficient income to pay the mortgage, running costs and for improvements to the building.
21. It is proposed that a review of the activities within Fairycroft House Arts and Media Centre would be completed, following the payment of the grant, after 3 years, 5 years and then every 5 years up to and including 2031. The first review would be in the summer of 2019.
22. The purpose of the review would be to identify that:

- The majority of activities within Fairycroft House Arts and Media Centre are of benefit to the local community, with people of all ages and abilities from Saffron Walden and the local area participating in a wide range of activities.
- Fairycroft House Arts and Media Centre is a centre of excellence for local community creativity, providing state-of-the-art resources to an increasing number of local community groups / businesses, and an increasing number of local individuals.
- Fairycroft House Arts and Media Centre is a base for diversionary activities for local young people.

23. The precise details of the expected outcomes for the majority of the centre's users and the performance management framework required to provide the council with evidence of the use of the building would need to be determined. However, it should not be overly bureaucratic for the centre to complete nor overly restrictive on them in terms of providing some commercial offer to help finance the centre's operations.

24. It is proposed that a charge be placed on the property to protect the council's investment until 2036. The charge would be index linked to the Retail Price Index which is good practice to protect the value of the initial grant. The UDC charge would be a third charge, following a first charge by the bank offering the mortgage, and a second charge from ECC. This amounts to a slightly higher risk to UDC as both the bank and ECC would receive funds from the disposal of the building prior to UDC.

25. It is also proposed that there would be a reducing scale of liabilities that would be repaid by Fairycroft House CIC in the event that the company was wound up for any reason, or that Fairycroft House was sold, transferred or leased (for more than 12 months). The following table sets out the reducing liabilities over time as follows:

26.

Time	Amount to be repaid
After 3 years	85%
After 5 years	75%
After 10 years	50%
After 15 years	25%
After 20 years	NIL

27. ECC have advised that a condition of their grant will give them the right to force a sale if the building is closed for more than 6 months, other than for repair or redecoration.

Risk Analysis

28.

Risk	Likelihood	Impact	Mitigating actions
Fairycroft House CIC is wound up	Level 1 – The CIC was established in 2014. Its governance arrangements are in place and its liabilities covered. There is a business plan in place and the business has been identified as eligible for a mortgage of £240,000.	Level 2 - UDC may not recover its investment. This may impact on the UDC reputation.	UDC will have a 3 rd charge on the property to protect its investment. The council will maintain regular contact with the CIC to provide advice and guidance as required, ahead of a full review of activities in the summer of 2019, 2021 and every five years after that time until 2036 to monitor activities and performance to protect UDC investment.
Fairycroft House Arts and Media Centre is closed	Level 1 – The CIC has been established to purchase and manage the Arts and Media Centre as a community asset.	Level 2 - ECC may force the sale of the property if it is closed for more than 6 months. UDC may not recover its investment if the property is sold and there may also be an impact on the UDC reputation.	UDC will have a 3 rd charge on the property to protect its investment. The council will maintain regular contact with the CIC to provide advice and guidance as required. Regular contact will be maintained with the CIC throughout the next 20 years to protect the investment.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Committee: Cabinet

Agenda Item

Date: 26 May 2016

10

Title: Adoption of Street Naming and Numbering Policy

Portfolio Holder: Cllr Barker

Key decision: No

Summary

1. The Council under the Public Health Act 1925 controls the naming of streets and numbering of buildings in Uttlesford. The purpose of this control is to make sure that any new street names and building names and numbers are allocated logically with a view to ensuring, amongst other things, that emergency service vehicles (ambulances and fire appliances) are able to speedily locate any address to which they may be summoned; and the effective delivery of mail.
2. The Council adopted its current policy in January 2013. The proposed policy updates the current procedure and takes into account good practice.
3. At its meeting on 17 March, Cabinet requested specific reference to renaming existing streets in response to concerns being experienced by emergency services in locating streets, and the required majority on residents' part for agreement on a street renaming proposal to progress. This is now included in a revised policy and procedure.
4. A response has been received from Saffron Walden Town Council and is attached as an appendix to this report.

Recommendations

5. To adopt the Street Naming and Numbering Policy March 2016.
6. To adopt the Street Naming and Numbering Guide to the process.

Financial Implications

7. There are no financial implications arising from this decision. The fees in the document were approved by Cabinet and Full Council as part of the budget setting process.

Background Papers

8. None

Impact

- 9.

Communication/Consultation	Documents will be made available on the website.
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Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	All
Workforce/Workplace	None

Situation

10. The Council carries out the function of street naming and numbering for the District. The Council adopted its first policy in January 2013 and there is now a need to review and update this.
11. The Council has also developed a guide for users of the service. This sets out how the system operates, what we expect of applicants and the service levels they should expect to receive.
12. As part of the review process we have conducted an appraisal of other Council's processes and good practice. We have also conducted a working practice review to ensure that the process we follow internally is the best to serve the needs of the customer and also the most cost effective.

Conclusion

13. The proposed Policy updates and refreshes the current process. It contains the necessary checks to ensure that the legislation is applied fairly and accurately while providing time for local comment and input.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Concerns and complaints may be raised about the outcome of the process.	1. Low likelihood as the process formalises the current situation which receives few complaints.	2. Little or no impact would occur.	The new policy updates the current policy and takes into account good practice.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

From: Town Clerk <townclerk@saffronwalden.gov.uk>
Sent: 17 May 2016 13:31
To: Roger Harborough
Cc: Maggie Cox; Ann Howells; Cllr R. Freeman
Subject: Street Naming Policy

Hi Roger

I note that the Street Naming Policy was carried forward from the April Cabinet meeting and will be further considered at the May Cabinet meeting.

Ann Howells very kindly sent me last week a revised copy of the policy for consideration at the May meeting and this was considered at the Town Council's Planning and Road Traffic Committee meeting on 12th May 2016. The Committee notes and makes the following comments regarding the draft policy:

1. To note with disappointment the lack of specific consultation with both the public and the Town Council on this proposed policy. It is not known why UDC has reviewed this policy but would request that in the essence of partnership working, future reviews of this nature which involve or effect the Town Council are specifically made known to SWTC
2. The following is further noted regarding policy No 1.5.2 Renaming an existing Street (it is referenced as 1.5.2 in the revised policy but is recorded as 1.5.1 in the original policy presented to Cabinet April 2016):

The revised version of this part of the policy is significantly different from that originally considered and the revised policy states that upon receipt of a request to UDC to amend an existing street name, UDC will ***"ask the Parish/Town Council to conduct a ballot with all those on the street who are liable to pay council tax"***.

There has been no consultation, no conversations and no acceptance by this Town Council that we would conduct a ballot. Further there are no specific arrangements noted with regards to the nature of the ballot which could be a simple leafleting of all households through to a formal ballot requiring a Polling Station, Monitoring Officer, Polling Clerk etc. If the ballot is to be of the latter described, this would be cost prohibitive to the Town Council and is not a cost or service that we would expect to cover and is certainly not provisioned within the Town Council's budget.

The Town Council accepts and appreciates that the frequency of this type of request is very infrequent but the matter remains that the proposed obligations within this policy have not been specifically communicated to this Town Council (or likely any other Town / Parish Council in Uttlesford) and this is unacceptable.

3. Given the lack of previous consultation or the opportunity to fully consider this matter, the Town Council requests that further discussions with Town and Parish Councils must take place prior to the adoption of this policy. It is only right and fair to offer this to Town and Parish Councils especially given the proposed obligations within the policy which require further discussion and consideration.

Saffron Walden Town Council requests that the contents of this email are made known to all Cabinet Members either as a separate paper or included within the Officers' final report on this matter to Cabinet.

I have spoken with Maggie Cox at Democratic Services today who advises that this matter is for consideration at the May Cabinet meeting and hence therefore the sending of this email for consideration by Officers and Cabinet.

By means of this email, I would like to register that Cllr Richard Freeman from Saffron Walden Town Council would like to speak on this matter as part of the public speaking and he will reinforce the details of this email.

Uttlesford District Council

Street Name and Numbering Policy

May 2016

Contents

- 1.1 Policy Statement
 - 1.1.1 Applicable Legislation
- 1.2 Charging for the Street Name and Numbering service
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- 1.5 Guideline for Naming Streets
 - 1.5.1 Consultation with Parish/Town Councils – Street Names
 - 1.5.2 Renaming an existing street
 - 1.5.3 Adoption of a street name in a postal address
- 1.6 Criteria for Naming and Numbering of Properties
 - 1.6.1 New Properties
 - 1.6.2 Guidance of addressing property
 - 1.6.3 Notification of Address
 - 1.6.4 Retrospective Naming and Numbering
- 1.7 Responsibility

Policy Contact Details

For further information please contact

Jason Houghton
GIS Officer
Planning Section

Email: jhoughton@uttlesford.gov.uk
Tel: 01799 510544

Implementation/Review

Details on the last and next review of this document

Version	Draft	Next Revision
V0-Draft	19/02/2016	
V1-Final	10/05/2016	

1.1 Policy Statement

Uttlesford District Council has the legal responsibility to ensure that streets are named and properties are numbered. The authority has the power to approve or reject property addresses submitted by the general public, developers or to prescribe its own addressing schemes. Uttlesford District Council uses the Town Improvement Clauses Act 1847 (sections 64 and 65) in conjunction with the Public Health Act Amendment Act 1907 section 21 for the purpose of naming streets and numbering properties. This power extends to both domestic and commercial property.

All property development and addressing change within the Uttlesford District is subject to the official street naming and numbering process. Maintaining a comprehensive and high standard of naming streets and numbering or naming of properties is essential as it facilitates:

- Consistency of property based information across local government and within the community of address users
- Emergency services finding a property promptly
- Reliable delivery of services to properties
- Reliable locational information for properties
- Electoral Registration via Individual Electoral Registration (IER)

Anyone seeking an address change, or the creation of an address for a new property, must apply to Uttlesford District Council in writing following the procedures outlined in this policy.

Proposals for street names from developers and the Parish/Town Councils are welcome for consideration. However it is recommended, when making an application, that more than one name is put forward in case the first choice does not comply with the guidelines in this policy. It is advantageous for all suggested street and building names to reflect the local area or have a connection with Uttlesford and where possible avoids duplication of names. If suggestions conform to this policy on Street Naming and Numbering and, for street names, do not meet with an objection from local Town/Parish Councils, the new address will be formally allocated and relevant bodies will be notified.

Where street names or previous numbers have been established without reference to us, we have the authority to issue Renaming or Renumbering Orders, under section 64 of the Towns Improvement Clauses Act 1847.

To aid the emergency services, we will endeavour to ensure that where appropriate, if a street has a name and has street signs relating to that name, all properties accessed from that street will be officially addressed to include that street name and also where appropriate, new properties are numbered.

In addition to complying with appropriate legislation, this policy is compliant, at the time of implementation, with the document "Data Entry Conventions and Best Practice for the National Land and Property Gazetteer", available from GeoPlace LLP at www.geoplace.co.uk.

1.1.1 Applicable Legislation

Street naming and numbering is a statutory Council function:

- The Acts are Sections 64 and 65 of the Towns Improvement Clauses Act 1847, and Section 21 of the Public Health Act Amendment Act 1907.
- These Acts require the local authority to prepare street naming and numbering schemes and to maintain a good standard of street name plates. Both are essential for the efficient functioning of postal and emergency services as well as for the convenience and safety of the general public.
- The Public Health Amendment Act 1907, Section 21 gives authorities the power to consult in relation to street names and amendments.
- This Acts also makes it illegal to pull down or remove a street name, which has been lawfully set up, or to fix a notice or advertisement within close proximity to the sign. Anyone found guilty of infringing these requirements can be liable to a fine imposed by a Magistrates Court
- These acts also give the authority the ability to produce regulations concerning the erection of signs for the names of public streets and, ensure that the names and numbers of all buildings are displayed by their owners in accordance with these regulations.

The primary purpose is to create addresses, which are logical, consistent and to ensure that properties can be located quickly in all situations. This is important as various organisations, delivery, postal, emergency services and the general public need an efficient way of locating and referencing properties.

Street naming and numbering is an important aspect of modern life that is often taken for granted, but it is sufficiently important to need legislation to enforce the requirements of government and local government in this area.

1.2 Charging for the Street Name and Numbering service

Under section 93 of the Local Government Act 2003 provision is given for the charging of the service of Street Name and Numbering.

These charges cover the cost of consultation with Parish/Town Councils, Royal Mail, production of letters and schedules to developers, site visits to determine positioning of name plates, confirmation letters to emergency services and utilities and entering onto the Council database systems.

Details of the charges can be found on our website at <http://www.uttlesford.gov.uk/planning>

1.3 Street Naming and Numbering

Property developers and Parish/Town Councils may suggest names for new streets. These should be submitted to the Street Naming and Numbering Service for consideration against the criteria.

Consultation will take place with Parish/Town Councils. The Parish/Town Councillors may either accept the suggestion or object to it and offer their own alternatives. Any alternative suggestion will again be checked to ensure that it meets the naming criteria. If a suggestion does not meet the naming criteria it will be rejected no matter who suggests it. Once a

suitable suggestion from the Parish/Town Councillors has been selected by the Street Naming and Numbering Service, agreement will be sought with the developer.

Where a street is created as all or part of a new development, all costs for the erection of new street name plates will be paid for by the property developer. There is a specification for the plates and their locations and the authority should be contacted for advice. Maintenance of street name plates becomes the responsibility of Uttlesford District Council only once the developer has left the site and the street has been adopted.

No street name plate is allowed to be erected until the street name has been confirmed in writing by the Uttlesford District Council Street Name and Numbering Service.

1.4 Criteria for Naming a Street

The Street Naming and Numbering Service will use the following guidelines when consulting on new street names. Parish/Town Councils and developers will need to follow these guidelines when considering any names for streets within the District

The use of a common theme within larger developments is encouraged, especially if there is a local or historic significance with the area. This however is not sufficient cause to reject a name that fails to meet this criterion.

Street names that promote services, products or companies will not be allowed. Trading names are viewed as advertisement of said companies and will not be acceptable. There may be an exception to this when using a historic company name if used in a historical context where any claim of advertisement cannot be made.

A developer may suggest a name to be used and that the suggested name complies with the street naming procedures and that there is no objection from the Street Name and Numbering Service and the appropriate Parish/Town Council. If there is any unresolved disagreement, there will be a maximum of two attempts to resolve any dispute, and then the Assistant Director of Planning who has the delegated powers to approve street names will undertake the final decision with no right to appeal.

Street names that are derived from living persons will not be permitted to prevent offence either through inclusion or exclusion. If the inclusion of a surname in the street name is from someone who is deceased the Parish/Town Council will need to provide written permission from any living relatives in order for the application to proceed using said name.

1.5 Guideline for Naming Streets

New street names will be unique and duplicates will not be permitted. Street names that are phonetically similar to other streets will not be permitted. Any street names that can be construed as obscene or racist will not be acceptable. Distinctions through suffix within the same or adjoining area will be avoided. Street names that may be open to re-interpretation through graffiti or shortening of the name shall be avoided. New street names will not be assigned to new developments when such developments can be satisfactorily included in the current scheme of the street providing access. No new streets will be named after a living person in order to avoid offence either through inclusion or exclusion.

New street names shall not end with a 's' where it can be construed as either possessive or plural, neither will they begin with the word 'The'. All punctuation, including apostrophes shall be avoided. Words of more than three syllables and the use of more than two words will be avoided (exception being thoroughfare types). Street names that are open to spelling mistakes are to be avoided as these may lead to confusion with emergency services or result in demand for a name change by residents. All new street names should end with a suffix to reflect the nature, history and/or location of the street e.g.

- Avenue – tree lined residential road
- Bank – street on a bank
- Court - residential flats
- Close – a residential cul-de-sac only
- Crescent – a crescent shaped road
- Drive – residential roads
- Gardens – residential roads
- Grove – residential road
- Hill – a hillside road only
- Lane – single track or narrow road
- Mews – converted yard or stable
- Mount – high point of road
- Place – residential road
- Rise – road which has a rise
- Road – any thoroughfare
- Row – road (not pedestrian access route)
- Square – Square only
- Street – any thoroughfare
- Terrace – for a terrace of properties (not a subsidiary to another street)
- Suffixes that are not acceptable are:-
End, Foot, Cross, View, Walk, Flat and Way.
These may however be incorporated into a street name provided it ends in the appropriate suffix (Hook End Lane)

1.5.1 Consultation with Parish/Town Councils – Street Names

The number of new streets within a development will be determined by the Street Name and Numbering Service. Suggested street names will be sought from the developer, typically there will be a requirement for at least three suggestions per identified street. The suggestions will then be presented to the Parish/Town Council for consideration. The Parish/Town Council will be encouraged to submit any alternatives they feel necessary if they do not feel the developers suggestions are in keeping with the surrounds or history of the site. Agreement must be found between the developer and the Parish/Town Council on the official name for the designated street. If no agreement is found then the Street Name and Numbering Service will consult with both parties to resolve the issue. Two attempts will be made to reconcile the differences before the Assistant Director Planning will be requested to make a decision on the name of the street. The Assistant Directors decision is final.

1.5.2 Renaming an existing street

Renaming an existing street is to be avoided unless the benefits outweigh the obvious disadvantages. Provision for the change of a street name is given in Section 21 of the Public Health Acts Amendment Act 1907.

On rare occasions where this becomes necessary, it is usually only done as a last resort when:

- There is confusion over a street's name and/or property numbering
- The residents are unhappy with their street name
- The number of named-only properties in a street is deemed to be causing confusion for emergency services or deliveries.
- Where a street becomes split, e.g. via new development or new road building scheme splitting an existing street

In such instances it is the responsibility of those requesting a change in the first instance to contact the Parish/Town Council to ask them to raise the issue with the Street Name and Numbering Service.

The following procedure will be followed when a name change request is received by a Parish/Town Council and a name change is proposed by Parish/ Town Council.

1. A written request for a street name change will be made to the Street Name and Numbering Service. The details need to include
 - i. The current street name
 - ii. Who has made the initial request e.g. resident or emergency services
 - iii. The nature of the issues
2. Upon receipt of the request, and in accordance with the change criteria listed above, the Street Name and Numbering Service will ask the Parish/Town Council to conduct a ballot with all those on the street who are liable to pay council tax.
3. The results of the ballot will then be presented to the Street Name and Numbering Service, if two-thirds (66.6%) of those whom were balloted are in favour of the change then the street name change shall proceed. If there is less than two-thirds (66.6%) in favour then the street name will not be changed.
4. A request for a new street name suggestion will be made to the Parish/Town Council from the Street Name and Numbering Service.
5. The street name suggestion will be testing against the criteria for new street names, Section 1.4, and if the name meets the criteria it will be adopted.
6. Notices of address change will be issued to the properties on the street that are affected by the change.
7. There will be a period of four weeks from the date of the notice of address change before the changes take effect.

8. At each end of the street a notice of a street name change will be posted detailing the old name, new name and date of the change.
9. New street name plates will be erected at each end of the street.

1.5.3 Adoption of a street name in a postal address

Where a street has no official name or is omitted from a postal address then the following criteria and procedure will be followed.

Criteria for consideration of the adoption of an official street name in a postal address will be

- Where there is confusion in locating a number of properties on an unnamed street.
- The emergency services have requested that a street name be adopted.

Those seeking the adoption of a street name should contact the Parish/Town Council and ask them to raise the issues with the Street Name and Numbering Service.

The following procedure will be followed when a name change request is received by a Parish/Town Council and a name adoption.

1. A written request for a street name change will be made to the Street Name and Numbering Service including the following details
 - i. The nature of the issues
 - ii. Who has raised the initial request e.g. residents or emergency services
 - iii. Brief description of the street – where it starts and where it ends
2. Upon receipt of the request the Street Name and Numbering Service will ask the Parish/Town Council conduct a ballot with all those on the street who will be affected by the adoption of a street name.
3. The Street Name and Numbering Service will consult with Royal Mail with regard adoption of a street name and any potential changes to postcode.
4. The results of the ballot will then be presented to the Street Name and Numbering Service, if two-thirds (66%) of those whom were balloted are in favour of the change then the street name adoption shall proceed. If there is less than two-thirds (66%) in favour then the street name will not be adopted.
5. At each end of the street a notice of a street name adoption will be posted and a request for a street name suggestion will be made to the Parish/Town Council from the Street Name and Numbering Service.
6. The street name suggestion will be testing against the criteria for new street names, Section 1.4, and the name will be adopted.
7. Notices of address change will be issued to the properties on the street that are affected by the change.

8. There will be a period of four weeks from the date of the notice of address change before the changes take effect.
9. At each end of the street a notice of a street name change will be posted detailing the new name and the adoption date.
10. New street name plates will be erected at each end of the street.

1.6 Criteria for Naming and Numbering of Properties

1.6.1 New Properties

An application for a plot or a development to be numbered, the developer must provide the following information preferably electronically (or in hard copy if electronic copies are unavailable)

- Planning application number – Street Naming and Numbering can only be administered once planning approval has been given, without this no address will be allocated.
- Building regulation number to confirm commencement of works or completion.
- Submission of clear plans showing plot numbers, the location in relation to existing land and property, indication of placement of front doors or primary access on each plot and internal layout plans for developments that are sub-divided in to units/flats together with their floor level.

N.B. If submitting plans with copyright please ensure that the copyright holder has given written permission for use of the plans for the purpose of Street Name and Numbering. Omission of this can cause delays in the Street Name and Numbering process

1.6.2 Guidance of addressing property

1. All new property development will use numbers rather than be named.
2. Official Street Name and Numbering will take place for all domestic and commercial properties.
3. New streets will be numbered with odds on the left hand side and evens on the right hand side, with commencement from the primary entrance to the road. If the road is a thoroughfare between two other streets the numbering shall commence at the beginning of the street nearest the centre of the settlement or for rural developments from the centre of the District.
4. Consecutive numbering may be used in a small cul-de-sac, which is circular in nature where no further development will be possible.
5. The property number will be allocated to the street onto which the main front entrance faces. If the entrance provides no direct access to a street it will be placed on the last logical street used to access it as deemed by the guidance notes of the NLPG data entry conventions. This is especially relevant to properties with a main entrance to the side.
6. Numbers will remain in sequence and there shall be no exclusion of any number due to superstition, personal preference or inclusion of out of sequence numbers.
7. Flats and units will be given individual numbers; the sequence of the numbering depending on the access to individual front doors and naming/numbering conventions in the given location.

8. When numbering property that has been converted into flats, the flats will be numbered sequentially with the prefix 'Flat', e.g. Flat 1, 11 High Street. A numbering scheme such as Flat A/Flat B, First Floor Flat or Apartment will not be used. Guidance for numbering of other property subdivision types will be taken from the NLPG Data Entry Conventions.

9. If a block of flats is to be built in a numbered street and cannot be integrated into the current numbering on that street, a name will be given to the block¹ and the flats numbered internally², e.g. Flat 1², Plovers Baron¹

10. When new properties are built on an existing street and there are no available numbers to use whilst retaining the current sequence a suffix will be used e.g. 22a.

11. New street names shall not be assigned for the sole purpose of avoiding numbers with a suffix.

12. On an existing street without numbers and where an established naming convention is being used, a property will be named. All named properties will be unique to the settlement and postal area for which they are situated. Repetitive or phonetically similar names in a postal area will not be allowed.

13. On a street with a mixture of names and numbers the number will take priority over the name.

14. No allocated property number will be sacrificed in favour of a name.

15. Commercial properties will be numbered in accordance with local conventions that are in use at the location in which the property sits.

16. Commercial subdivisions within a property will be numbered in accordance to floor level and suffixed with a letter for example Suites 1A-1Z (ground floor offices) and Suites 2A-2Z (first floor offices). This removes the use of terms such as First Floor or Second Floor as part of the address as the use of these terms does not comply with national addressing guidance.

17. A business name shall not take the place of a number or a building name all new business premises must have a number and display the numbering in a prominent position on the front of the building.

18. Private garages and buildings used to house vehicles and similar purposes will not be officially numbered

19. A parcel of land e.g. fields cannot be given an official address; only a property on that piece of land that has the ability to receive mail can have a conventional address.

20. Re-naming of communal properties, e.g. block of flats, can only be done upon receipt by the Street Name and Numbering Service evidence that all occupiers of the property have been consulted and have given in writing their consent to the change.

1.6.3 Notification of Address

All address changes will be notified to the developer or owner in the form of an official notice. This will state the official address as issued by the Street Name and Numbering Authority. No other public body has the statutory right to issue an address. The postal address is given for the purpose of delivery of goods and services to the property. There may at times be a difference in the address held by the Council for the purpose of addressing under the data entry conventions for the National Address Gazetteer.

1.6.4 Retrospective Naming and Numbering

Where requests for confirmation of an address are sought by internal and external bodies the Council will use the Local Land and Property Gazetteer and archive records to determine the address as known by the Council. It shall liaise with Royal Mail in the event of determination of the postal address if it is deemed to be different from that held by the Council. Correct address information will then be given as a retrospective street name and numbering notice.

1.7 Responsibility

All elements of an address, with the exception of postcode and post town, are defined by Uttlesford District Council. The numbers and names assigned to property and the official names assigned to streets are the intellectual property of the authority.

Allocation of postcode and post town is managed by the Royal Mail and must be confirmed by them. Uttlesford District Council may undertake this process on the applicant's behalf and inform the applicant and other interested parties. The authority reserves the right to complete a Street Naming and Numbering application without the provision of a postcode or post town. The maintenance of postcode information, and any future change to individual postcodes or postcode sectors, is the responsibility of Royal Mail. Uttlesford District Council accepts no responsibility or liability for omission of postcode or post town information, nor for any failure of services arising from this omission.

Where a new street name has been commissioned for a new development then it is the responsibility of the developer to obtain and install said street name plates. Specifications can be obtained from the Street Name and Numbering Service.

It is the responsibility of the developer of new properties to inform the Royal Mail when they become occupied for the first time.

Committee: Cabinet

Agenda Item

Date: 26th May 2016

11

Title: Procurement Strategy

Author: Councillor Simon Howell

Item for decision

Summary

1. The Council's Procurement Strategy is refreshed every year and the proposed strategy for 2016/17 is presented with this report.
2. The Strategy shows how the Council's procurement activity contributes to the Corporate Plan priorities relating to sound financial management, high quality and low tax. A work plan is set out and is dominated by major housing contracts.
3. One of the key reasons for updating the Procurement Strategy is to provide ongoing assurance to the external auditor that the Council has a sound approach to procurement. This is taken into account as part of the external auditor's statutory 'value for money' opinion.
4. The Strategy includes looking back on 2015/16 and noting the progress made and variations on the previous years Strategy as presented to Members on 18th June 2015.
5. Members who undertook the recent Audit Committee Self-Assessment exercise identified a need to understand more about the council's procurement arrangements and this information is also included in the current Strategy.
6. The Strategy was presented to the Performance and Audit Committee on the 19th May 2016.

Recommendations

7. The Cabinet is recommended to approve the Procurement Strategy as attached to this report.

Financial Implications

8. There are no direct financial implications arising from the recommendation. The Strategy is designed to minimise the risk of challenge by unsuccessful tenderers. The Strategy acknowledges the role of Procurement in reducing the organisation's running costs. No specific savings targets have been built into the Medium Term Financial Strategy in order to avoid being seen to prejudice "best value" outcomes and to preserve the objectivity of the procurement process.

Background Papers

None

Impact

Communication/Consultation	None
Community Safety	No specific implications
Equalities	An EQIA is included with the main report
Health and Safety	No specific implications
Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications
Workforce/Workplace	No specific implications

Risk Analysis

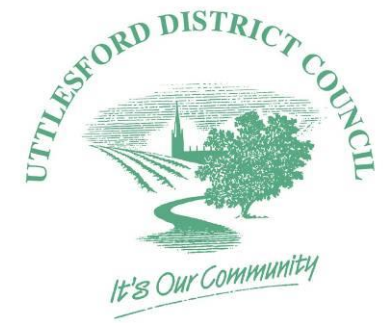
Risk	Likelihood	Impact	Mitigating actions
Actions in the Procurement Strategy are not implemented Urgent and/or unplanned contracts not in the work plans	2 (the Procurement Manager has the capacity to take these issues forward)	3 (the Council will be unable to demonstrate progress)	The actions have been built into work plans and there is flexibility to manage non planned work within reason. This will be monitored through the Council's performance management framework.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



Procurement Strategy

2016/17

Introduction

The Procurement Strategy is reviewed annually and provides an update on work completed during the previous financial year as well as setting out the programme of work for the new financial year,

General guidelines in relation to procurement are set out in the Council’s Contract Procedure Rules. There are specific requirements that quotations or tenders be obtained where the value of the contract falls into the following bands :

Up to £10,000	Deputy Chief Officers have discretion regarding the obtaining of quotations (including the number of quotes obtained and how they are obtained). It is advisable to obtain at least two comparable prices. Officers shall obtain at least one quotation from a local ¹ company wherever possible	During 2015/16, 3,080 orders were raised in this category ² .
Up to £50,000	A minimum of three written quotations shall be obtained. Officers shall obtain at least one quotation from a local ¹ company wherever possible	During 2015/16, 70 orders were raised in this category, one of which was a “mini-tender” and three of were subject to an exception request approved in accordance with Contracts Procedure Rules.
Over £50,000	Offers will be invited by tender as follows Contracts for the supply of Goods or Services Up to £164,176 – UK Only Over £164,176 – European Tender Contracts for Works or Concessions³ Up to £4.1m – UK Only Over £4.1m – European Tender	During 2015/16, 12 new contracts were let in this category. Tenders (or “mini-tenders”) were undertaken in ten instances and two were subject to exception requests approved in accordance with Contracts Procedure Rules. Full details of the contracts are set out on pages 5-9

¹ “local” shall mean within 20 miles radius of either Great Dunmow or Saffron Walden

² Purchase orders are not used in all instances and therefore the exact number is difficult to determine with accuracy. It has been identified as an action for 2016/17 to increase use of the ordering system across the authority.

³ New legislation introduced April 2016 that applies where the authority awards a concession (ie where the contractor stands to gain financially from the award. Examples include the operation of leisure centres, running of café’s, toll roads, solar pv installations)

The values have been reviewed and there is no proposal to amend the thresholds, these came into force on 18 April 2016. These values are reviewed every two years and are next due in January 2018.

The Council's preferred option when developing the approach to the acquisition of contracts is to use national frameworks where possible. These have been used in some instances during 2015/16 (see table overleaf for more details). This allows us to benefit from economies of scale and to award contracts above threshold values without further need to tender in Europe, although there is still a need to carry out further competition in the form of a "mini-tender". It is recommended that this approach, which forms part of the acquisition plan for each contract, continues. This stage also considers the relative importance of cost v quality when evaluating tenders – it is rare that contracts over £50,000 are awarded simply on cost alone.

DRAFT

Review of 2015/16

The Procurement Strategy for 2015/16 was approved by Cabinet in May 2015.

The plan included three initiatives –

- Letting contracts set out in the work plan for the year
- Providing support for colleagues implementing new working practices as a result of the implementation of “E-Buy” (the order module of the financial information system) and
- Reviewing processes and template documents – particularly to ensure they are compliant with the Public Contracts Regulations 2015

Nine contracts on the work plan have been awarded along with a further eight that were not planned. A further ten contracts from the work plan are in progress along with a further two that were not planned. Details are set out overleaf. Work will continue on the remaining contracts and are included in the work plan for 2016/17.

Support for colleagues using the ordering system continues. A significant upgrade of the system in March has gone smoothly and although there have been some minor issues the use of the system is now being used more readily.

The review of processes and templates has been completed, but remain under constant review in the changing environment.

It is pleasing to report that Procurement and the process of awarding contracts was subject to an internal audit in February 2016 and found to be providing effective systems and controls – an opinion of “substantial” was awarded..

Requirements	Value	Housing	Corporate	Update
Electrical Rewiring	£3.3m (based on £650,000/yr)	✓		A five year contract awarded to Oakray, commencing 1 st April 2016. The award followed a tender undertaken by the Procurement Department
Photovoltaic Panels on Workshop and Museum Store	£60,000		✓	A contract awarded to Playfords The award followed the approval of an exception request given the changes introduced to the Feed-in Tariff by the Government at short notice
Housing Development at Catons Lane – Appointment of Main Contractor	£866,759	✓		A contract awarded to Court Homes The award followed a tender undertaken by the Procurement Department
Power Supplies	£588,000 (based on £147,000/yr).	✓	✓	A four year contract awarded to Npower commencing on 1 October 2016. The award is part of a larger framework arrangement whereby the Council benefits from aggregation under the framework let by LASER (a specialist division of Kent County Council) who, acting on behalf of a significant number of Authorities, trade on the commodities markets (the framework is estimated to be worth £900m)
Gas Supplies	£612,000 (based on £153,000/yr).	✓	✓	A four year contract awarded to Total commencing on 1 October 2016. The award is part of a larger framework arrangement whereby the Council benefits from aggregation under the framework let by LASER (a specialist division of Kent County Council) who, acting on behalf of a significant number of Authorities, trade on the commodities markets (the framework is estimated to be worth £600m)

Requirements	Value	Housing	Corporate	Update
External Wall Insulation (under Energy Efficiency Improvement Schemes)	£380,000	✓		<p>A contract awarded to Foster Property Maintenance to supply and install external wall insulation to approximately 60 domestic properties has been concluded. The contract attracted external funding reducing the final figure payable by the Council.</p> <p>The award followed a tender undertaken by the Procurement Department</p>
Managed Telecoms	£860,000 (based on £172,410/yr)		✓	<p>A five year contract awarded to AdEPT commencing 15th December 2015</p> <p>The award followed further competition under a Crown Commercial Services framework.</p>
Treasury / Investment Advice	£45,450 (bringing total to £95,450)		✓	<p>A three year extension to the current contract with Arlingclose commencing 1 January 2016</p> <p>The award followed satisfactory reviews with the client and provider and the approval of an Exception Request.</p>
Window Replacement Programme	£198,800 (bringing total to £1.06m)	✓		<p>A two year extension to the current contract with Wrekin Windows commencing 1 April 2016</p> <p>Following satisfactory reviews with the client and provider, the option to extend the contract has been exercised.</p>

New Contracts not included in the original programme for the year but which have been undertaken:

Requirements	Value	Housing	Corporate	Update
Saffron Walden Castle – Repairs to West & North Curtain Wall	£300,000		✓	<p>A contract awarded to Bakers of Danbury Ltd.</p> <p>An external Architect was engaged by the service to undertake the tendering process for this and a proposal was received to appoint a contractor A number of issues were identified regarding the process and following discussions with the Procurement Manager and Chief Officers it was recommended that the contract should not be awarded and it was subsequently withdrawn. Historic England are supporting the project with a grant of £300,000 that required the contractor to be on site by the end of the financial year. Discussions between procurement, chief officers and the Architects took place and the contract was re-tendered meeting all legislative requirements and those set out in Contracts Procedure Rules.</p>
Consultant for works in connection with the Local Plan – Retail Impact Assessment	£33,000		✓	<p>A contract awarded to Savills to update the Retail Impact Assessment carried out previously.</p> <p>The re-appointment was made following the submission and approval of an exception request.</p>
Consultant for works in connection with the Local Plan – Employment Land Review	£19,068		✓	<p>A contract awarded to Aecom.</p> <p>The award followed further competition under an ESPO framework for Consultants</p>
Consultant for works in connection with the Local Plan – Transport Consultant	£62,193		✓	<p>A contract awarded to WYG</p> <p>The award followed further competition under an ESPO framework for Consultants</p>

Requirements	Value	Housing	Corporate	Update
Consultant – Legal Advice for the creation of SPV	£15,000		✓	A contract awarded to Pinsent Masons The award was made as a “direct award” under the terms of the Government Procurement Services framework for Legal Services.
Utilities – Management of Void Properties	Approx. £9,000	✓		A contract awarded to British Gas The appointment was made following the submission and approval of an exception request
Waste Transfer Station	£113,000		✓	A contract awarded to Essex County Council The appointment was made following the submission and approval of an exception request. The Council have been in dialogue with Essex County Council for some time regarding the intention to use the new waste transfer station being built at Great Dunmow. The contract (being over £50,000) must be tendered or an exception submitted for approval. Using the Teckal exception set out in the Public Contracts Regulations, the same principle was applied (given the Conditions could be met) and the exception approved.
Supply and Installation of Solar PV to Housing Stock	Fully funded by third party	✓		A contract awarded to AMP (Solar) UK Ltd The award was made under the terms of the Alliance Homes framework Although under significant time pressures due to Government changes in funding, an appointment was made which resulted in the installation of Solar PV to almost 300 properties. Some contractual issues remain outstanding and the project team will continue to work to remedy these.

Requirements	Value	Housing	Corporate	Update
Back record conversion - planning files converted to microfilm	Up to £60,000		✓	A contract awarded to Stor-a-File Ltd The award was made as a “direct award” under the terms of an ESPO framework arrangement
Supply & Installation of Replacement windows to second floor of London Road Council Office Building	£57,410		✓	A contract awarded to Haslemere Windows The award followed further competition under an LHC Window Replacement framework arrangement
Appointment of Consultant to provide support on the creation of Garden Developments	£18,000		✓	A contract awarded to Garden City Developments CIC The appointment was made following the submission and approval of an exception request.
The supply and installation of air handling units in the Civic Suite of London Road Council Office Building	£47,100		✓	A contract awarded to Oakray Ltd The appointment was made following the submission and approval of an exception request.

Ambitions & Priorities for 2016/17

There are two pieces of work to be included as a priority in 2016/17 from external sources.

The requirements of The Modern Slavery Act introduced in 2015 will be addressed during the financial year. The Act sets out requirements for commercial organisations with a turnover above £36m to publish a statement about slavery and human trafficking in their supply chains.

The Council will make use of this information in selecting and monitoring our suppliers but may also elect to provide a statement of our own.

As the Act seeks to improve working conditions, the Procurement Department will take the lead on this initiative.

The Public Contracts Regulations introduced in 2015 require us to trade electronically by 2018. Work should commence during 2016/17, in conjunction with the IT department to consider new ways of working and options to deliver them

The procurement of fourteen contracts are already underway – these should be completed during the year. A further ten have been identified on the succession planning or from capital bids.

A programme of improvement is also to be implemented to further progress the use of the purchase order system, with a view to reducing the number of invoices processed manually outside of the ordering system – giving greater accountability and monitoring and will aid in streamlining working practices.

The Procurement Officer, appointed in June 2015 will be supported to progress to membership of the Chartered Institute of Purchasing & Supply.

Work Plan for 2016/17

Procurement of new Contracts already in progress -

Requirements	Budget	Housing	Corporate	Update
Water Monitoring & Treatment (Legionella Control)	£55,000/yr.	✓	✓	<p>This contract is due to be awarded shortly.</p> <p>Further competition under a national framework has been undertaken and is currently in the evaluation stage</p>
Lifts & Stair lifts	£32,000/yr.	✓	✓	<p>An on-going arrangement with the incumbent provider is being continued given the statutory duties on the Council to carry out the works. The service has not been tendered as planned but significant progress has been made to collate the asset list.</p> <p>Initial investigations of some national frameworks are not promising although we are aware of some recently awarded arrangements and will keep this under review up to the point of issuing tenders.</p>
<p>Servicing & Repair Heating and Hot Water Systems</p> <p>Including</p> <ul style="list-style-type: none"> All Landlord Gas Safety Checks & Certificates Servicing, Maintenance & Repairs to Domestic Systems 	£330,000	✓	✓	<p>This contract is due to be awarded shortly.</p> <p>An on-going arrangement with the incumbent provider is being continued given the statutory duties on the Council to carry out the works whilst procurement of a new contract is underway.</p> <p>A notice was published in the Official Journal of the European Union and tenders invited under an open procedure.</p> <p>Tender submissions are currently being evaluated.</p>

<ul style="list-style-type: none"> • Servicing, Maintenance & Repairs to Commercial Plant & Equipment 	£44,500			Subject to the mandatory standstill period and there being no legal challenge, the contract is expected to commence on 6 th June 2016
Small Engineering Works (Civil Engineering)	£120,000	✓	✓	Tender Documents are currently being prepared and tenders will be invited for a new contract to commence in July.
Photocopiers in Reprographics	£68,000/yr		✓	These contracts have all expired but rather than simply re-procure new contracts, the opportunity to carry out a complete review of how the services are provided will be taken. Procurement of contracts will commence shortly and Initial scoping suggests that the procurement will follow a “competitive dialogue” procedure seeking innovative ideas from the market to suggest ways to streamline working practices and deliver savings. Competitive dialogue can be very effective but is resource intensive and will need to be managed and planned well to achieve the best outcome. In the interim, current contracts are being extended on a quarterly basis
MFD's			✓	
Mailing / Franking Machine		£34,000/yr		
Culvert Trash Screen	£40,000	✓		Following a request from Housing, the appointment of a company to design and build a trash screen for the culvert at Thaxted. Indications are that the cost will be significantly over budget (in the region of £100,000). There are also issues to resolve with the Town Council.
Asbestos Surveys	£80,000	✓		An on-going arrangement with the incumbent provider is being continued given the statutory duties on the Council to carry out the works. The service is on the programme of work for 2015/16.
Asbestos Removal	Not known	✓		Removal works carried out as part of capital works do not have a separate budget so are difficult to predict, however it has been a significant area of expenditure. A new approach to this is being considered with a view to streamlining work particularly in void properties
Housing Sheltered Scheme –	£6.5m	✓		Following the recommendations of the Employers Agent (Henry Riley), the Council have conducted a two stage tender commencing in February 2015

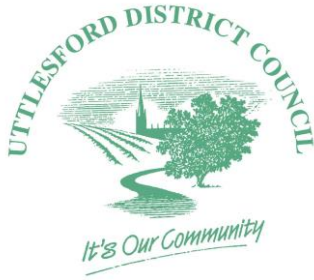
Appointment of Main Contractor for demolition and re-development of Reynolds Court				<p>with the release of an OJEU Notice, for the appointment of the main contractor. The main contractor – Lovell Partnership – has been appointed and is currently working on stage two, working with the project team to complete detailed designs and inviting tenders from sub-contractors in order to arrive at the final, fixed contract price.</p> <p>Difficulties are being experienced in obtaining pricing given the buoyant state of the construction market at present and whilst firm prices should have now been achieved they are either not complete or not considered competitive enough to bring the scheme in on budget.</p> <p>The project team continue to work through the difficulties, in the meantime have released several discrete pieces of work so that some progress on site can be made without having a detrimental effect on either the completion date or external funding.</p>
<p>Housing Sheltered Scheme</p> <p>Appointment of Main Contractor for re-development of Hatherley Court</p>	£1.6m	✓		<p>A domestic tender for the appointment of a main contractor. Following the recommendations of the Employers Agent (Oxbury), the Council have conducted a two stage tender for the appointment of the main contractor.</p> <p>The main contractor – Thomas Sinden – has been appointed and is currently working on stage two, working with the project team to complete detailed designs and inviting tenders from sub-contractors in order to arrive at the final, fixed contract price.</p>
Vehicle Replacement Programme	£847,000	✓	✓	<p>Invitations have been issued to invite offers for the supply of nine new vehicles. Previously purchased as single requirements, they have been aggregated into one piece of work, streamlining the procurement process and aiming to improve prices by aggregating the value of the contract. Tenders are due back in mid-May, and will include driver evaluation and the inclusion of revenue costs (such as fuel economy and servicing costs) as well as the acquisition cost (a move towards “whole life cycle” costs)</p>
New Depot at Great Dunmow	£1.5m		✓	A consultant has been appointed to locate a suitable site for the new depot

				and negotiations are continuing. Once the land has been purchased and needs identified, procurement of buildings and/or equipment may commence.
London Road Building Works	£190,000		✓	The schedule of works is based on the stock condition survey carried out 3 years ago. Either a framework or a domestic tender is likely to be suitable for these works.

New Contracts to be Procured

Requirements	Budget	Housing	Corporate	Update
Energy Bureau	£11,000/yr	✓	✓	This contract expires in December 2016. Succession planning will commence in September 2016
External Painting & Repairs	£200,000/yr	✓		This contract expires in March 2017. Succession planning will commence in September 2016
Payroll Services	£25,600/yr		✓	This contract expires in September 2017. Due to issues with the current levels of service, succession planning has already commenced and tender documents are being prepared to include the provision of new HR software.
Insurance	£438,660/yr		✓	These contracts expire in September 2016, although there is an option to extend by a further two years. Succession planning will commence in June.
ICT Software for Revenues & Benefits	£29,440/yr		✓	This contract expires in December 2016. Succession planning will commence in June 2016

Telecare – Upgrades & Servicing	£6,000/yr	✓		This contract expires in March 2017. Succession planning will commence in October 2016.
Domestic Boiler Installations	£570,000/yr	✓		This contract expires in March 2017. Succession planning will commence in June 2016
Household Wheelie Bins	£70,000		✓	A standing General Fund Capital scheme, the financial year 16/17 has an increase from £40k to £70k which is then sustained until 2019/20. Whilst usually a call-off under a framework, a review of our approach may be beneficial
London Road & Museum Buildings	£119,000 & £52,000		✓	Potentially small value contracts as opposed to one single contract, advice and support will be provided to the budget manager for these capital allocations for 2016/17
Housing Sheltered Scheme Appointment of Main Contractor for re-development of Walden Place	£800,000	✓		A new capital project for redevelopment of Walden Place.



Uttlesford District Council

Fast-track equality impact assessment (EqIA) tool

What is this tool for?


This tool will help you to assess the impact of existing or new strategies, policies, projects, contracts or decisions on residents and staff. It will help you to deliver excellent services, by making sure that they reflect the needs of all members of the community and workforce.

What should be equality impact assessed?

You only need to equality impact assess strategies, policies, projects, contracts or decisions that are **relevant** to equality. If you are not sure whether your activity is relevant to equality take the 'relevance test' on Page 9.


How do I use the tool?

This tool is easy to use and you do not need expert knowledge to complete it. It asks you to make judgments based on evidence.



The tool uses a system of red flags  to give you an indication of whether or not your responses are identifying potential issues. Getting a red flag does not necessarily indicate a problem, but it does mean that your assessment is highlighting issues or gaps in data that may require further investigation or action.

If there is insufficient space to answer a question, please use a separate sheet.

General information		
1	Name of strategy, policy, project, contract or decision.	Procurement Strategy 2016/17
2	What is the overall purpose of the strategy, policy, project, contract or decision?	To set out the ambitions and goals for the Council's Procurement
3	Who may be affected by the strategy, policy, project, contract or decision?	<input type="checkbox"/> Residents <input type="checkbox"/> Staff <input type="checkbox"/> A specific client group/s e.g. linked by geographical location, social economic factors, age, disabilities, gender, transgender, race, religion or sexual orientation (please state)
4	Responsible department and Head of Division.	Department: Finance Head of Division: Angela Knight
5	Are other departments or partners involved in delivery of the strategy, policy, project, contract or decision?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (please state): All departments
Gathering performance data		
6	Do you (or do you intend to) collect this monitoring data in relation to any of the following <u>diverse groups</u> ?	<input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Sex <input type="checkbox"/> Race <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion & Belief <input type="checkbox"/> Pregnancy and Maternity <input type="checkbox"/> Marriage and Civil Partnerships <input type="checkbox"/> Rural Isolation

7	How do you (or how do you intend to) monitor the impact of the strategy, policy, project, contract or decision?	<input type="checkbox"/> Y Performance indicators or targets <input type="checkbox"/> N User satisfaction <input type="checkbox"/> N Uptake <input type="checkbox"/> N Consultation or involvement <input type="checkbox"/> N Workforce monitoring data <input type="checkbox"/> N Complaints <input type="checkbox"/> N External verification <input type="checkbox"/> N Eligibility criteria <input type="checkbox"/> N Other (please state): <input type="checkbox"/> None 
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Analysing performance data

8	Consider the impact the strategy, policy, project, contract or decision has already achieved, measured by the monitoring data you collect. Is the same impact being achieved for diverse groups as is being achieved across the population or workforce as a whole?	<input type="checkbox"/> Yes * <input type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input type="checkbox"/> Y Not applicable  <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>
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9	<p>Is uptake of any services, benefits or opportunities associated with the strategy, policy, project, contract or decision generally representative of <u>diverse groups</u>?</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40px; text-align: center;"><input type="checkbox"/></td> <td>Yes *</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>No*</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Insufficient </td> </tr> <tr> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> <td>Not applicable </td> </tr> </table> <p style="margin-top: 20px;"><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>	<input type="checkbox"/>	Yes *	<input type="checkbox"/>	No*	<input type="checkbox"/>	Insufficient	<input type="checkbox" value="Y"/>	Not applicable
<input type="checkbox"/>	Yes *									
<input type="checkbox"/>	No*									
<input type="checkbox"/>	Insufficient									
<input type="checkbox" value="Y"/>	Not applicable									


Checking delivery arrangements

10	<p>You now need to check the accessibility of your delivery arrangements against the requirements below. Click on the hyperlinks for more detailed guidance about the minimum criteria you should meet.</p> <p><i>If assessing a proposed strategy, policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.</i></p> <table style="width: 100%; margin-top: 20px;"> <thead> <tr> <th style="width: 70%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No </th> <th style="width: 10%; text-align: center;">N/A</th> </tr> </thead> <tbody> <tr> <td>The premises for delivery are accessible to all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> </tr> <tr> <td>Consultation mechanisms are inclusive of all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> </tr> <tr> <td>Participation mechanisms are inclusive of all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> </tr> </tbody> </table> <p style="margin-top: 20px;">If you answered 'No' to any of the questions above please explain why giving details of any legal justification.</p>		Yes	No	N/A	The premises for delivery are accessible to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>	Consultation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>	Participation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>
	Yes	No	N/A														
The premises for delivery are accessible to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>														
Consultation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>														
Participation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>														

Checking information and communication arrangements

11 You now need to check the accessibility of your information and communication arrangements against the requirements below. Click on the hyperlink for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.



	Yes	No 	N/A
Customer contact mechanisms are accessible to all.	<input type="checkbox"/>	<input type="checkbox"/>	Y
Electronic, web-based and paper information is accessible to all.	Y	<input type="checkbox"/>	<input type="checkbox"/>
Publicity campaigns are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	Y
Images and text in documentation are representative and inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	Y

If you answered 'No' to any of the questions above please explain why, giving details of any legal justification.

Future Impact

12 Think about what your strategy, policy, project, contract or decision is aiming to achieve over the long term and the ways in which it will seek to do this. This is your opportunity to take a step back and consider the practical implementation of your strategy, policy, project, contract or decision in the future. As well as checking that people from diverse groups will not be inadvertently excluded from or disadvantaged by any proposed activities, it is also an opportunity to think about how you can maximize your impact, reach as many people as possible and really make a difference to the lives of everyone in Uttlesford regardless of their background or circumstances.

Is it likely to inadvertently exclude or disadvantage any diverse groups?

- Y No
- Yes * 
- Insufficient evidence 

*Please state any potential issues Identified.

OVERVIEW
70,000 residents
Demographic make up according to diverse groups.

Improvement actions	
13	<p>If your assessment has highlighted any potential issues or red flags, can these be easily addressed?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No* </p> <p><input type="checkbox"/> Y Not applicable</p> <p><i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i></p>

Making a judgement – conclusions and next steps

14	<p>Following this fast-track assessment, please confirm the following:</p> <p><input checked="" type="checkbox"/> Y There are no inequalities identified that cannot be easily addressed or legally justified </p> <p><input type="checkbox"/> There is insufficient evidence to make a robust judgement. </p> <p><input type="checkbox"/> Inequalities have been identified which cannot be easily addressed. </p>	<p>No further action required. Complete this form and implement any actions you identified in Q13 above</p> <p>Additional evidence gathering required (go to Q17 on Page 7 below).</p> <p>Action planning required (go to Q18 on Page 8 below).</p>
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15	<p>If you have any additional comments to make, please include here.</p> <p><input type="checkbox"/> None</p>
----	---

Completion

16	<p>Name and job title (Assessment lead officer)</p> <p>Cristine Oakey Procurement Manager</p>
	<p>Name/s of any assisting officers and people consulted during assessment:</p> <p>Date: 18/05/2016</p> <p>Date of next review: 01/03/2017</p> <p><i>For new strategies, policies, projects, contracts or decisions this should be one year from implementation.</i></p>

Committee: Cabinet

Agenda Item

Date: 26 May 2016

12

Title: Statement of Community Involvement

Portfolio Holder: Cllr Barker

Key decision: No

Summary

1. The appended report sets out the representations received, officer comments and recommendations following the consultation on the Statement of Community Involvement. It was considered by the Planning Policy Working Group on the 26 April 2016 where it was resolved to recommend to Cabinet that the amended Statement of Community Involvement be adopted.

Recommendations

2. That the amended Statement of Community Involvement as set out in the Report of Representation be adopted.

Financial Implications

3. None – consultation expenses can be met from existing budgets. .

Background Papers

4. Responses to the consultation

Impact

- 5.

Communication/Consultation	The SCI was subject to a 6 week period of consultation.
Community Safety	N/A
Equalities	The SCI makes sure that the methods of consultation used are such that all groups can be involved in consultation processes.
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A

Ward-specific impacts	All
Workforce/Workplace	N/A

Situation

- At their meeting in January 2016 the Planning Policy Working Group approved consultation on the draft Statement of Community Involvement. The consultation period has now finished and the attached report sets out the representations received and officer comments and recommendations.
- The representations and comments were considered by the Working Group at their meeting of 26 April 2016. No further changes were suggested.

Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
If the Council does not have an up to date SCI and has not carried out consultation in accordance with the regulations and the Statement of Community Involvement the Local Plan could be found un sound at examination.	Low	Delays in adopting the Local Plan	Making sure that the SCI is up to date and in accordance with the relevant regulations.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Introduction

The Statement of Community Involvement sets out the Council's approach to public consultation and involvement in the preparation of the Local Plan, other development plan documents and in the determination of planning applications.

The Statement of Community Involvement went out on public consultation from the 24 February until 8 April 2016. This report sets out the representations received, officer comments and recommendations.

Consultation Responses

In total seven representations were received from the following organisations:

- Essex Region Federation of Small Businesses
- Essex Local Access Forum
- Newport Parish Council
- Takeley Parish Council
- Historic England
- Epping Forest District Council
- Uttlesford Local Group Essex Wildlife Trust
- Harlow Council (**Late response**)

General Comments

Local Group Essex Wildlife Trust are disappointed that there is not section on linking the Local Plan with any environmental strategy and the whole approach appears to be biased towards development and against environmental protection and enhancement. They also note that there are no environmental bodies or organisation involved as Key Stakeholders.

Historic England considers the methods of communication appropriate and the document is clearly laid out.

Takeley Parish Council question why UDC has planned the public consultation over the Christmas period and are unhappy that UDC will not act on the comments at this stage as they are sent to the Inspector – how will the Statement of Compliance be fulfilled? They are unhappy that the process for determining housing sites is not needs driven rather it is developer lead, and express the need for a strategic plan and infrastructure delivery programme. They strongly believe that the new Local Plan is lacking community involvement and is flawed. They suggest that there should be meaningful consultation, appropriate resources should be engaged and the March submission deadline should be extended.

Essex Local Access Group state that they play an important role in strategic development.

Officer Comments

Uttlesford District Council consult with a number of environmental groups throughout the plan preparation including the Environment Agency, Natural England and Essex Wildlife Trust.

In order to meet government priorities for timely plan preparation and to reflect the 2012 Planning Regulations the preferred option consultation stage has been removed. In the past a Preferred Options consultation has been undertaken as was required by previous legislation. That legislation has been changed to reflect the need to develop evidence that can inform decisions. The removal of the preferred options consultation will allow the submission document to be properly informed by evidence. Equally it will allow more focused engagement on specific issues prior to the submission stage.

The government has stated that local planning authorities need to produce local plans by early 2017 or face intervention. The Council has a tight time scale in order to meet the government's timetable.

Officer Recommendation

No changes

Paragraph 3.1-3.3

Epping Forest states that despite the title these paragraphs make no mention of PPTS 2015, or its implications, especially in terms of Duty to Co-operate. They stress that this a difficult issue for them as a 92% Green Belt authority and thus likely to be seeking options for possible joint provision.

Officer Comments

Paragraph 3.1 makes specific reference to Planning Policy for Traveller Sites and the importance of early and meaningful engagement with neighbourhoods, local organisations and businesses. It is recognised that no reference is made to the duty to co-operate or engagement with neighbouring authorities.

Officer Recommendation

Amend the text in paragraph 3.1 as below:

The National Planning Policy Framework (NPPF) March 2012 and Planning Policy for Traveller Sites August 2015 replaced previous planning policy statements and guidance. It sets out the government's vision for the planning system and how policies should be applied. It stresses the importance of early and meaningful engagement with neighbourhoods, local organisations and businesses **as well as neighbouring authorities under the duty to –co-operate.**

Page 7

Takeley Parish Council fundamentally disagree that there is an opportunity for meaningful consultation on the new local plan.

Officer Comment

In order to meet government priorities for timely plan preparation and to reflect the 2012 Planning Regulations the preferred option consultation stage has been removed. In the past a Preferred Options consultation has been undertaken as was required by previous legislation. That legislation has been changed to reflect the need to develop evidence that can inform decisions. The removal of the preferred options consultation will allow the submission document to be properly informed by

evidence. Equally it will allow more focused engagement on specific issues prior to the submission stage.

Officer Recommendation

No change

Section 4

Epping Forest notes that there is no mention of infrastructure development plan.

Officer Comments

Epping Forest's point is noted.

Officer Recommendation

Add a bullet point at the end as follows:

- **Infrastructure Delivery Plan (IDP)** – sets out the infrastructure requirement to support new development as set out in the local plan.

Section 5

Epping Forest suggests mentioning the Co-operation for Sustainable Development Officer Group and Member Board. Under the shared evidence base mention could be made of the Hardisty Jones report on employment and economic evidence.

Officer Comments

Paragraph 5.2 states that the Council takes part in regular officer groups. It is not felt necessary to mention specific officer groups as the names of those groups may change and new groups formed.

It is not considered necessary to mention specific evidence base work as there are a number of joint documents produced and updated as well as new work commissioned.

Officer Recommendation

No change

Table following paragraph 16.4

Epping Forest state that the Local Plan Regs are unhelpfully worded for this stage, comments should be limited to points about the four soundness tests and legal compliance – the way this section is worded does not make this clear and it would be quite understandable for consultees to continue to think that comments can be made on policy issues.

Officer Comments

The pre submission consultation provides an opportunity for public consultation, the focus of this engagement is indeed different to past consultation; at this stage of the process the Planning

Inspector is only able by law to consider representations on matters of soundness and legal compliance.

Officer Recommendation

Amend table as suggested below:

Publications (Local Plan Pre-Submission Regulation 19)	Each document will be published for a formal consultation period. Written representations will be invited on the content matters of soundness and legal compliance of the document. At this stage the consultation document will be advertised and the document made available to all statutory consultees. The Council will prepare a summary of the representations which will be presented to the Inspector at the examination.
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Table on page 12

Harlow Council request for the specific consultation bodies to be listed in the research process so as an understanding of neighbouring authorities are understood at an early stage.

Officer Comments

This is considered a valid point and the table will be amended to address this point.

Officer Recommendation

The table to be amended at the research of draft plan stage as set out below:

Specific consultation bodies	<ul style="list-style-type: none">• <i>Meetings</i>• <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>
------------------------------	---

Table on page 15

Harlow Council advice that whether a specific consultation body is affected by an SPD will be for each individual specific consultee to decide for themselves rather than UDC pick and choose, all specific consultees should be consulted.

Officer Comment

This comment is noted and the Council agree that all specific consultees will be sent SPDs to comment on.

Officer Recommendation

Amend the table as follows:

Specific consultation bodies ~~affected by the SPD~~
General Consultation bodies as appropriate
Other agencies and community groups affected
by SPD

Section 23 – Linking the Local Plan with Economic Development Strategy

Essex Region Federation of Small Businesses applauds the Council's aim to support and encourage the growth and development of businesses. It questions how this will be achieved in the absence of an approved Local Plan. The strategy suggest that economic development is driving the amount of housing development needed, however this is not the premise on which the Local Plan is being developed and as a result there is a danger that business development issues will be lost in achieving housing numbers. They suggest that a balance between housing needs and local work provision is sensible, however this would require a strategy whereby housing development drives the amount of economic development needed to facilitate local employment. They point out that small and medium businesses have difficulty in local recruitment and finding premises in the District.

Officer Comments

The Council recognise that they do not have an up-to-date local plan and are progressing in preparing a new local plan with adoption planned for 2017. As part of the evidence base an Economic Development Strategy is being produced and the Local Plan will take into consideration and allocate employment land within the District.

Officer Recommendation

No change

Paragrah 25.2 – Stakeholders and Community Groups

Harlow Council request the wording is changed to offer a concise and definite liost of adjoining district councils.

Officer Comments

This point is noted and amended text is proposed.

Officer Recommendation

Adjoining District Councils – ~~such as~~ Braintree, East Hertfordshire, Epping Forest, Harlow and South Cambridgeshire

Section 26 – Planning Applications

Newport Parish Council is disappointed at the lack of weight and any recognition that UDC gives to the views and representation of the Parish Councils and local residents opinions when making planning decisions.

Officer Comments

Newport parish councils comments are noted. The Parish Council is consulted with on all planning applications and given the opportunity to express their views. All representations are taken into consideration.

Officer Recommendation

No change



UTTESFORD DISTRICT COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

May 2016



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Amendment to the Statement of Community Involvement 2016

- I. Uttlesford District Council's first Statement of Community Involvement was adopted in July 2006 following a six week public consultation period and review by an independent Inspector. An annex was produced in 2009 to take account of new regulations. A new SCI was adopted in June 2015 following a full review.
- II. Many areas of the SCI have remained largely unchanged and up-to-date and have not needed significant revision. Changes have related to updating legislation where these have changed and consultation on planning applications. Hyperlinks to the Council's website have been added where appropriate.

Consultation on draft revised Statement of Community Involvement

- III. This draft Statement of Community Involvement will be subject to a six week public consultation period.

UTTLESFORD STATEMENT OF COMMUNITY INVOLVEMENT

1. Introduction

- 1.1. Uttlesford District Council works to improve the quality of lives of people who live in, work in, or visit the district. One of the ways we do this is by talking to and hearing from individuals and organisations in Uttlesford about their concerns, ideas and ambitions.
- 1.2. The Council encourages community participation through effective consultation and engagement and improving community forums to reflect closer working with all sectors of the community. (Corporate Plan 2014-2019)

2. What's it all about?

- 2.1. In January 2005 the Uttlesford Local Plan was adopted. The Council is preparing a new Local Plan for the District covering the period 2011-2033.
- 2.2. The legal requirements for consultation and community involvement in plan making are set out in Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.3. Uttlesford District Council has produced this Statement of Community Involvement (SCI) to make sure we involve individuals and organisations in Uttlesford in the planning system.
- 2.4. The benefits of the development plan system include:
 - documents which are more appropriate and responsive to changing local needs
 - involving the local community and stakeholders from the beginning and throughout the preparation of the planning documents,
 - seeking agreement early in the preparation of documents, and
 - delivering plans that contribute to achieving sustainable development.

3. National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2015

- 3.1. The National Planning Policy Framework (NPPF) March 2012 and Planning Policy for Traveller Sites August 2015 replaced previous planning policy statements and guidance. These set out the government's vision for the planning system and how policies should be applied. It stresses the importance of early and meaningful engagement with neighbourhoods, local organisations, businesses and neighbouring authorities, under the duty to co-operate, to produce a Local Plan.
- 3.2. The National Planning Policy states that the purpose of the UK planning system is to contribute to the achievement of sustainable development. To achieve this, the

planning process must be guided by an up-to-date, forward looking plan (plus other relevant policy documents).

- 3.3. Each local authority must prepare a local plan which may be supported by other planning documents that together guide development in the area. All decisions on proposed new development will be judged against the policies in the local plan (plus other relevant policy documents).

4. The Local Plan and supporting documents

4.1. The Local Plan and its supporting documents are set out below:

- **Local Plan Development Plan Documents** (DPDs) when adopted, constitutes the statutory development Plan for the District (see also role of Neighbourhood Plans below).
- **Neighbourhood Development Plans** - The Localism Act (2011) introduced reforms to the planning system and enables communities, through the establishment of neighbourhood plan areas to create Neighbourhood Plans with the support of the Council. The Neighbourhood Planning (General) Regulations 2012 provide further detail to the process of Neighbourhood Planning, including the consultation and publication of neighbourhood areas and plans. Once adopted a Neighbourhood Plan will become part of the Development Plan.
- **Supplementary Planning Documents** (SPDs) - SPDs do not have development plan status but they can provide further detail and guidance on policies set out in the DPDs.
- **Local Development Scheme** (LDS) - the project plan for preparation of the Local Plan
- **Statement of Community Involvement** (this document) - setting out the Council's arrangements for involvement of the public and other stakeholders in the preparation of Local Plans and in consultation on planning applications for development proposals.
- **Monitoring** - The progress of the Local Plan is monitored to record and assess the preparation of the plan, including any requirement to amend the LDS. Annual monitoring reports can be found on the Council's website. Once the Local Plan is adopted, the Annual monitoring Report will be called the Authorities Monitoring Report in line with the Planning Regulations 2012.
- **Community Infrastructure Levy** - The Community Infrastructure Levy (CIL) is a mechanism to collect money from developers. Money collected this way would be used to support development by funding infrastructure that is needed due to development in the District. The Council has decided that it will not have a CIL at present; this decision will be reviewed in 2016.gh
- **Infrastructure Delivery Plan** (IDP) – Sets out the infrastructure requirement to support new development as set out in the local plan.

5. Duty to Cooperate

- 5.1. Section 10 of the Localism Act (2011) introduces a Duty to Co-operate which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters. There are a number of issues such as transport that have impacts that cross local authority boundaries. The Council will explore constructive approaches to work jointly with neighbouring authorities, and wider if necessary and public bodies to make sure that strategic priorities are reflected and, where appropriate, addressed in the Local Plan. As part of the consultation process, at the early stages of document preparation, we will liaise with the duty to co-operate bodies to ascertain what aspect of the plan preparation they wish to be engaged with and how. This may also provide the opportunity for joint working and establishing a shared evidence base.
- 5.2. The Council takes part in regular discussions with neighbouring authorities through both individual meetings and officer forums.

6. Neighbourhood, Community and Parish Planning

- 6.1. The localism Bill makes provision for communities to prepare their own Neighbourhood Development Plans. They can be prepared by Town and Parish Councils. These plans can set planning policies to guide future development in the parish. These plans must be in conformity with national policies as well as the Council's local plan and development plans which are adopted, or going through the adoption process. The process for preparing a neighbourhood plan is set out in the Neighbourhood Planning (General) Regulations 2012. Once a neighbourhood development plan has been successfully been through referendum it becomes part of the local plan for the District.
- 6.2. A community can also produce a Neighbourhood Development Order or a Community Right to Build Order. These can be instead of, or in conjunction with, a neighbourhood development plan and would result in effectively granting planning permission for certain types of development in specified areas. Such orders, however, cannot remove the need for other permissions such as Listed Building or Conservation Area consent.
- 6.3. The Council is working with the Rural Community Council of Essex to develop tools to enable local communities to prepare Neighbourhood Development Plans or other forms of community and Parish plans.

7. Timeframe

- 7.1. The Council aims to have its new Local Plan adopted in 2017. The Council has published a Local Development Scheme (LDS) which sets out which documents will be produced and when. The latest version of the LDS is available on the Council's website.

8. What is the SCI for?

- 8.1. The NPPF and regulations place significant emphasis on early community involvement. This SCI sets out how the community will be involved in the development of the Local Plan it also outlines how the Council will consult the community on planning applications.
- 8.2. The Council has to make sure that all development plan documents and planning applications processes are consistent with the commitments made in this statement.

9. The benefits of getting involved

- 9.1. The Local Plan must take account of the environmental constraints as well as setting out the sorts of development needed to help people live and work in the district. That is why it is important that you get involved when plans are prepared.
- 9.2. The Council sees the following benefits to early community and stakeholder involvement:
 - Community groups and the wider public have the opportunity to take an active part in developing proposals and options;
 - can draw on local knowledge; and
 - resolves issues and minimises conflict.

10. How was this statement developed?

- 10.1. This Statement of Community Involvement has been prepared in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and in accordance with the changes in The Town and Country Planning (Local Planning) (England) Regulations 2012.

11. Our Community

- 11.1. Our 'community' includes all of the individuals, groups and organisations that live, work or operate within the District. We recognise that the different groups that make up our community have different needs and expectations. They also have different desires, capabilities and capacity to get involved, as set out on the following pages.
- 11.2. To make sure it is effective in improving community involvement in planning, this Statement of Community Involvement recognises these differences.

Local Communities

The interests of local communities are represented by County, District, Parish and Town Councils, all have the capability to be involved. Specific interests can be represented by amenity or interest groups. The community is made up of individuals who have the ability to respond in their own right; however particular sections of local communities can find it harder to get involved.

Other Agencies

Other organisations can provide valuable views regarding specific Development Plans. These organisations are easy to identify and generally have the capacity to be involved. Some may need support in understanding the Local Plan process and how it relates to their operations so they are able to contribute effectively

Statutory Stakeholders

There are certain groups that we have to involve. These include Historic England, Environment Agency, Highway England, Natural England, Essex County Council, Parish/Town Councils and neighbouring authorities.

Developers and Landowners

Developers are already involved in the planning system and, will seek to be involved. Most can be easily identified via previous involvement and have the capability to be involved. Landowners will be keen to understand and consider the implications of any policies/decision in order to protect their rights they have to develop or protect their land and its value. Both groups will be supported in being more actively involved in the Local Plan.

Service Providers

Service providers include local health trusts/Clinical Commissioning Groups, schools, utility and transport providers, emergency services, community development organisations and others. All of these can be easily identified and have the capacity to be involved in the Local Plan process. However we will seek to involve them only when it is relevant for them.

Business Sector

Local businesses range in size from the self-employed and small businesses to larger organisations. As such so does their capacity to be involved. Whilst larger organisations may have the capacity to get involved more actively, smaller organisations may need support in understanding the system, how it relates to them and how they can get involved. The interests of the business sector can also be represented by organisations such as Chambers of Commerce. The Council will continue to improve its engagement with the business community.

12. Improving participation

- 12.1. It is usually the case that the same people get involved in planning issues on an on-going basis, with other individuals getting involved when things affect them, such as a planning application local to them.
- 12.2. In developing the SCI we recognise that the planning system can be complex and confusing and that this can stop some people getting involved. The Council therefore intends to improve the way we communicate general information about local planning and development to the wider community.
- 12.3. By recognising the needs of different groups, and making involvement relevant and accessible, we aim to improve the number of people who can and want to get involved.

13. Improving Representation

- 13.1. The Council aims to pay particular regard to the needs of different disability groups. For example we aim to work with Talking Newspapers and Support for Sight to distribute information, to produce documents in different formats and provide a signing communicator at meetings when needed. We will continue to work with Uttlesford Area Access Group.
- 13.2. We will pay particular attention to make sure those living in the more isolated and rural parishes are informed and have the opportunity to be involved. We will work with parish councils and other village organisations to engage with them.
- 13.3. The Council recognises that there are a growing number of households who are financially constrained from entering the private housing market. The Council wishes to make sure such people, and organisations that work for those in housing need, have the opportunity to influence and direct planning policy on housing matters.
- 13.4. We will work with the Uttlesford Youth Initiatives Working Group, through youth groups and schools to inform young people about planning and encourage them to express their aspirations for their local area.
- 13.5. The Council will work with organisations and charities that support the elderly and ethnic minority communities within the district to make sure that the elderly and ethnic communities know what is going on and how they can get involved if they want to.
- 13.6. We aim to involve Gypsies and Travellers and Travelling Showpeople by working with their relevant representatives to make sure that they know what is going on and how they can get involved.

14. Our principles on Community Involvement

- 14.1. Even with significant effort we cannot persuade everyone to get involved, we have to recognise that there are limits to our resources and we have to be realistic in our aspirations for community involvement. Our principle is to provide everyone with the

opportunity to know what's going on and how they can get involved if they want to. We aim to do this by:

- involving people where the issue is relevant to them;
- at a time in the process where their views can influence outcomes;
- by a method appropriate for the purpose and issues being discussed and the people involved; and
- at a suitable and accessible venue.

15. What we will be consulting on

15.1. The Council will be consulting on the following documents:

15.2. **Statement of Community Involvement** – (this document) sets out the Council's programme for consultation in producing Development Plan Documents, Supplementary Planning Documents and community involvement in planning applications. The Council will carry out further revisions of this document in accordance with the guidelines in it/reflect government priorities.

15.3. **Local Plan** - This will set out and justify the Council's vision and core policies for the future development of the district. It will identify locations for housing, employment and other development. The Local Plan will also include development management policies which will guide the Council's decisions for planning applications.

15.4. **Policies Map and Inset Maps** - The policies map will show all the policies and proposals and identify areas of protection. Inset Maps will be used to show parts of the policies map at a more detailed scale.

15.5. **Supplementary Planning Documents (SPD)** - The Council will prepare Supplementary Planning Documents to expand policy or to provide further details to policies in Development Plan Documents, as appropriate. Government guidance is that SPD should be used to help applicants make successful applications or aid infrastructure delivery.

15.6. **Strategic Environmental Assessment (SEA)/Sustainability Appraisal (SA)** - SEA/SA is a process that will make sure that social, economic and environmental considerations are fully taken into account at every stage of preparation for each development plan document and Supplementary Planning Document.

16. Involvement in the Local Plan

16.1. There are 5 stages to the production of the Local Plan. These stages are illustrated in the table below. The Council wishes to see the community and stakeholders involved in each stage of the document's production.

16.2. The stages are the same for the Supplementary Planning Documents except that there is no submission or examination.

- 16.3. There is a minimum requirement for consultation which the Council must undertake as set out in the regulations. However the Council aims to go further than the minimum requirement to make sure there is effective and broad community involvement.
- 16.4. There are several stages involved in preparing a Local Plan or Development Plan Document which are outlined in the table below:

Plan Preparation Stage	Information
Research, Evidence, Issues and Options (Regulation 18)	<p>During the early stages of plan preparation the Council will gather information and evidence about the area in order to assess and identify issues and options for addressing the areas need.</p> <p>Consultation on the issues and options may include detailed stakeholder consultation or wider more extensive consultation. The Council will also assess the requirements of government guidance, corporate strategies and technical information.</p>
Publications (Local Plan Pre-Submission Regulation 19)	<p>Each document will be published for a formal consultation period. Written representations will be invited on matters of soundness and legal compliance of the document. At this stage the consultation document will be advertised and the document made available to all statutory consultees. The Council will prepare a summary of the representations which will be presented to the Inspector at the examination.</p>
Submission (Regulation 22)	<p>The document will be submitted to the Secretary of State for independent examination along with the background evidence, SEA/SA and a statement of public involvement in the process.</p>

Plan Preparation Stage	Information
Examination (Regulation 24)	<p>An examination will be held by an Inspector, appointed by the Planning Inspectorate. The Inspector will examine the documents submitted and may ask the Council for additional information before opening the formal examination. In most cases an Inspector will hold a Pre-Hearing Meeting to explore the main issues. The hearing sessions will be arranged with six weeks' notice given in advance of the beginning of the hearings. Only those people who submitted representations at the publication Regulation 19 stage are entitled to be heard at the examination.</p> <p>The Inspector will assess the soundness of the plan and will prepare a report for the Council. That report will set out the Inspectors recommendations to the Council. The Council must then consider the report and the recommendations.</p>
Adoption (Regulation 25)	The Council will adopt the Local Plan as soon as practical following consideration of the Inspector's report.

17. How will we involve people?

- 17.1. Information – providing information, for example through local media, leaflets and the website. We will provide information on what the Council is doing, what stage it is at in the preparation of the documents, where documents can be inspected, and how people can get involved.
- 17.2. Consultation - consulting people on their views through questionnaires, meetings and exhibitions. Consultation will take place informally during the research stages of documents and formally during the publication stages where people can comment on the Council's proposed policy direction.
- 17.3. Participation – such as in workshops and forums where people would be more actively involved in identifying needs and priorities. By participating people will have the opportunity to have a real say in the issues and options the document should cover.
- 17.4. The table below identifies the benefits of different methods of involvement and their resource implications. All of the methods will not be used for every document; the most appropriate method will be chosen each time.
- 17.5. The following tables show how people could be involved and at which stages in the process.

INFORMATION	Method	This is useful for....	Resource Implications
	Media e.g. Publicity in local newspapers; Articles in Parish Magazines; Housing newsletter; Talking Newspaper; Uttlesford Life	Raising awareness. Reaching wide audience. Publicising how to get involved.	Low. Staff time to prepare material.
	Internet Uttlesford Website, and email shot; Facebook and Twitter	Up to date information about progress and how to get involved. Access to documents to meet minimum requirement.	Low. Posting information online is low cost once established.
	Leaflets and posters	Raising awareness. Reaching wide audience. Publicising how to get involved.	Medium. Production of material can involve significant costs. Staff time to prepare and distribute material.
	Letters to statutory bodies	To meet minimum requirement.	Low. Staff time to write and administrate posting.
	Mailing list of persons and companies wishing to be notified	Keeping people up to date on key stages and how to get involved.	Low. Staff time to write and administrate posting.

CONSULTATION	Documents available for to view and comment on via the Council's on-line consultation portal Objective.	Meeting minimum requirement in allowing everyone the opportunity to comment on draft documents via a range of methods.	Low/Medium: staff time to prepare the documents for the on-line consultation period.
	Documents available for inspection at principal and other offices and Libraries.	Meeting minimum requirement in allowing everyone the opportunity to comment on draft documents.	Low. Staff time may be needed to answer questions.
	Questionnaires Paper and electronic format.	Focus consultation on key questions. Can target specific groups.	High: Specialist skills required for questionnaire design. Staff time to collate responses.
	Parish/Town Council meetings	Reaching community groups through existing meetings. Gain understanding of views regarding a specific area.	Low: Staff time to attend meetings and prepare any material.
	Town and Parish Council Forum	Active involvement of local councils.	Low/Medium: Staff time to attend and prepare material.
	Pre-existing Forum	Disseminate information and canvass opinion from selected groups.	Low/Medium: Staff time to attend and prepare material.
	Uttlesford Futures meetings	Active involvement of the Local Strategic Partnership.	Low/Medium: Staff time to attend and prepare material.
	Citizens Panel	Help gain more understanding of public concerns.	Low/Medium: Staff time to attend and prepare material.

PARTICIPATION	Focus groups (selected groups of participants with particular characteristics).	Useful for area based or topic specific discussions and presentation of options. Help gain more understanding of public concerns.	Low/Medium: Staff time to attend and prepare material.
	Workshops	Bringing together representatives from different sectors to be actively involved in identifying issues/options and priorities.	Medium/High: Time is needed for preparation. Specialist skills may be required.

Methods of Consultation in Italics are over and above the requirements of the regulations.

Development Plan Documents			
Stage	To check -	With who	How
Research of Draft Plan	Develop framework Identify all issues and options.	Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> • <i>Town and Parish Council Forum meetings</i> • <i>Letter</i> • <i>Questionnaire</i> • <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>
		Local groups Amenity bodies	<ul style="list-style-type: none"> • <i>Letter</i> • <i>Questionnaires</i> • <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>
		Local Strategic Partnership	<ul style="list-style-type: none"> • <i>Uttlesford Futures Meetings</i>
		Developers/Agents / Youth	<ul style="list-style-type: none"> • <i>Forums</i> • <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>
		Specific consultation bodies	<ul style="list-style-type: none"> • <i>Meetings</i> • <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>

		General Public	<ul style="list-style-type: none"> • <i>Citizens Panel</i> • <i>Article in Uttlesford Life</i> • <i>Consultation leaflets/posters</i> • <i>Publicity in local newspaper</i> • <i>Articles in Village Magazines</i> • <i>Focus Groups where area based or topic discussions will help develop issues and options</i> • <i>Public Exhibition where visual presentation will help present and clarify issues and options</i> • <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i>
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Development Plan Documents			
Stage	To check -	With who	How
	Scope and context of baseline information of Sustainability Scoping Report	Natural England Historic England Highways England Environment Agency Essex County Council	<ul style="list-style-type: none"> • <i>Request necessary baseline information</i> • <i>Meetings to discuss specific issues as necessary</i> • <i>Send copies</i>
Publication	Assess suitability of Council's preferred policy	Specific and general consultation bodies	<ul style="list-style-type: none"> • <i>Notify specific and general consultation bodies</i>
		Local Strategic Partnership	<ul style="list-style-type: none"> • <i>Uttlesford Future Meetings</i>
		General Public	<ul style="list-style-type: none"> • <i>Available at principal and other offices</i> • <i>Publish on website</i> • <i>Consultation leaflets/posters</i> • <i>Publicity in local newspaper</i> • <i>Articles in Village Magazines</i> • <i>Available at libraries</i> • <i>Anyone who asked to be notified from previous stages.</i>
Consultation on Pre Submission document and Sustainability Appraisal Report		Specific and general consultation bodies	<ul style="list-style-type: none"> • <i>Notify to specific and general consultation bodies</i>
		General Public	<ul style="list-style-type: none"> • <i>Available at principal and other offices</i> • <i>Publish on website</i> • <i>Notify anyone asked to be notified from previous stages</i>
Examination	Soundness	All	<ul style="list-style-type: none"> • <i>Publish details on website</i> • <i>Write to representors</i> •
Publication of Inspectors recommendations		All	<ul style="list-style-type: none"> • <i>Available at principal and other offices</i> • <i>Publish on website</i> • <i>Send to anyone asked to be notified</i>
Adoption		All	<ul style="list-style-type: none"> • <i>Available at principal and other offices</i> • <i>Send to Town and Parish Councils/meetings</i> • <i>Publish on website</i> • <i>Send to anyone asked to be notified</i>
Annual Monitoring Report	Effectiveness of policies	All	<ul style="list-style-type: none"> • <i>Publish on website</i> • <i>Available at principal office</i>

Supplementary Planning Documents			
Stage	To check -	With who	How
Community involvement during preparation	Scope and form	Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> • <i>Parish Council Forums</i> • <i>Letter</i> • <i>Meetings with relevant Councils on Development Briefs or Master Plans for large sites</i>
		Specific consultation bodies. General Consultation bodies as appropriate. Other agencies and community groups affected by SPD	<ul style="list-style-type: none"> • <i>Letter</i> • <i>Meetings with relevant bodies/groups on Development Briefs or Master Plans for large sites</i>
	Scope and context of baseline information of Sustainability Scoping Report	Natural England Historic England Environment Agency Essex County Council	<ul style="list-style-type: none"> • <i>Request necessary baseline information</i> • <i>Meetings to discuss specific issues as necessary</i> • <i>Send copies</i>
Public Participation on Draft SPD and Sustainability Appraisal	Well reasoned, easy to understand and comprehensive	General Public	<ul style="list-style-type: none"> • <i>Available at principal and other offices</i> • <i>Publish on website</i> • <i>Available at libraries</i>
		Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> • <i>Letter</i>
	Soundness of Sustainability Appraisal Report	Specific consultation bodies General Consultation bodies as appropriate Other agencies and community groups affected by SPD	<ul style="list-style-type: none"> • <i>Letter</i> • <i>Send to anyone asked to be notified from previous stages</i>
Adoption		All	<ul style="list-style-type: none"> • <i>Available at principal office</i> • <i>Publish on website</i> • <i>Send to anyone asked to be notified</i>
Annual Monitoring Report.	To assess effectiveness of SPD	All	<ul style="list-style-type: none"> • <i>Available at principal office</i> • <i>Publish on website</i>

Methods of Consultation in Italics are over and above the requirements of the regulations.

18. Feeding information into decisions

- 18.1. The information and comments we obtain through participation and consultation with the community and stakeholders will be used to inform the Council's decisions and shape any documents produced.
- 18.2. The Planning Policy Working Group meets regularly to steer and monitor the programme preparation of the local plan and associated documents.
- 18.3. It is the responsibility of Planning Officers to prepare documents, undertake consultation, consider the comments and recommend action to the Member Working Group and Cabinet and then implement the decisions of Members. The recommendations should clearly explain the reasoning for the recommendation taking into account the views of stakeholders and consultees.
- 18.4. Cabinet is responsible for approving plans and related documents for consultation and submission. Full Council is responsible for approving the submission and adoption of the Local Plan. Any future changes to the delegation of decisions will be set out in the Council procedures and Standing Orders.
- 18.5. At the end of statutory consultation periods the Officers will produce documents summarising the representations received, officer comments and recommended changes, with a justification for those changes. These reports will be considered by the Member Working Group who will give advice and guidance to Cabinet Members'. All documents and comments will be reported in minutes of the Working Group.
- 18.6. As a result of all the consultation undertaken in the production of a document the Council will produce a document entitled the Statement of Compliance, which will summarise the main issues raised in those consultations and how these have been addressed in the submission document.
- 18.7. All documents produced will be available at the Council's principal office and on the Uttlesford website.
- 18.8. Local Plans and Development Plan Documents on consultation will also be sent to the Council's other offices, local libraries and Town and Parish Councils.

19. Making effective use of resources

- 19.1. Community Involvement will require resources and time, particularly for more active involvement activities. We will optimise resource efficiency by:
 - Giving greater emphasis to the community role of district councillors – listening to local concerns and acting as community advocates with the Council
 - Giving greater emphasis to the community role of Town and Parish Councils - listening to local concerns and acting as community advocates, with the Council.
 - Learning from and using the skills of other organisations e.g. Local Strategic Partnership and the Rural Community Council for Essex

- Choosing the most appropriate and efficient method taking into account the resources available and the effectiveness of that method in achieving the commitments set out in this Statement.
- Sharing involvement activities e.g. links with the Community Strategy to optimise their value and so that we do not over consult the community.
- Making sure that financial resources are available through the Council's annual budget and prioritisation process.

20. Monitoring and evaluation

- 20.1. The Council wishes to make sure that this SCI is successful and so we will monitor its value both in informing and shaping the local plan and providing the people in Uttlesford the opportunity to be more effectively involved. The Submission documents will be accompanied by a Statement of Compliance, which will highlight how the SCI has been followed, the main issues raised by the consultation and how these have been addressed in the Document. The consultation database will be kept up-to-date.
- 20.2. The SCI will be kept under review and updated as and when necessary.

21. Linking the Local Plan with the Community Strategy

- 21.1. The Community Strategy is a statement of overall objectives, priorities and actions for the District. Within Uttlesford the community strategy is known as Uttlesford Futures. The strategy is managed by a Local Strategic Partnership (LSP) which is made up of key stakeholders including the Uttlesford Council for Voluntary Services, Essex County Council, Essex Police, Uttlesford Association of Local Councils, Federation of Small Businesses, Learning and Skills Council, Essex Fire and Rescue as well as the District Council. The emphasis is on coordinating the activity of many different authorities, agencies, voluntary bodies and private sector organisations to address the concerns and aspirations of local people.
- 21.2. The Council recognise that creating effective links between the Local Plan and Uttlesford Futures makes sense, as it will provide an integrated approach to the future development of Uttlesford. The Local Plan is one way of delivering the aims of Uttlesford Futures, particularly those relating to land use and development.
- 21.3. The Council will consider how the Local Plan and Uttlesford Futures can be linked in terms of policy content and processes. The Council will try to make sure that the two documents complement each other where appropriate, linking the visions and objectives of each document and identifying aspects in Uttlesford futures that relate to the use or the development of land e.g. conserving the countryside; providing affordable housing.
- 21.4. The process involved in producing the Local Plan and Uttlesford Futures will be combined or linked wherever possible through combined community involvement activities and sharing information gathering and monitoring processes.

22. Linking the Local Plan with the Housing Strategy

- 22.1. One of the Council's key objectives for housing, as set out in the Housing Strategy is to make sure the housing requirement for Uttlesford is met creating balanced and sustainable communities that are safe, attractive and healthy places to live while meeting local needs in terms of housing types and tenure including affordable and

special needs housing. The policies of the Local Plan are one way of delivering this objective. As with the Community Strategy above the Council will consider how the local plan and Housing Strategy Statement can be linked in terms of objectives, combining consultation and sharing information gathering and monitoring.

23. Linking the Local Plan with the Economic Development Strategy

23.1. The Council will support and encourage the growth and development of local businesses. Uttlesford Economic Development Strategy sets out the aims and actions the Council will take in supporting the development of the local economy. The Local Plan ties in with this Strategy as it sets out the spatial planning framework for economic development and the amount of housing development needed to support the Districts economic growth.

24. Linking the Local Plan with community-led plans

24.1. The Council will support and encourage communities to develop their own community-led plans. Any plans that are produced may be used by the Council to help put together its own plans for the District or a specific area. Community-led plans may include:

- Village/Town Design Statements
- Parish Plans
- Neighbourhood Development Plans

24.2. The Council will continue to work with the Rural Community Council of Essex to encourage this type of participation.

25. Stakeholders and Community Groups

25.1. The Council is required by legislation to consult 'specific consultation bodies' and other interest groups which cover the whole range of voluntary, community, special interest, amenity and business interests, referred to as 'general consultation bodies'. The list below refers to types of groups rather than listing every individual group and organisation. The lists are not exhaustive, the Council maintains a comprehensive list of consultees which is updated regularly.

25.2. The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 18) defines the following bodies as '**specific consultation bodies**':

- The Coal Authority (who have confirmed that they do not wish to be consulted by Uttlesford)
- Environment Agency
- Historic England
- Marine Management Organisation (Not applicable to Uttlesford)
- Natural England
- Network Rail Infrastructure Limited
- Any person to whom the electronic communications Act 2003, and who owns or controls electronic communications apparatus situated in any part of the local planning authority's area
- Any person to whom a licence has been granted under section 6 (1) (b) or (c) of the electricity Act 1989

- Any person to whom a licence has been granted under section 7 (2) of the Gas Act 1986
- Sewage Undertakers
- Water undertakers
- Homes and Communities Agency
- Clinical Commissioning Groups
- Highways England
- County Council (Essex County Council)
- Parish and Town Council, including those within the District and those that adjoin the District.
- Adjoining District Councils - Braintree, East Hertfordshire, Epping Forest, Harlow and South Cambridgeshire
- Greater London Authority
- General Consultation Groups

25.3. When preparing Development Plan Documents, Supplementary Planning Documents and the SCI the Council will seek to engage and consult, where appropriate, with the general public, the wider community, neighbourhood forums and hard to reach groups.

25.4. The Regulations 2012 define the following as ‘general consultation bodies’:

- Voluntary bodies some or all of whose activities benefit any part of the planning authority’s area; e.g. Campaign to Protect Rural Essex, Citizens Advice Bureau, Sports Organisations, Registered Social Landlords.
- bodies which represent the interests of different racial, ethnic, national and disabled groups; e.g. Older peoples groups, Youth groups, Ethnic minorities organisations, Faith groups and churches, Gypsies and Travelling Showmans Guild.
- Business Groups including Bodies which represent the interests of the Business Community in the District e.g. Chambers of Trade and Commerce, Business Groups, Local Enterprise Partnerships, Landowner and Farming Organisations.
- Other Bodies, this can include Schools, colleges, other education and training providers, developers and planning consultants/agents, health organisations, environmental groups, rail and bus companies, house builders, Essex Police, Essex Fire and Rescue, East of England Ambulance Service, Town/village societies, Uttlesford Futures and any group or individual expressing an interest in the Local Plan at any stage in the process.

26. Involvement in planning applications

26.1. The Council is already required to undertake consultation on planning applications. The following table outlines the minimum action the Council will take to provide you with an opportunity to put forward your views on a planning application.

Pre-applications

26.2. Involving people before an application is made allows them to influence development as it is being designed, and helps to identify issues that can become major barriers if left until later in the process.

26.3. Applicants will be encouraged to involve the community at this stage, particularly in more significant or contentious developments. The Council could not refuse to

consider a valid planning application because it disagrees with the way the applicant has consulted the community. However, a failure by the applicant to consult could give rise to objections being made, which could lead to delays in determining the application.

- 26.4. The aim of the process should be to encourage discussion before a formal application is made and therefore to try to overcome objections and avoid unnecessary objections being made at a later stage.
- 26.5. The Council has prepared Guidance Notes and a Planning Application Checklist which can be found on the website under [Planning Application Forms and Checklists](#)¹
- 26.5.1. The guidance notes provide advice on completing an application form, and the checklist is to ensure the correct plans and documents are submitted.

Applications

- 26.6. Once the application is made, the Council must publicise it, consult the relevant parish or town council, and allow people the opportunity to contribute their views in writing or online.
- 26.7. All applications are publicised via the Council's website under [Application and Decision Search](#)²
- 26.8. The council aims to determine all applications within the statutory time limits set by government. On some occasions, generally larger and more complex applications, this will not be possible and the applicant will be kept informed and an extension of time requested.

Revisions and amendments

- 26.9. If the application is unacceptable as submitted but changes could overcome the concerns, one of two courses of action is possible.
- 26.10. If the changes needed are significant and material and would require re-notification, officers will determine the application as submitted.
- 26.11. If the changes are considered to be minor and would not require any re-notification officers will ask for revised plans to be submitted within a reasonable period of time. If no revised plans are received, the council will decide the proposals as originally submitted.

Decisions

- 26.12. We will use the information received at the application stage to inform the determination of the application. Officer Reports to Planning Committee set out the planning considerations and make a recommendation of approval or refusal. Any conditions and Heads of Terms for the Section 106 Obligation are also included for approvals. If the recommendation is for refusal the reasons for refusal are listed.

¹ <http://www.uttlesford.gov.uk/planningapplicationforms>

² <http://www.uttlesford.gov.uk/applicationsearch>

Committee reports are available 5 working days before Committee. On applications reported to committee the Council operates a policy of public speaking. Details on how to get involved in meetings can be found on the website under [Meetings and the Public](#)³ or by contacting a Democratic Services Officer on 01799 510369. Once the decision has been made, we will inform everyone who made comments on the application. Decision notices are available for inspection on the website or at the Council offices.

Permitted Development and Prior Approval

- 26.13. Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. In some cases it may be necessary to obtain prior approval from the Council before carrying out permitted development. These proposals include telecommunications equipment, agricultural buildings, some changes of use and extensions to residential properties. Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.
- 26.14. Where the permitted development rights are time-limited (which means that the General Permitted Development Order specifies a date when the permitted development rights will expire), there is a requirement to notify the local planning authority when work has been completed.

³ <http://www.uttlesford.gov.uk/article/3085/Meetings-and-the-Public#Planning%20Policy%20Working%20Group>

<u>Application Type</u>	<u>Suggested Action by Applicant</u>	<u>Action by Uttlesford Council</u>	<u>Resource Implications</u>
<p>Major Development</p> <p>For residential development: of 10 or more dwellings or site area of 0.5 ha if number of units not specified.</p> <p>For all other uses: floorspace of 1000sq.m. or more (floorspace is defined as the sum of floor area within the building)</p> <p>or site of 1ha or more (where the area of the site is that directly involved in some aspect of the development).</p> <p>Where a major application is subject to a change of use application it should be considered as a major development, not as a change of use.</p>	<p>Applicants/developers will need to consider appropriate methods of community involvement e.g. Parish/Town Council meetings, public meetings/exhibitions, workshops, consultation website/media, development briefs.</p> <p>A statement outlining consultation/involvement undertaken will need to accompany any planning application. This must clearly outline the methods used and reasons why, in addition to any outcomes.</p> <p>Enter into pre-application discussions with Council.</p> <p>Enter into pre-application discussions with service providers to discuss contributions towards provision of infrastructure.</p>	<p>Site Notice</p> <p>Press Notice</p> <p>Applications available to view on the website</p> <p>Consult appropriate Town or Parish Council.</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-application discussions with applicants.</p>

<u>Application Type</u>	<u>Suggested Action by Applicant</u>	<u>Action by Uttlesford Council</u>	<u>Resource Implications</u>
<p>Other - This includes the following categories</p> <p>Change of Use: Applications that do not concern major development or where no building or engineering work is involved.</p> <p>Householder Development: Defined as those within the curtilage of residential property which require an application for planning permission and not a change of use</p>	<p>It is good practice for the applicant to consult with neighbours prior to submitting a planning application. Depending upon the scale of the proposal it may be of value to consider consulting with a broader number of stakeholders and/or arranging a pre-application meeting with the Council.</p> <p>A statement outlining consultation undertaken may also be required.</p>	<p>Site notice or neighbour notification</p> <p>Applications available to view on the website</p> <p>Consult appropriate Town or Parish Council.</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-application discussions.</p> <p>There may be resource requirements for the applicant associated with greater consultation.</p>
<p><u>Listed Building Consent</u></p> <p>Any works or alterations which are likely to affect the character of a listed building.</p>	<p>It is good practice for an applicant to consult their neighbours before submitting an application. Depending upon the scale of the proposal it may be of value to consider consulting with a broader number of stakeholders.</p> <p>Enter into pre-applications discussions with the Council's specialist advisor on Listed Buildings.</p>	<p>Site Notice</p> <p>Press Notice</p> <p>Applications available to view on the website</p> <p>Consult appropriate Town or Parish Council.</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-applications discussions.</p>

Application to works to trees subject to a Tree Preservation Order	It is good practice for an applicant to consult their neighbours before submitting an application. Enter into pre-application discussions with Landscape Officer	Site notice or neighbour notification if tree on boundary or overhanging neighbouring land. Register of applications available via website and at principal office.	Council will need to make sure that it has enough staff resources to process these applications.
Prior Approval		Application available to view on website. Consideration of matters as set out in the General Permitted Development Order.	Council will need to make sure that it has enough staff resources to process these applications for prior approval.

27. Contacting us

Copies of the latest Local Development Scheme and other documents, including requests for documents in large print, Braille or an alternative format, can be obtained from the Council Offices. For up to date information on progress and opportunities to get involved please see our web site www.uttlesford.gov.uk/planning.

Information can also be obtained from: Planning Policy Section, Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER

Tel – 01799 510346 or 01799 510454 or 01799 510637

Email - planningpolicy@uttlesford.gov.uk

Committee: Cabinet

Agenda Item

Date: 26th May 2016

13

Title: Proposals for a Revised Airspace Change
Process: Consultation by the Civil Aviation
Authority (CAA)

Portfolio Holder: Councillor Susan Barker

Item for decision

Summary

1. This report is about a CAA proposal for a revised airspace change process, which is currently out to stakeholder consultation. The report explains the existing process, the need for change, and what the CAA's proposals are. The report concludes that the CAA's proposals should be supported, but sets out some additional comments that should be included in the Council's response.
2. The Stansted Airport Advisory Panel (STAAP) considered this item at its meeting on 10th May. The additional points raised by STAAP have been included in this report.

Recommendations from STAAP

3. The Council supports the CAA's proposal for a revised airspace change process subject to the additional comments set out in this report in Paragraphs 18 - 30.
4. Officers send the Council's response via the dedicated online platform that the CAA has set up by the consultation closing date of 15th June.
5. Following the Cabinet resolution, and in consultation with the Panel Chairman, officers add any other points of detail that they subsequently feel are appropriate and which give added weight to the Council's response, such as may arise from the Strategic Aviation Special Interest Group's (SASIG) discussion of the consultation.

Financial Implications

6. None.

Background Papers

7. None.

Impact

- 8.

Communication/Consultation	<p>The consultation is being run by the CAA, and closes on <u>15th June 2016</u>. The CAA says that it cannot commit to taking into account comments received after that date. Responses are requested via a dedicated online platform, but separate submissions can be sent. The online response form consists of 40 questions requiring either “Yes”, “No” or “Don’t know” answers with space to give reasons. The CAA has chosen this format to make the consultation response easy to use for all stakeholders.</p> <p>The CAA has published a detailed consultation document - <i>CAP 1389: Consultation on proposals for a revised airspace change process</i>. This document is referred to in this report.</p>
Community Safety	To be taken into account by the CAA.
Equalities	To be taken into account by the CAA.
Health and Safety	To be taken into account by the CAA.
Human Rights/Legal Implications	To be taken into account by the CAA.
Sustainability	To be taken into account by the CAA.
Ward-specific impacts	Districtwide
Workforce/Workplace	Officer and Member time in preparing the consultation response.

Situation

9. This consultation is about proposed changes to the process that is followed when a “sponsor” (usually an airport operator or air traffic control provider) puts forward a proposal for permanent change to the published airspace structure, such as a change to a flightpath. The current process requires the sponsor to go through a series of stages before formally submitting a change proposal to the CAA for consideration and a regulatory decision.
10. The consultation is not about any change to Government policy on aviation, nor is it about any individual proposal for airspace change, including those which are outside the CAA’s control.
11. The current process is published in *CAP 725 Airspace Change Process Guidance Document* and involves 7 stages from initial briefing to operational

review post-implementation. Typically, the current process takes about 75 weeks from start to finish. The CAA describes the current process as follows (Paragraph 2.8 of CAP 1389):

“These stages begin with outline conversations between the sponsor and the CAA around design options and who should be consulted. The sponsor then consults with interested parties including, where appropriate, local communities. In the light of responses the sponsor may modify the proposals before making a formal submission of the proposal to the CAA for a decision. Assuming that the proposal is approved, the CAA carries out a review of the change after it has been implemented, typically after one year of operation”.

The need for change

12. In CAP 1389 the CAA gives a number of reasons for changing the current process. The backdrop is the need to modernise the UK’s airspace structure and to “future-proof” the process in the light of changing international requirements.

13. One significant reason for change is given as follows by the CAA (Paragraph 3.1 of CAP 1389):

“Communities close to airports increasingly demonstrate their interest in the management of aviation noise and the impact it has on those communities. Some recent airspace change proposals have highlighted a lack of trust between some local communities, the aviation industry and the CAA as regulator. This can sometimes create an impasse on airspace changes – changes which, in totality, might achieve an improved outcome in respect of all the factors we have to consider (although, as a consequence, an individual stakeholder may be in a worse position than if no change were made).

It is therefore essential that the CAA’s airspace change process meets modern standards for regulatory decision-making, and above all else is seen as fair, transparent, consistent and proportionate”.

14. In 2015, the CAA commissioned Helios (a management and technology consultant) to undertake an independent study of the current airspace change process. Their findings were published in December 2015 as CAP 1356 – *Helios report: Independent review of the Civil Aviation Authority’s Airspace Change process.*

15. The CAA states in Paragraph 3.29 of CAP 1389 that Helios’ single most important observation was that there was a lack of transparency in the process, particularly regarding the CAA’s activities, leading to suspicion that interests were not being well represented. Helios also suggested that, as the change sponsor ran the consultation process and handled the responses, there was a potential conflict of interest. The CAA needed to be more engaged with stakeholders and communities.

The proposal for a revised airspace change process

16. A useful summary of the key changes proposed by the CAA is included in Paragraphs 4.11 – 4.23 of *CAP 1389*. These paragraphs are attached at the end of this report. To avoid repetition it is not proposed to go through these in detail in the text of this report. In Chapter 4 of *CAP 1389* there is a lot of detail, especially via flow diagrams, of the 7 revised stages of the airspace change process. *CAP 1389* can be read in its entirety at:

<http://publicapps.caa.co.uk/docs/33/CAP%201389%20March%202016.pdf>

17. The changes should be supported for the additional transparency that they will bring to the process, particularly through both the extra CAA engagement and the increased public involvement. If these changes are implemented, the airspace change process would be extended to 108 weeks. This is of concern to officers because of the additional period of uncertainty that would result for local residents. On balance, this is considered to be a price worth paying for the additional public involvement and the extra CAA engagement in the various stages of the process.
18. There are some comments that officers wish to make on the proposals, which it is suggested are incorporated into the Council's response.

Online airspace change portal

19. The portal would be used by sponsors for their formal consultation process and by the CAA to oversee the consultations. All consultation material, consultee submissions and sponsor's responses would be published on the portal, which would be accessible to all. *CAP 1389* does not, however, set out how the process would be accessible to those without internet access, although it does acknowledge that some responses may be sent by post and uploaded to the portal by the sponsor. Paragraph 4.74 of *CAP 1389* states that sponsors should maintain records to "*demonstrate that all reasonable actions have been taken to ensure stakeholders are informed of the consultation and have been offered the opportunity to engage with it*". This should include what measures have been undertaken to ensure that consultation material is publicised and made available offline to those who need it.

"Levels" of airspace change

20. The CAA is proposing 2 levels of airspace change, Level 1 being high impact, and Level 2 being medium to low impact. The consultation process would be "scaled" depending upon which level of change is being proposed (see table 5.1 of *CAP 1389* on Pages 87-93). Level 1 is defined as changes to traffic patterns below 7,000ft, the height at which reducing fuel burn and carbon emissions begin to be prioritised above noise mitigation. For a Level 1 change, the sponsor would be required to engage with locally affected communities at Steps 1B, 2A and 3A of the proposed revised airspace change process. For Level 2 changes (alterations to air traffic patterns above 7,000ft)

this requirement is dropped.

21. It is considered that most proposed airspace changes at Stansted Airport that affect Uttlesford would be Level 1 because they would occur below 7,000ft. It is the Council's experience, however, that communities overflown at heights above 7,000ft do consider themselves to be affected by aircraft noise, especially in areas of tranquillity. This was evidenced by responses that the Council received to BAA Stansted's proposal to expand Stansted Airport from 25-35mppa. The CAA should reconsider the need for prior engagement with affected communities for Level 2 changes, especially if a medium impact is anticipated.

Public evidence session

22. Helios proposed that a public hearing be introduced into Step 5A, although the CAA has redefined this as a public evidence session run by the CAA for Level 1 changes. Looking at the Helios report the difference seems mainly to be one of semantics as the CAA says that the public evidence session will "*broadly adhere to the qualities Helios outlined for the hearing*" (Paragraph 4.93 of CAP 1389). The purpose is for the CAA to listen and to only ask questions if there is a lack of understanding on its part. There will be no opportunity to challenge other submissions, and there will be no legal representation. The sponsor may be present, but only to offer clarification, not to argue their case.
23. It is considered that there might be benefit in the public evidence session being more two-way in nature. It is highly likely that consultees may have procedural questions about the airspace change process. It is not considered that the absence of legal representation should prevent reasonable questioning as part of the process. The CAA can act as mediator to ensure fairness. Public evidence sessions could be run along the same lines as planning hearings, which are relatively informal round-the-table discussions led and chaired by a Planning Inspector. At hearings, the Inspector sets the agenda based around the key issues that he or she considers are material to the case, and leads and moderates the subsequent discussions.
24. The CAA is not proposing public evidence sessions for Level 2 changes. This may be acceptable in the vast majority of cases, but inevitably there may be some that generate considerable public interest especially if a medium impact is anticipated. It is considered that the need for a public evidence session for a Level 2 change should be reviewed as part of the process for each submitted proposal.

Steps 1B – 2B, Design principles, options development and appraisal

25. At the STAAP meeting, Members were concerned that the agreed design principles should cover all the relevant aspects such as noise and the need to avoid overflying specific areas. It is also important that, at the options appraisal stage, noise metrics are used that are more representative of what local residents hear on the ground rather than the standard Leq averaging

contour. Specifically, the N60 and N70 “number above” contours are suggested, which identify the anticipated number of noise events above a specific level at a particular location. At the consultation stage, all viable options that were considered by the sponsor should be included irrespective of whether there is a preferred option.

An appeal mechanism?

26. In Paragraph 3.6 of CAP 1356, Helios recommended that an appeal mechanism be introduced because:

“there needs to be a way to challenge whether the decision made by the CAA was reasonable, based on the evidence available, or challenge the decision if there has been a breach of process. Currently this is only possible via a Judicial Review (which is expensive and therefore not open to all). In our view, it is appropriate that anyone impacted by an AC has a reasonable opportunity to request an appeal.

However, there should be pre-defined grounds for appeal that will ensure that the process will not be unduly lengthened by appeals that lack substance. The grounds for appeal should be defined by the CAA but would likely be that there was a serious error in the procedure or that there were factual errors in the information on which the decision was based”.

27. The CAA has decided not to accept the recommendation for an appeal mechanism to be set up. It does not think that this mechanism would add sufficient value to the revised process for two reasons which it sets out in Paragraphs 4.113 – 4.114 of CAP 1389. These are (in summary) :

i) The new gateways and increased transparency of the process means that the CAA’s thinking is in the public domain throughout. Adding an appeal mechanism would increase the burden on the sponsor and the CAA, and could add a further year to the airspace change process.

ii) The CAA believes that the Courts are the right place for a judgement as to whether due process has been followed, and Judicial Review would still be available in any event after an internal appeal.

28. In deciding against an appeal mechanism, the CAA adds in paragraph 4.115 of CAP 1389:

“We have also taken into account the current statutory framework for airspace change, which enables the CAA to refer decisions to the Secretary of State under specific conditions relating to the anticipated environmental impact of the change (see Step 5B above). The Secretary of State is able to effectively challenge the substance of the CAA’s airspace decision (by preventing implementation of it), meaning that they could effectively substitute the CAA’s decision with their own. We would review any revised process 12 months after it is first implemented to determine whether any additional scrutiny is needed and, depending on the evidence gathered during this review, we may

reconsider our position on the appeal at that time”.

29. Officers consider that there is merit in introducing an appeal mechanism along the lines recommended by Helios. An appeal would be conducted post-determination but before implementation. Airspace change can affect many people and, whilst the new process would be more transparent, an appeal would add a further check akin to the role of the Ombudsman in town planning procedures. No processes are ever infallible, and the appeal mechanism would be one way of ensuring that the process is continually policed. However, as the CAA is committed to a 12-month review, the Council should ask that the outcome of the review is made public for consultation.
30. At the STAAP meeting, Members considered that there ought to be an opportunity for stakeholders to give notice to the CAA of an intention to appeal at each of the gateway stages. A further option would be arbitration.

Ongoing discussions

31. SASIG, which is the aviation policy group of the Local Government Association, is discussing the consultation via one of the technical working groups that it has set up. Officers are taking part in those discussions. SASIG is not likely to finalise its position before the dates that the Panel and Cabinet meets, the latter being 3 weeks before the consultation closes. It is therefore recommended that, in consultation with the Chairman of the Panel, officers incorporate into the Council's reply any new points arising from SASIG's discussions which officers consider are appropriate and which give added weight to the Council's response.

After the consultation closes

32. Once the consultation has finished, the CAA will consider the responses that it has received and will set out those that it has decided to proceed with in a comments response document. The changes will then be incorporated into a replacement for *CAP 725*, with a consultation following on the redrafted version in early 2017. A final version of the *CAP 725* replacement will be published in April 2017, after which the revised airspace change process will be implemented.

Conclusions

It is considered that the revised airspace change proposal would be an improvement on the existing process for the reasons set out in Paragraph 4.11 of *CAP 1389*. Subject to the additional points set out in Paragraphs 18 – 30 of this report, the Council should support the proposal.

Risk Analysis

33.

Risk	Likelihood	Impact	Mitigating actions
Airspace changes are introduced without local consultation.	1. Unlikely, because the existing airspace change process contains procedures for public consultation, and these would be enhanced by the revised proposals.	2. The impact of airspace change is a revised noise climate for affected residents.	Respond to the revised airspace change process consultation to support the proposal for enhanced public consultation.
Residents do not consider that their views have been taken into account because the airspace change process lacks a transparent decision making process.	2. It is acknowledged in the consultation document that the role of the CAA in the decision making process can be seen as lacking transparency. Partly, this is because the CAA's role has not previously been fully explained or set out.	2.Lack of transparency can lead to criticisms that the airspace change process is unfair, and is weighed in favour of the airspace change proposer.	Respond to the revised airspace change process consultation to support the proposal for greater CAA involvement and a clearer setting out of its role in the process.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

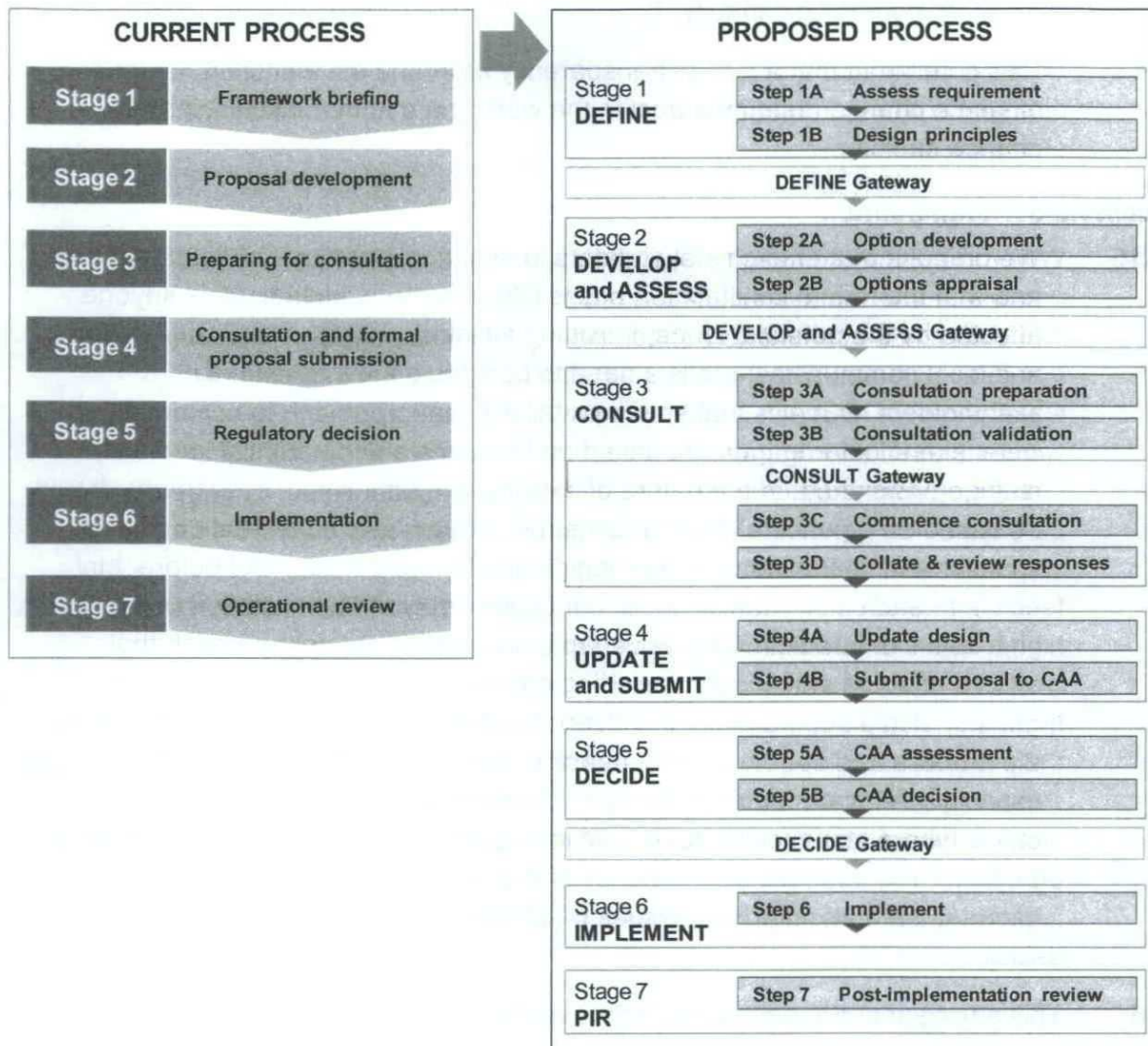
Summary of key changes proposed

4.11 A step-by-step description of the changes we propose is given below, but it is worthwhile first highlighting some general principles that we are considering introducing, compared with the current process:

- We will strive to be as transparent as possible throughout the process, and to hold others to account to be transparent. Our starting position will be to publish all material we receive in relation to a proposal. While we will respect commercial confidentiality where disclosure could jeopardise a change being progressed, we will not see this as a reason to withhold large amounts of information.
- We propose producing significant additional guidance material about relevant policy and process that we will follow or expect others to follow.
- We propose introducing four new 'gateways' into the process. At these four key points in the process, we would sign off documentation provided by the sponsor of an airspace change. This would not predetermine our final decision on the change being proposed, but would give more certainty to those interested in the proposal that the CAA has agreed to the steps taken along the way.
- We propose developing an online airspace change portal to support the revised process, to provide a single access point for anyone to view, comment on and access documents for every airspace change proposal. Sponsors themselves would add documentation to the portal and be responsible for managing their own consultation exercises, but the CAA would monitor material on the site closely. The CAA is currently investigating whether off-the-shelf solutions already exist or whether we would need to build a bespoke portal from scratch. More information about the proposed portal is in Appendix B.
- We propose increasing the number of specific tasks the sponsor must carry out to engage those affected by the change, including local communities. We propose having additional oversight of these activities, and increasing the capacity and capability within the CAA to do so effectively.
- We propose requiring the sponsor to develop a formal options appraisal for each proposal. This would show how it has assessed the impacts of different designs in developing their option(s) so as to achieve the best outcome for a given change, bearing in mind the needs of different parties and the CAA's statutory obligations to take these into account.

- We propose introducing clearly defined types of airspace change, which we define as 'Levels'. We would adjust the requirements of the process and scrutiny according to the scale of the impacts the change might have, to make the new process proportionate. We propose that the Level will be clearly defined and publicly known from as early a stage as possible.
- For changes that would have a greater impact (i.e. 'Level 1' changes as defined later in this document) we propose to convene a Public Evidence Session after the proposal has been submitted, to give stakeholders an opportunity to share their views with us directly.
- Overall, we will be more visibly 'hands-on' during the airspace change process and we will dedicate more resources to managing it.
- The resultant process and guidance will comply with any legislative requirements.
- The CAA will consider changes to the way we recover our airspace change costs through our charging scheme. This will be of particular interest to the industry bodies that will ultimately have to fund these increasing costs and pass them on to the consumer. We discuss funding options in Chapter 7.

Figure 4.1: Stages of the proposed airspace change process compared with the current process



Transparency

- 4.12 Helios's single most important observation was that there was a lack of transparency in the airspace change process, particularly regarding the CAA's activities. This lack of transparency created suspicion among some stakeholders who are not confident that their interests are represented well, and inadequately reflected work that the CAA already undertakes. For example, Helios found that some stakeholders were not aware of the CAA's environmental, consultation and operational assessments of airspace change proposals, since only relatively recently has the CAA begun publishing them routinely.
- 4.13 An established part of the process is the challenge the CAA provides to sponsors' proposals, but most of this has not been public, sometimes giving a misleading impression. Helios found that the justification for airspace changes

was not always clear in the eyes of communities and General Aviation groups. Some stakeholders reportedly felt that the need to improve safety was used as a pretext for increasing capacity.¹²

- 4.14 Helios concluded that a lack of transparency around the identified need for an airspace change undermined trust in the work and communications of the change sponsor.

Stakeholder engagement

- 4.15 We propose that engaging stakeholders in airspace changes will not begin and end with the formal consultation process (Stage 3). A 'stakeholder' is anyone affected by the potential change, including airlines, military, recreational flyers and local communities; there is a need to balance the interests of all stakeholders. Our aim is that sponsors tailor their approach to community and wider stakeholder engagement based on the scale and potential impact of the change envisioned, and the nature of existing relationships. Engagement should be based on a genuine attempt to construct a two-way conversation between sponsor and stakeholder from the beginning of the process, if not before, that feeds in to each individual step and continues beyond consultation to maintain high levels of interaction. This will enable an iterative design approach that affords affected stakeholders, including communities and General Aviation groups, multiple opportunities to influence a sponsor's thinking at key points in the process and see how their feedback is assessed and acted upon. This will be especially relevant during the 'design', 'development', 'consult' and 'update' steps, where stakeholder input is vital to ensuring an effective and transparent process. This increased transparency and dialogue between parties will help improve understanding of the issues on all sides and ultimately improve decision-making.
- 4.16 This engagement approach will be most effective if stakeholders already have a reasonable understanding of how the airport, its airline customers and related airspace operate in practice. While direct stakeholder engagement is likely to be greatest during the stages of a formal airspace change, ongoing engagement and information can help stakeholders understand the context for proposed changes and provide constructive feedback and comments. Some operational practices require clear, unambiguous explanation, and in some cases simplification, so that all parties understand better exactly what is being proposed and why compared with the pre-existing arrangements. Stakeholders must also be given adequate time to absorb such information.

¹² Although in certain circumstances, capacity alone may be a perfectly justifiable reason for airspace change.

- 4.17 How airports and the wider industry choose to approach regular or day-to-day engagement, information and education is for sponsors to decide. The CAA will require the development of an appropriate, targeted strategy to facilitate airspace change engagement and we will issue guidelines building on what already appears in CAP 725. We appreciate the complexities associated with engaging with all affected stakeholders, including the number of people and audiences involved, overcoming past 'history', conflicting airspace priorities, and the technical nature of some proposals.¹³ We note that different audiences have different requirements – for example, specialists requiring detailed data and residents needing plain-language explanation on topics that are likely to be deeply technical by their very nature. We also consider that there is an obligation on those being consulted to engage properly in the process and not to use it for a general protest about aviation or broader issues on Government policy.
- 4.18 In practice, it may be that during some or all stages of the process there could be a role for a neutral third party to act as a facilitator to moderate between the sponsor and their stakeholders. We raise this below where we set out our proposals for a revised approach to consultation. The CAA is aware of international examples of such a third party and the benefits it can deliver, so is seeking your views on whether or not the appointment of an independent facilitator would be helpful or indeed should be mandatory for the more significant airspace change proposals (see Question 8).

Process gateways

- 4.19 One concern of change sponsors is how long some airspace changes take to progress, and the lack of certainty along the way. Helios observed that in some cases this is caused by problems occurring during the process. They saw this as a considerable and growing burden on sponsors. For example, disagreements about the consultation material could require the sponsor to make multiple revisions. Some change proposals become highly controversial, tending to increase the complexity of the stakeholder engagement. (Indeed, Helios observed that some airspace changes have turned into long-running disputes between an airport and stakeholders.) The overall timescales are lengthened as a result, increasing the risk and cost of airspace changes for sponsors, and creating a lack of certainty for all parties. Currently the CAA intervenes only where it has received a complaint or spots an obvious inadequacy in the consultation material that, if not amended, would lead it to conclude the consultation would not be adequate to enable the CAA to make a decision on the airspace change proposal. As such, a sponsor could conceivably embark upon extensive and costly activities as part of their proposal, with no assurance at any

¹³ See for example the CAA's report on oversight of the Heathrow 'operational freedoms' trial which ran 2011–2013 www.caa.co.uk/cap1117. This was not an airspace change but provides insight into the challenges of effective engagement.

time that they will be deemed appropriate by the CAA until the decision-making part of the process.

- 4.20 We are proposing accepting Helios's recommendation that the CAA validate and approve relevant documents at four gateways during the process before the sponsor can progress to the next stage (see Figure 4.1 above).¹⁴ However, it is important that we are clear on one point: such validation and approval would not predetermine the CAA's final decision. This would of course require us to set out clearly what each stage requires in the relevant guidance and we should be clear that it will be for the CAA to decide whether the gateway criteria have been achieved or not.
- 4.21 The benefit of this approach is that it would provide assurance to all parties of the CAA's satisfaction at key stages during the course of the process that relevant requirements and guidance were being adhered to, and thus reduce some of the current uncertainty. It should save everyone time and resource, as there should be reduced need to repeat work, particularly around getting the consultation documents right.
- 4.22 The four gateways and related documents are:
- Define: (a) a short document setting out why the airspace change is an appropriate response to a specified problem or opportunity, and (b) design principles that describe the trade-offs that sponsors will have to develop with stakeholders and take into account in the design.
 - Develop and assess: a comprehensive appraisal of each viable design option (Helios referred to this as an impact assessment¹⁵).
 - Consultation: a fair, open and transparent consultation plan and supporting documentation.
 - Decision: a document setting out how the CAA has come to a decision on the airspace change proposal.
- 4.23 All the documentation would be available on the airspace change online portal. More information (and related questions) about the proposed portal is in Appendix B.

¹⁴ Where the CAA is not satisfied that the requirements have been met sufficiently, it is likely that the sponsor would need to revisit those Stages but not return to Stage 1, assuming no fundamental change in what was proposed.

¹⁵ We have not used the term 'impact assessment' as this implies a full monetisation of the different factors.

CABINET WORKING GROUPS 2016/17

Name of Group	Terms of reference	No of Members	Lead Officer	Current Membership
Community Achievement Panel	To oversee the organisation of the Community Achievement Awards scheme and make recommendations on the recipients of those awards.	5	Sue Hayden	Aisha Anjum Elizabeth Parr Julie Redfern John Freeman Vic Ranger
Highways Panel	<p>1) Prioritise and make recommendations for projects/schemes for the matters listed below to the ECC Cabinet Member for Highways and Transportation within the allocated budget:</p> <ul style="list-style-type: none"> •Traffic management improvements •Tackling congestion <ul style="list-style-type: none"> Safer roads (including casualty reduction) • Public rights of way improvement • Cycling programme • Passenger transport improvement programme • Minor improvement schemes <p>2) Have regard to the advice from ECC officers on relevant statutory/duty of care requirements.</p> <p>3) Oversee and set priorities for schemes funded through the localism process and the work of the Highways Ranger Service.</p> <p>4) Monitor the delivery of the agreed programme and raise issues and concerns through agreed procedures.</p> <p>5) Consider any other Highways and Transportation matter referred to the panel from time to time by other council constituted bodies,</p>	4 + 4 County members	Rissa Long ECC	Robert Chambers John Freeman Alan Mills Geoffrey Sell

Name of Group	Terms of reference	No of Members	Lead Officer	Current Membership	
	<p>panels or groups</p> <p>6).Make recommendations to ECC Cabinet Member for Highways and Transportation to amend targets or discretionary policies and/or amend budget allocations between programmes if necessary to meet local priorities</p> <p>7) To advise the Cabinet on all of the above matters before recommendations are referred to the ECC Cabinet Member</p> <p>8).Take a lead role in liaison with town and parish councils</p> <p>9)To monitor spending/progress to delivery and make recommendations in relation to S106 highway contributions collected from planning applications</p> <p>0) To advise the Cabinet on any matters to be raised with the North Essex Parking Partnership regarding parking proposals, off and on street controlled car parking and any proposed Traffic Regulation Orders</p>				
Housing Board	<ol style="list-style-type: none"> 1. Inform on and monitor the performance and delivery of all Council housing related strategies and policies 2. Monitor housing related performance indicators 3. Inform on and monitor the Council's Housing 4. Monitor the Council's Housing Revenue Account 5. Monitor and inform on the delivery of affordable housing units in the District 6.Consider the use of existing housing stock and other housing assets 	10 + 2 tenant reps	Roz Millership	Heather Asker Alan Dean Terry Farthing (VC) Marie Felton (C) Alan Mills	Janice Loughlin Sharon Morris Vic Ranger Julie Redfern Howard Ryles

Name of Group	Terms of reference	No of Members	Lead Officer	Current Membership	
Planning Policy Working group	To give advice and guidance to officers in progressing the Local Plan and other planning guidance and report recommendations to Cabinet. This Working Group will meet in public and include public speaking.	10	Local Plan Team Leader	Susan Barker (VC) Paul Davies Alan Dean Stephanie Harris John Lodge	Janice Loughlin Alan Mills Edward Oliver Howard Rolfe (C) Joanna Parry
Museum Management Working Group	<ol style="list-style-type: none"> 1. The Group shall comprise of the Cabinet Member with responsibility for the Museum Service and three further members and four directors of the Society. 2. The Museum Curator shall attend all meetings of the Group in an advisory capacity and in accordance with the requirements of the national Accreditation Scheme for museums or any replacement thereof. 3. Meetings shall normally be held in private and the Council shall meet the costs of all MMWG meetings and be responsible for the taking of minutes at such meetings. 4. The Group is to meet a minimum of four times in a year in order to:- <ol style="list-style-type: none"> i. Receive a quarterly report from the Museum Curator about the Museum Service. ii. Agree and recommend to the Council and the Society the provision of the Uttlesford Museum Service and the Museum Service strategic objectives and long term plans iii. Discuss matters and make recommendations to the Council and the Society on matters relating to the management of the Museum 	4	Carolyn Wingfield	Robert Chambers Barbara Light Geoffrey Sell Lesley Wells	

Name of Group	Terms of reference	No of Members	Lead Officer	Current Membership
	<p>Service where a decision needs to be taken or an action needs to be ratified by the Council and/or the Society including the purchase or disposal of objects and the loan of objects to other museums</p> <p>iv. Act as the Museum's governing body for the purpose of the Accreditation scheme and implementation of appropriate codes of practice</p> <p>v. Appoint from the Group the Council's representative to attend at and report on any relevant meetings of other organisations as determined by the Group</p> <p>vi. Invite representatives of other Uttlesford museums and public galleries to attend a meeting of the Group if necessary or appropriate to the matters under discussion</p> <p>vii. Recommend to the Council hours of opening to the public and the admission charges to be levied on all users of the Museum having regard to promoting accessibility of the Museum and social inclusion and any requirements imposed on the Museum Service by other agencies.</p> <p>viii. Where appropriate make recommendations to the Society and/or the Council concerning alterations to the interior or exterior of the Museum building major projects capital developments and any other significant proposals affecting the Museum</p> <p>ix. Generally promote and act as advocates for the Museum</p>			

Name of Group	Terms of reference	No of Members	Lead Officer	Current Membership	
Refugee Working Group	To oversee the implementation of the Council's policies regarding the support for refugees within the Uttlesford areas	5	Roger Harborough	Graham Barker Marie Felton Sharon Morris	Elizabeth Parr Julie Redfern
Stansted Airport Advisory Panel	1) Form an overview of policy and operational issues in relation to Stansted 2) Monitor the activities of the airport in the interests of the people of the district. 3) Monitor the implementation of Section 106 agreements and related undertakings by MAG and others 4) Review and anticipate future developments at the airport and in aviation policy.	10	Assistant Director Planning	Keith Artus (c) John Davey Terry Farthing Paul Fairhurst Martin Foley	Rory Gleeson Thom Goddard John Lodge Edward Oliver(VC) Howard Ryles
Waste Strategy Panel	To monitor the implementation of the waste strategy and the inter authority agreement between collection and disposal authorities. To consider the need for review of policies and procedures, and enable members to contribute to resolution of recycling and street cleansing service delivery issues.	5	Cat Chapman	Richard Freeman Martin Foley Sue Barker Terry Farthing Lesley Wells	

REPRESENTATIVES ON OUTSIDE BODIES 2016/17

Organisation	Number	Representative (s)
Birchanger Wood Management Committee	1	Geoffrey Sell
Board of Turpins Indoor Bowling Club	1	Paul Fairhurst
British Red Cross Society – Essex Branch	1	Elizabeth Parr
Campaign to Protect Rural Essex	1	Simon Howell
Committee of the Friends of the Maltings	1	Vic Ranger
Cooperation for Sustainable Development Board	1	Susan Barker
Council for Voluntary Service – Uttlesford	1	Eric Hicks
Crawley Prize Endowment Charity	1	Robert Chambers
Dunmow Day Centre Management Cttee	1	Eric Hicks
Dunmow Museum Management Cttee	1	Vic Ranger
Dunmow Town Strategy Group/Town Team	1	Graham Barker
Essex County Health Overview and Scrutiny Committee	1	Graham Barker
Essex County Strategic Partnership	1	Howard Rolfe
Essex County Traveller Unit	1	Susan Barker
Essex Flood Partnership Board	1	Susan Barker
Essex Waste Partnership Board	1	Susan Barker
Friends of Bridge End Gardens	1	Richard Freeman
Historic England Heritage Champion	1	Geoffrey Sell
Local Government Association - General Assembly	1	Howard Rolfe
LGA - Rural Community Partnership	1	Stephanie Harris
LGA – SPARCE Rural Assembly		Susan Barker
London Stansted Cambridge Consortium	1	Howard Rolfe
Parking and Traffic Regulation outside London Adjudication Committee	1	Susan Barker
Saffron Walden Arts Trust	1	Sharon Morris
Saffron Walden Cinema	1	John Lodge
Saffron Walden Day Centre Management Cttee	1	Sharon Morris
Saffron Walden Museum Society	1	Barbara Light
Stansted Airport Community Trust	1	Marie Felton
Stansted Airport Consultative Committee	1	Keith Artus
Stansted Day Centre Management Committee	1	Geoffrey Sell
Strategic Aviation Special Interest Group	1	Keith Artus
Takeley Day Centre Management Cttee	1	Derek Jones

Thaxted Day Centre Management Cttee	1	Martin Foley
Thaxted Guildhall Management Cttee	1	John Freeman
Uttlesford Carers	1	Joanna Parry
Uttlesford Citizens' Advice Bureau	1	Tina Knight
Uttlesford Community Travel	1	Elizabeth Parr
Uttlesford Transport Forum	4	Richard Freeman Mark Lemon Alan Mills Howard Ryles
West Essex Alliance	1	Julie Redfern
West Essex Transportation Board	1	Susan Barker

Committee: Cabinet

Agenda Item

Date: 26 May 2016

16

Title: Aspire

Portfolio Holder: Cllr Howell

Item for decision

Summary

- 1) At the Cabinet meeting in December 2015 it was agreed in principle to establish a special purpose vehicle (SPV). The SPV would be a wholly-owned subsidiary of the Council with the purpose of the SPV will be to develop a range of commercial opportunities, including property development of Council-owned General Fund land.
- 2) This report seeks Cabinet approval to now establish a holding company and three subsidiaries.

Recommendations

- 3) The Cabinet is requested to
 - i) approve the establishment of the following companies
 - a) Aspire Holdings (UDC) Ltd
 - b) Aspire Rentals Ltd
 - c) Aspire Land Agreements Ltd
 - d) Aspire Property Services Ltd.
 - ii) Agree the Articles of Association for each company as attached
 - iii) Appoint the following directors to each company
 - a) Richard Auty (UDC Assistant Director of Corporate Services)
 - b) Nicola Wittman (UDC Assistant Director of ICT and Facilities)
 - c) Adrian Webb (UDC Director of Finance and Corporate Services)

Financial Implications

- 4) There are no financial implications in setting up the companies.

Background Papers

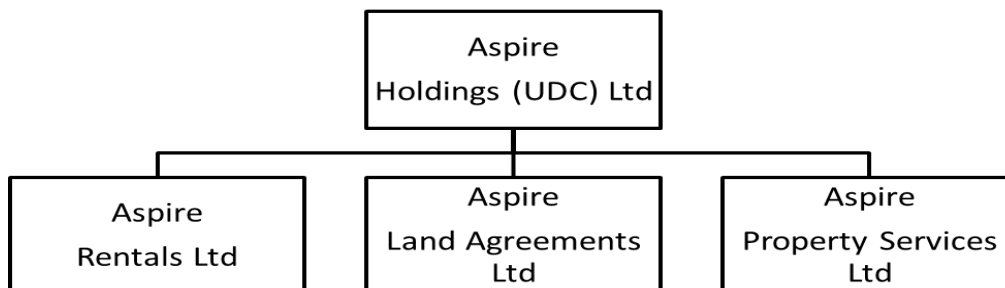
- 5) None

Impact

Communication/Consultation	None
Community Safety	No specific implications
Equalities	None
Health and Safety	No specific implications
Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications
Workforce/Workplace	None

Background

- 6) As government funding reduces councils are looking increasingly at alternative ways of generating income. A number of councils similar to ourselves have established wholly owned companies for a range of commercial purposes.
- 7) A significant amount of work has been undertaken in establishing the opportunities that exist and therefore the companies that need to be set-up. It has also been decided that there will be a holding company and then a number of subsidiaries. The proposal before Cabinet is to establish the following structure and companies.



- 8) **Aspire Holdings (UDC) Ltd** – is the overarching holding company that brings together all of the other companies. It will not operate in its own right.
- 9) **Aspire Rentals Ltd** – will be a business aimed at letting properties on the open market at full market rents. This will either be by way of developing Council owned land and/or buying existing private sector properties.
- 10) **Aspire Land Agreements Ltd** – is a company aimed at entering into agreements with landholders which may in the future enable the company to develop the land.

- 11) **Aspire Property Services Ltd** – is a company which will provide repairs and maintenance services to private landlords.
- 12) The Articles of Association for each company set out the requirement that three directors be appointed. Advice given is that should the company ever need to borrow from or partner with private sector businesses it is looked on more favourably if the board of directors is made up of Council Officers only. It is therefore proposed that the directors be:
- a) Richard Auty – Assistant Director Corporate Services
 - b) Nicola Wittman – Assistant Director ICT and Facilities
 - c) Adrian Webb – Director of Finance and Corporate Services

The Articles, which are attached to this report, have all been reviewed and agreed by the Assistant Chief Executive – Legal.

- 13) The Cabinet will fulfil the role of the shareholder board and they have specific responsibilities including
- a) The appointment or removal of any director.
 - b) Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company.
 - c) Entry by the Company into any partnership or other profit share arrangement.

Future Steps

- 14) Formal registration of the companies will take place and bank accounts etc. established.
- 15) There is a significant piece of work to be undertaken around taxation. There are several ways in which the companies can operate and it is important that tax advice is obtained prior to trading commencing. This advice will be sought once the role of xxx in the Finance Team is filled as this role will be responsible for the day to day funding and tax liability of Aspire.
- 16) Over the autumn period there will be considerable work undertaken in preparing group accounts for the company ready for inclusion in the Council accounts. This responsibility will sit with the Finance Manager role which at present is vacant.
- 17) At the September Cabinet meeting it is intended to bring forward the initial proposals for Aspire Rentals Ltd. This will include the request for funding to be allocated.

- 18) Opportunities for Aspire Land Agreements Ltd are currently being sought and once identified these will be brought to Cabinet. This again will include the request for funding to be allocated.
- 19) Aspire Repairs and Maintenance Ltd will commence operating as soon as the taxation position is determined.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Aspire does not deliver the income expected	2 Some councils have struggled to make a success of SPVs	1 As the sole shareholder the properties would be sold and the monies returned to the council	Advice is being sought at all stages. As this is in effect a trial it can be terminated at any point and the properties sold

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Company No [COMPANY NUMBER]

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Holdings (UDC) Ltd]

Incorporated [DATE OF INCORPORATION]



Pinsent Masons
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THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Holdings (UDC) Ltd]

Incorporated [DATE OF INCORPORATION]

1. **MODEL ARTICLES**

1.1 The Model Articles do not apply to the Company and these Articles alone are the articles of association of the Company.

2. **INTERPRETATION**

2.1 In the Articles, unless the context requires otherwise:-

"Act"	means the Companies Act 2006
"Articles"	means the Company's articles of association
"Bankruptcy"	includes individual insolvency proceedings in a jurisdiction other than England and Wales, Scotland or Northern Ireland which have an effect similar to that of bankruptcy
"Business"	shall have the meaning given to it under Article 4.1
"business day"	means any day (other than a Saturday or Sunday) on which clearing banks in the City of London are open for the transaction of normal sterling banking business
"Business Plan"	means the business plan approved and adopted by the Company from time to time pursuant to Article 4.2
"Cabinet"	means such elected members of the Council appointed to the cabinet from time to time
"Capitalised Sum"	has the meaning given in Article 34.1.2
"Chairman"	has the meaning given to it in Article 14
"chairman of the meeting"	Has the meaning given to it in Article 38
"Companies Acts"	means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Company

"Council"	means [Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER]
"Deputy Leader"	means the person appointed to the position of deputy leader of the Council from time to time
"director"	means a director for the time being of the Company, and includes any person occupying the position of director, by whatever name called
"distribution recipient"	has the meaning given in Article 32.2
"document"	includes, unless otherwise specified, any document sent or supplied in electronic form
"Eligible Director"	means a director who would have been entitled to vote on the matter had it been proposed as a resolution at a board meeting (but excluding any director whose vote is not to be counted in respect of a particular matter)
"Fully Paid"	in relation to a share, means that the nominal value and any premium to be paid to the Company in respect of that share have been paid to the Company
"Holder"	in relation to shares means the person whose name is entered in the register of members as the holder of the shares
"instrument"	means a document in hard copy form
"Leader"	means the person appointed to the position of leader of the Council from time to time
"Model Articles"	means the model articles for private companies limited by shares contained in Schedule 1 of the Companies (Model Articles) Regulations 2008 as amended prior to the date of adoption of these Articles
"paid"	means paid or credited as paid
"participate"	in relation to a board meeting, has the meaning given in Article 12
"persons entitled"	has the meaning in Article 34.1.2
"Shareholder"	means a person who is the holder of a share who, at the date hereof, shall be the Council
"Shares"	means shares in the Company
"subsidiary" and "subsidiaries"	has the meaning given in section 1159 of the Act
"writing"	means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

2.2 References in these Articles to Shares being **"paid"** means those Shares being paid or credited as paid.

- 2.3 References in these Articles to "**writing**" means representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.
- 2.4 References in these Articles to a document includes, unless otherwise specified, any document sent or supplied in electronic form.
- 2.5 Unless the context otherwise requires:-
- 2.5.1 words in the singular include the plural and vice versa;
- 2.5.2 words in one gender include the other genders; and
- 2.5.3 words importing natural persons include corporations.
- 2.6 Words or expressions contained in these Articles which are defined in the Act have the same meaning as in the Act in force on the date of adoption of these Articles including the following words which are defined in the following sections of the Act:-

Word(s)/expression	Section Number in Act
electronic form	section 1168
equity share capital	section 548
hard copy form	section 1168
ordinary resolution	section 282
special resolution	section 283
working day	section 1173

- 2.7 A reference to an Article by number is to the relevant article of these Articles.
- 2.8 Headings used in these Articles do not affect their construction or interpretation.
- 2.9 References to a statute or statutory provision is a reference to it as it is in force as at the date of adoption of these Articles.

3. **LIMITATION OF LIABILITY**

The liability of the members is limited to the amount, if any, unpaid on the shares held by them.

4. **THE BUSINESS OF THE COMPANY**

4.1 The Business of the Company shall be to:-

- 4.1.1 establish subsidiary companies for the purposes of :-
- (a) delivering new and improved homes with mixed tenure with long term economic and social benefits for the people of the district of Uttlesford by developing Council assets and delivering properties to market;
 - (b) entering into agreements with landowners for potential purchase and development of sites; and
 - (c) contract commercially with private sector landlords, landowners, other commercial organisations and housing associations to provide property

maintenance services and other services as deemed appropriate from time to time,

- 4.1.2 engaging with potential business partners if so desired by the Council;
- 4.1.3 acting as a strategic supervisory body for each of its subsidiaries with ultimate responsibility for ensuring governance and compliance with the prevailing Business Plan;
- 4.1.4 securing funding to be utilised by each of its subsidiaries towards the prevailing Business Plan;
- 4.1.5 carrying out any other activities as the Shareholders may determine from time to time; and
- 4.1.6 carrying out the activities described in sub-articles 4.1.1 to 4.1.5 in the best interests of the Company and at all times in accordance with the Business Plan.

4.2 **Business Plan**

- 4.2.1 The Shareholders shall prepare a Business Plan for each and every scheme to be undertaken by the Company which shall be unanimously approved by the Shareholders.
- 4.2.2 The Business Plan(s) which has been prepared in accordance with Article 4.2.1 shall remain in force as the Business Plan for the Company until such time as it is replaced by an updated Business Plan approved unanimously by the Shareholder(s) from time to time.

5. **DIRECTORS' GENERAL AUTHORITY**

Subject to the Articles, the directors are responsible for the management of the Company's Business, for which purpose they may, with the exception of the matters requiring Shareholder consent and expressly reserved pursuant to Article 6 (Shareholder Reserved Matters), exercise all the powers of the Company.

6. **SHAREHOLDER RESERVE MATTERS**

The matters listed in Schedule 1 shall not be carried out without the prior written consent of the Shareholder(s).

7. **DIRECTORS MAY DELEGATE**

7.1 Subject to the Articles, the directors may delegate any of the powers which are conferred on them under the Articles:-

- 7.1.1 to such person or committee;
- 7.1.2 to such an extent;
- 7.1.3 in relation to such matters; and
- 7.1.4 on such terms and conditions;

as they think fit.

7.2 Any such delegation will automatically authorise further delegation of the directors' powers by any person to whom they are delegated, unless the directors specifically state otherwise within such delegation authority.

7.3 The directors may revoke any delegation in whole or part, or alter its terms and conditions.

8. **COMMITTEES**

- 8.1 Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by directors.
- 8.2 The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

9. **DIRECTORS TO TAKE DECISIONS COLLECTIVELY**

- 9.1 The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with Article 10.
- 9.2 All acts done by a meeting of directors, or a committee of directors or by any director shall, even if it is discovered afterwards that:-
- 9.2.1 there was a defect in the appointment of any director; or
 - 9.2.2 any director had been disqualified from holding office; or
 - 9.2.3 any director had vacated office or was not entitled to vote;

shall be valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.

10. **UNANIMOUS DECISIONS**

- 10.1 A decision of the directors is taken in accordance with this Article when all Eligible Directors indicate to each other by any means that they share a common view on a matter save to the extent otherwise provided for in any Business Plan.
- 10.2 Such a decision may take the form of a resolution in writing, copies of which have been signed by each Eligible Director or to which each Eligible Director has otherwise indicated agreement in writing.
- 10.3 A decision may not be taken in accordance with this Article if the Eligible Directors would not have formed a quorum at such a meeting.

11. **CALLING A BOARD MEETING**

- 11.1 Any director may call a board meeting by giving not less than 20 business days' notice of the meeting (or such lesser notice as all the directors may agree) to the directors.
- 11.2 Notice of any board meeting must indicate:-
- 11.2.1 its proposed date and time;
 - 11.2.2 where it is to take place;
 - 11.2.3 the proposed business of the meetings;
 - 11.2.4 if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 11.3 Notice of a board meeting must be given to each director, and must be in writing.
- 11.4 Notice of a board meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the Company not more than 7 days after the date on

which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

12. PARTICIPATION IN BOARD MEETINGS

- 12.1 Subject to the Articles, directors participate in a board meeting, or part of a board meeting, when:-
- 12.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 12.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 12.2 In determining whether directors are participating in a board meeting, it is irrelevant where any director is or how they communicate with each other.
- 12.3 If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

13. QUORUM FOR BOARD MEETINGS

- 13.1 At a board meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 13.2 The quorum for the transaction of business at a meeting of the directors is any 2 directors.
- 13.3 If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision to call a shareholder meeting so as to enable the Shareholder(s) to appoint further directors.

14. CHAIRING OF BOARD MEETINGS

- 14.1 The directors may appoint a director to chair their meetings.
- 14.2 The person so appointed for the time being is known as the Chairman.
- 14.3 The directors may terminate the Chairman's appointment at any time.
- 14.4 If the Chairman is not participating in a board meeting within ten minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it.

15. CHAIRMAN'S CASTING VOTE

- 15.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chairman or other director chairing the meeting shall have a casting vote.

16. RECORDS OF DECISIONS TO BE KEPT

The directors must ensure that the Company keeps a record, in writing, for at least 7 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.

17. CONFLICTS OF INTEREST

- 17.1 If a proposed decision of the directors is concerned with an actual or proposed transaction or arrangement with the Company in which a director is interested, that director is not to be counted as participating in the decision-making process for quorum or voting purposes.
- 17.2 But if Article 17.3 applies, a director who is interested in an actual or proposed transaction or arrangement with the Company is to be counted as participating in the decision-making process for quorum and voting purposes.

- 17.3 This paragraph applies when—
- 17.3.1 the Company by ordinary resolution disappplies the provision of the articles which would otherwise prevent a director from being counted as participating in the decision-making process; or
 - 17.3.2 the director's interest cannot reasonably be regarded as likely to give rise to a conflict of interest.
- 17.4 For the purposes of this Article, references to proposed decisions and decision-making processes include any directors' meeting or part of a directors' meeting.
- 17.5 Subject to Article 17.7, if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.
- 17.6 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.
18. **NUMBER AND METHOD OF APPOINTING DIRECTORS**
- 18.1 Unless otherwise determined by ordinary resolution, the number of directors shall not be less than 2 and the appointment or removal of a director shall be a matter to be approved by the Shareholder(s) pursuant to Article 6 (Shareholder Reserved Matters).
19. **TERMINATION OF DIRECTOR'S APPOINTMENT**
- 19.1 A person ceases to be a director as soon as:-
- 19.1.1 that person ceases to be a director by virtue of any provision of the Act or these Articles or is prohibited from being a director by law;
 - 19.1.2 a bankruptcy order is made against that person;
 - 19.1.3 a composition is made with that person's creditors generally in satisfaction of that person's debts;
 - 19.1.4 a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;
 - 19.1.5 notification is received by the Company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;
 - 19.1.6 he is convicted of a criminal offence (other than a motoring offence or series of offences not resulting in disqualification) and the directors resolve that his office be vacated; or
 - 19.1.7 in the case of a person who is also an employee of the Company he ceases to be such an employee; or
 - 19.1.8 he shall for more than six consecutive months have been absent without permission of the Shareholder(s) from meetings of directors held during that period and the Shareholder(s) resolve that his office be vacated; or
 - 19.1.9 all the other Shareholder(s) unanimously resolve that his office be vacated.

19.2 In addition and without prejudice to the provisions of section 168 of the Act, Shareholder(s) may remove any director before the expiration of his period of office and appoint another director in his place.

20. **DIRECTORS' REMUNERATION**

20.1 Directors may undertake any services for the Company that the directors decide.

20.2 Directors are not entitled to any remuneration for their services to the Company.

20.3 Unless the directors decide otherwise, directors are not accountable to the Company for any remuneration which they receive as directors or other officers or employees of the Company's subsidiaries or of any other body corporate in which the Company is interested.

21. **DIRECTORS' AND OFFICERS' EXPENSES**

21.1 The Company may pay any reasonable out-of-pocket expenses which the officers (including alternate directors and the secretary) properly incur in connection with their attendance at:-

21.1.1 meetings of directors or committees of directors;

21.1.2 shareholder meetings; or

21.1.3 separate meetings of the holders of any class of shares or of debentures of the Company

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

22. **SECRETARY**

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration, and upon such conditions as they may think fit and from time to time to remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

23. **ALL SHARES TO BE FULLY PAID UP**

23.1 No share is to be issued for less than the aggregate of its nominal value and any premium to be paid to the Company in consideration for its issue.

23.2 This does not apply to shares taken on the formation of the Company by the subscribers to the Company's memorandum.

24. **POWERS TO ISSUE DIFFERENT CLASSES OF SHARE**

24.1 Subject to the Articles, but without prejudice to the rights attached to any existing share, the Company may issue shares with such rights or restrictions as may be determined by ordinary resolution.

24.2 The Company may issue shares which are to be redeemed, or are liable to be redeemed at the option of the Company or the holder, and the directors may determine the terms, conditions and manner of redemption of any such shares.

25. **COMPANY NOT BOUND BY LESS THAN ABSOLUTE INTERESTS**

Except as required by law, no person is to be recognised by the Company as holding any share upon any trust, and except as otherwise required by law or the Articles, the Company is not in any way to be bound by or recognise any interest in a share other than the holder's absolute ownership of it and all the rights attaching to it.

26. **DIRECTORS' AUTHORITY TO ALLOT SHARES**

Save to the extent authorised from time to time by an ordinary resolution of the Shareholder(s), the directors shall not exercise any power to allot shares or to grant rights to subscribe for, or to convert any security into, any shares in the Company.

27. **SHARE CERTIFICATES**

27.1 The Company must issue each Shareholder, free of charge, with one or more certificates in respect of the shares which that Shareholder holds.

27.2 Every certificate must specify:-

27.2.1 in respect of how many shares, of what class, it is issued;

27.2.2 the nominal value of those shares;

27.2.3 that the shares are fully paid; and

27.2.4 any distinguishing numbers assigned to them.

27.3 No certificate may be issued in respect of shares of more than one class.

27.4 If more than one person holds a share, only one certificate may be issued in respect of it.

27.5 Certificates must:-

27.5.1 have affixed to them the Company's common seal; or

27.5.2 be otherwise executed in accordance with the Companies Acts.

28. **SHARE TRANSFERS**

28.1 Shares may be transferred by means of an instrument of transfer in any usual form or any other form approved by the directors, which is executed by or on behalf of the transferor.

28.2 No fee may be charged for registering any instrument of transfer or other document relating to or affecting the title to any share.

28.3 The Company may retain any instrument of transfer which is registered.

28.4 The transferor remains the holder of a share until the transferee's name is entered in the register of members as holder of it.

29. **DIRECTORS' POWERS ON TRANSFER OF SHARES**

29.1 The directors must not register the transfer of any Share or any interest in any Share unless the transfer is approved by the Shareholder(s) pursuant to Article 6 (Shareholder Reserved Matters).

29.2 The directors may at any time require any Shareholder or any person named as transferee in an instrument of transfer lodged for registration to give the directors such information and evidence as the directors believe is relevant to ensure that a transfer of Shares is being made in accordance with these Articles or that no circumstances have arisen which would result in a Transfer Notice being bound to be given or being deemed to have been given.

29.3 If the directors are not given such information or evidence within 20 days after they have requested it, the directors may in their absolute discretion give notice of refusal to register the transfer concerned together with reasons for the refusal to the person named as transferee or require the Shareholder by written notice to give a Transfer Notice in respect of the relevant Shares. If the

information or evidence received by the directors discloses to their satisfaction that a Shareholder may be bound to give or is deemed to have given a Transfer Notice, the directors may in their absolute discretion by written notice to the relevant Shareholder require that a Transfer Notice be given in respect of the relevant Shares.

- 29.4 An obligation to transfer a Share under these Articles is an obligation to transfer the entire legal and beneficial interest in such Share free from any lien, charge or encumbrance.

30. PROCEDURE FOR DECLARING DIVIDENDS

- 30.1 The Company may by ordinary resolution declare dividends, and the directors may decide to pay interim dividends.
- 30.2 A dividend must not be declared unless the directors have made a recommendation as to its amount. Such a dividend must not exceed the amount recommended by the directors.
- 30.3 No dividend may be declared or paid unless it is in accordance with Shareholders' respective rights and approved in the prevailing Business Plan.
- 30.4 Unless the Shareholders' resolution to declare or directors' decision to pay a dividend, or the terms on which shares are issued, specify otherwise, it must be paid by reference to each Shareholder's holding of shares on the date of the resolution or decision to declare or pay it.
- 30.5 If the Company's share capital is divided into different classes, no interim dividend may be paid on shares carrying deferred or non-preferred rights if, at the time of payment, any preferential dividend is in arrear.
- 30.6 The directors may pay at intervals any dividend payable at a fixed rate if it appears to them that the profits available for distribution justify the payment.
- 30.7 If the directors act in good faith, they do not incur any liability to the holders of shares conferring preferred rights for any loss they may suffer by the lawful payment of an interim dividend on shares with deferred or non-preferred rights.

31. CALCULATION OF DIVIDENDS

- 31.1 Except as otherwise produced by these Articles or the rights attached to the shares, all dividends must be declared and distributed amongst the holders of shares proportionately according to the number of shares held (and in irrespective of the amount paid up on such shares).
- 31.2 If any share is issued on terms providing that it ranks for dividend as from a particular date, that share ranks for dividend accordingly.

32. PAYMENT OF DIVIDENDS AND OTHER DISTRIBUTIONS

- 32.1 Where a dividend or other sum which is a distribution is payable in respect of a share, it must be paid by one or more of the following means:-
- 32.1.1 transfer to a bank or building society account specified by the distribution recipient in writing;
- 32.1.2 sending a cheque made payable to the distribution recipient by post to the distribution recipient at the distribution recipient's registered address (if the distribution recipient is a holder of the share), or (in any other case) to an address specified by the distribution recipient in writing;
- 32.1.3 sending a cheque made payable to such person by post to such person at such address as the distribution recipient has specified in writing; or

- 32.1.4 any other means of payment as the directors agree with the distribution recipient in writing.
- 32.2 In the Articles, the "**distribution recipient**" means, in respect of a share in respect of which a dividend or other sum is payable:-
- 32.2.1 the holder of the share; or
- 32.2.2 if the share has two or more joint holders, whichever of them is named first in the register of members; or
- 32.2.3 if the holder is no longer entitled to the share by reason of death or bankruptcy, or otherwise by operation of law, the transmittee.
33. **NO INTEREST ON DISTRIBUTIONS**
- 33.1 The Company may not pay interest on any dividend or other sum payable in respect of a share unless otherwise provided by:-
- 33.1.1 the terms on which the share was issued; or
- 33.1.2 the provisions of another agreement between the holder of that share and the Company.
34. **CAPITALISATION OF PROFITS**
- 34.1 Subject to the Articles, the directors may, if they are so authorised by an ordinary resolution:-
- 34.1.1 decide to capitalise any profits of the Company (whether or not they are available for distribution) which are not required for paying a preferential dividend, or any sum standing to the credit of the Company's share premium account or capital redemption reserve; and
- 34.1.2 appropriate any sum which they so decide to capitalise (a "**Capitalised Sum**") to the persons who would have been entitled to it if it were distributed by way of dividend (the "**persons entitled**") and in the same proportions.
- 34.2 Capitalised Sums must be applied:-
- 34.2.1 on behalf of the persons entitled; and
- 34.2.2 in the same proportions as a dividend would have been distributed to them.
- 34.3 Any Capitalised Sum may be applied in paying up new shares of a nominal amount equal to the Capitalised Sum which are then allotted credited as fully paid to the persons entitled or as they may direct.
- 34.4 A Capitalised Sum which was appropriated from profits available for distribution may be applied in paying up new debentures of the Company which are then allotted credited as fully paid to the persons entitled or as they may direct.
- 34.5 Subject to the Articles the directors may:-
- 34.5.1 apply Capitalised Sums in accordance with Articles 34.3 and 34.4 partly in one way and partly in another;
- 34.5.2 make such arrangements as they think fit to deal with shares or debentures becoming distributable in fractions under this Article (including the issuing of fractional certificates or the making of cash payments); and

34.5.3 authorise any person to enter into an agreement with the Company on behalf of all the persons entitled which is binding on them in respect of the allotment of shares and debentures to them under this Article.

35. NOTICE OF SHAREHOLDER MEETINGS

35.1 The notice of a shareholder meeting of the Company must state:-

35.1.1 the time and date of the meeting;

35.1.2 the place of the meeting; and

35.1.3 the general nature of the business to be transacted.

36. ATTENDANCE AND SPEAKING AT SHAREHOLDER MEETINGS

36.1 A person is able to exercise the right to speak at a shareholder meeting when that person is a member of the Cabinet of the Council.

36.2 A person is only able to exercise the right to vote at a shareholder meeting if that person is a member of the Cabinet of the Council.

36.3 The directors may make whatever arrangements they consider appropriate to enable those attending a shareholder meeting to exercise their rights to speak or vote at it.

36.4 In determining attendance at a shareholder meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

36.5 Two or more persons who are not in the same place as each other attend a shareholder meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

37. QUORUM FOR SHAREHOLDER MEETINGS

37.1 No business other than the appointment of the chairman of the meeting is to be transacted at a shareholder meeting if the persons attending it do not constitute a quorum, pursuant to Article 37.2 below.

37.2 A quorum for the transaction of business at a meeting of the shareholders is:-

37.2.1 the Leader of the Council or the Deputy Leader of the Council; or

37.2.2 in the absence of the Leader of the Council or the Deputy Leader of the Council two other members of the Cabinet of the Council.

38. CHAIRING SHAREHOLDER MEETINGS

38.1 If the directors have appointed a chairman, the chairman shall chair shareholder meetings if present and willing to do so.

38.2 If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start:-

38.2.1 the directors present; or

38.2.2 (if no directors are present), the meeting

must appoint a director or shareholder to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.

38.3 The person chairing a meeting in accordance with this Article is referred to as "**the chairman of the meeting**".

39. **ATTENDANCE AND SPEAKING BY DIRECTORS AND NON-SHAREHOLDERS**

39.1 Directors may attend and speak at shareholder meetings, whether or not they are shareholders.

39.2 The chairman of the meeting may in his absolute discretion permit other persons who are not:-

39.2.1 shareholders of the Company; or

39.2.2 otherwise entitled to exercise the rights of shareholders in relation to shareholder meetings

to attend and speak at a shareholder meeting.

40. **ADJOURNMENT**

40.1 If the persons attending a shareholder meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.

40.2 The chairman of the meeting may adjourn a shareholder meeting at which a quorum is present if:-

40.2.1 the meeting consents to an adjournment; or

40.2.2 it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.

40.3 The chairman of the meeting must adjourn a shareholder meeting if directed to do so by the meeting.

40.4 When adjourning a shareholder meeting, the chairman of the meeting must:-

40.4.1 either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and

40.4.2 have regard to any directions as to the time and place of any adjournment which have been given by the meeting.

40.5 If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):-

40.5.1 to the same persons to whom notice of the Company's shareholder meetings is required to be given, and

40.5.2 containing the same information which such notice is required to contain.

40.6 No business may be transacted at an adjourned shareholder meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

41. **VOTING AT SHAREHOLDER MEETINGS**

41.1 A resolution put to the vote of a shareholder meeting must be decided on a show of hands.

41.2 No objection may be raised to the qualification of any person voting at a shareholder meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.

41.3 Any such objection must be referred to the chairman of the meeting, whose decision is final.

42. **AMENDMENTS TO RESOLUTIONS**

42.1 An ordinary resolution to be proposed at a shareholder meeting may be amended by ordinary resolution if:-

42.1.1 notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the shareholder meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine); and

42.1.2 the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.

42.2 A special resolution to be proposed at a shareholder meeting may be amended by ordinary resolution, if:-

42.2.1 the chairman of the meeting proposes the amendment at the shareholder meeting at which the resolution is to be proposed; and

42.2.2 the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

42.3 If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

43. **NOTICES AND COMMUNICATIONS**

43.1 The Company may send, supply or give any document, information or notice to a Shareholder by hard copy, electronic form or by making that document or information available on a website and giving notice of the availability of that document or information to the relevant Shareholder (provided that Shareholder has individually agreed (or is deemed to have agreed) to the Company sending or supplying documents or information generally or those documents or information in question to him by means of a website), in each case subject to the provisions of sections 1143 to 1148 and Schedule 5 of the Act.

43.2 A notice given by means of a website shall be deemed to have been sent, supplied or given when the material was first made available on the website or, if later, when the recipient received (or is deemed to have received) notice of the fact that the material was available on the website.

43.3 Any document, information or notice which is required to be sent or given to the Company shall be sent by hard copy or electronic form in each case, subject to the provisions of sections 1143 to 1148, Schedule 4 and Schedule 5 of the Act.

43.4 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:-

43.4.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, on the second working day after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

43.4.2 if properly addressed and delivered by hand, the next working day after it was given or left at the appropriate address; and

43.4.3 if properly addressed and sent or supplied by electronic means, the next working day after the document or information was sent or supplied.

For the purposes of this Article, no account shall be taken of any part of a day that is not a working day.

43.5 Proof that an envelope containing a document, notice or information was properly addressed, prepaid and posted shall be conclusive evidence that the document, notice or information was sent, supplied or given by post. A copy of a record of the total number of recipients sent to or each recipient to whom an e-mail message was sent together with any notices of failed transmissions and copies of records of subsequent re-sending, suitably certified by or on behalf of the Company, shall be conclusive evidence that the document, notice or information was sent, supplied or given by e-mail.

43.6 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

43.7 A Director may agree with the Company that notices or documents sent to that Director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

43.8 Any notice or document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or documents for the time being.

44. **COMPANY SEALS**

44.1 Any common seal may only be used by the authority in writing of the directors.

44.2 The directors may decide by what means and in what form any common seal is to be used.

44.3 Unless otherwise decided by the directors in writing, if the Company has a common seal and it is affixed to a document, the document must also be signed by at least one authorised person.

44.4 An authorised person is:-

44.4.1 any director of the Company;

44.4.2 the Company secretary (if any); or

44.4.3 any person authorised by the directors in writing for the purpose of signing documents to which the common seal is applied.

45. **NO RIGHT TO INSPECT ACCOUNTS AND OTHER RECORDS**

Except as provided by law or authorised by the directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or documents merely by virtue of being a shareholder.

46. **PROVISION FOR EMPLOYEES ON CESSATION OF BUSINESS**

The directors may decide to make provision for the benefit of persons employed or formerly employed by the Company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Company or that subsidiary.

47. DIRECTORS' INDEMNITY AND INSURANCE

47.1 Subject to Article 47.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:-

47.1.1 each relevant officer shall be indemnified out of the out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant office in the actual or purported execution and/or discharge of his duties, or in relation to them including (in each case) any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

47.1.2 the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in Article 47.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurred such expenditure.

47.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

47.3 In this Article:-

47.3.1 companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and

47.3.2 a "relevant officer" means any director or other officer or former director or other officer of the Company or an associated company (including any company which is a trustee of an occupational pension scheme (as defined by section 235(6) of the Act, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor).

48. COUNCIL CONTROL OVER SUBSIDIARIES

48.1 The Company shall be entitled to establish any subsidiary in furtherance of the Business of the Company and provided that the Council remains the holder of not less than 90 per cent of the Shares of the Company the following provisions will apply and to the extent of any inconsistency will have overriding effect as against all other provisions of the articles for any such subsidiary;

48.1.1 the Company may at any time and from time to time appoint any person to be a director of the subsidiary or remove from office any director of the subsidiary howsoever appointed and so that in the case of his removal from office will be deemed an act of the subsidiary and will have effect without prejudice to any claim for damages in respect of the consequent termination of his office;

48.1.2 no securities or shares may be issued or agreed to be issued or put under option by the subsidiary without the consent of the Company; and

48.1.3 any or all powers of the directors of the subsidiary will be restricted in such respects and to such extent as the Company may by notice to the subsidiary from time to time prescribe.

SCHEDULE 1

Shareholder Reserve Matters

1. Approval and adoption of each Business Plan (and any amendments/variations) for each and every scheme.
2. Alteration in the nature/scope of the Business for each and every scheme, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company and/or its subsidiaries.
3. Taking any action outside the parameters of the Business Plans in a manner not reasonably contemplated within the scope of the Business Plan or which could not reasonably be expected to fall within the scope of the Business Plan including but not limited to contract expenditure or increasing any indebtedness of the Company and/or its subsidiaries outside the parameters of the Business Plans.
4. Acquiring, disposing or agreeing to acquire or dispose of any asset, any interest in an asset (including the exercise of an option) or any other land or buildings, by either the Company and/or its subsidiaries.
5. Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
6. Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the company becomes a Subsidiary, entering into joint ventures or partnerships.
7. Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company.
8. Granting or entering into any license agreement or arrangement concerning the trading names of the Company and/or its subsidiaries and goodwill attached thereto.
9. Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
10. Making any petition or passing any resolution to wind up the Company and/or its subsidiaries or making any application for an administration or winding up order or any order having similar effect in relation to the Company and/or its subsidiaries or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator.
11. Changing the name of the Company and/or its subsidiaries.
12. Change in status of the Company and/or its subsidiaries.
13. Entry by the Company and/or its subsidiaries into any partnership or other profit share arrangement.
14. The admission of a new shareholder to the Company or the expulsion of any then existing shareholder.
15. Contracting and/or entering into a commitment to contract expenditure outside the parameters of activity (as set out in the budget) contemplated by the agreed Business Plans.
16. Giving a guarantee, suretyship or indemnity to secure the liabilities of any person (including its subsidiaries) or assume the obligations of any person (including its subsidiaries).

17. Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans.
18. Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and/or its subsidiaries and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company).
19. Agreeing to pay any remuneration to an employee of a Company and/or its subsidiaries other than out of pocket expenses.
20. The appointment or removal of any director of the Company and/or its subsidiaries.
21. Any other activity the Shareholders of the Company may determine from time to time.

Company No [COMPANY NUMBER]

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Land Developments Ltd]

Incorporated [DATE OF INCORPORATION]



Pinsent Masons
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THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Land Developments Ltd]

Incorporated [DATE OF INCORPORATION]

1. **MODEL ARTICLES**

1.1 The Model Articles do not apply to the Company and these Articles alone are the articles of association of the Company.

2. **INTERPRETATION**

2.1 In the Articles, unless the context requires otherwise:-

"Act"	means the Companies Act 2006
"Articles"	means the Company's articles of association
"Bankruptcy"	includes individual insolvency proceedings in a jurisdiction other than England and Wales, Scotland or Northern Ireland which have an effect similar to that of bankruptcy
"Business"	shall have the meaning given to it under Article 4.1
"business day"	means any day (other than a Saturday or Sunday) on which clearing banks in the City of London are open for the transaction of normal sterling banking business
"Business Plan"	means the business plan approved and adopted by the Company from time to time pursuant to Article 4.2
"Cabinet"	means such elected members of the Council appointed to the cabinet from time to time
"Capitalised Sum"	has the meaning given in Article 34.1.2
"Chairman"	has the meaning given to it in Article 14
"chairman of the meeting"	Has the meaning given to it in Article 38
"Companies Acts"	means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Company

"Council"	means [Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER]
"Deputy Leader"	means the person appointed to the position of deputy leader of the Council from time to time
"director"	means a director for the time being of the Company, and includes any person occupying the position of director, by whatever name called
"distribution recipient"	has the meaning given in Article 32.2
"document"	includes, unless otherwise specified, any document sent or supplied in electronic form
"Eligible Director"	means a director who would have been entitled to vote on the matter had it been proposed as a resolution at a board meeting (but excluding any director whose vote is not to be counted in respect of a particular matter)
"Fully Paid"	in relation to a share, means that the nominal value and any premium to be paid to the Company in respect of that share have been paid to the Company
"Holder"	in relation to shares means the person whose name is entered in the register of members as the holder of the shares
"instrument"	means a document in hard copy form
"Leader"	means the person appointed to the position of leader of the Council from time to time
"Model Articles"	means the model articles for private companies limited by shares contained in Schedule 1 of the Companies (Model Articles) Regulations 2008 as amended prior to the date of adoption of these Articles
"paid"	means paid or credited as paid
"participate"	in relation to a board meeting, has the meaning given in Article 12
"persons entitled"	has the meaning in Article 34.1.2
"Shareholder"	means a person who is the holder of a share who, at the date hereof, shall be the Council
"Shares"	means shares in the Company
"subsidiary"	has the meaning given in section 1159 of the Act
"writing"	means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

2.2 References in these Articles to Shares being "**paid**" means those Shares being paid or credited as paid.

2.3 References in these Articles to "**writing**" means representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

- 2.4 References in these Articles to a document includes, unless otherwise specified, any document sent or supplied in electronic form.
- 2.5 Unless the context otherwise requires:-
- 2.5.1 words in the singular include the plural and vice versa;
- 2.5.2 words in one gender include the other genders; and
- 2.5.3 words importing natural persons include corporations.
- 2.6 Words or expressions contained in these Articles which are defined in the Act have the same meaning as in the Act in force on the date of adoption of these Articles including the following words which are defined in the following sections of the Act:-

Word(s)/expression	Section Number in Act
electronic form	section 1168
equity share capital	section 548
hard copy form	section 1168
ordinary resolution	section 282
special resolution	section 283
working day	section 1173

- 2.7 A reference to an Article by number is to the relevant article of these Articles.
- 2.8 Headings used in these Articles do not affect their construction or interpretation.
- 2.9 References to a statute or statutory provision is a reference to it as it is in force as at the date of adoption of these Articles.

3. **LIMITATION OF LIABILITY**

The liability of the members is limited to the amount, if any, unpaid on the shares held by them.

4. **THE BUSINESS OF THE COMPANY**

- 4.1 The Business of the Company shall be to:-
- 4.1.1 enter into agreements with landowners of potential development sites to acquire and purchase such sites in accordance with the terms of the prevailing Business Plan;
- 4.1.2 to secure the laying out and development of any acquired land in accordance with the Business Plan and other relevant plans and policies adopted by the Council;
- 4.1.3 to dispose of existing property and/or acquire new property in accordance with the terms of the prevailing Business Plan;
- 4.1.4 to develop commercial units and private residential units for private rental and/or sale;
- 4.1.5 carry out any other activities as the Shareholders may determine from time to time;
- 4.1.6 carry out the activities described in sub-articles 4.1.1 to 4.1.5 in the best interests of the Company and at all times in accordance with the Business Plan.

4.2 **Business Plan**

4.2.1 The Shareholders shall prepare a Business Plan for each and every scheme to be undertaken by the Company which shall be unanimously approved by the Shareholders.

4.2.2 The Business Plan which has been prepared in accordance with Article 4.2.1 shall remain in force as the Business Plan for the Company until such time as it is replaced by an updated Business Plan approved unanimously by the Shareholder from time to time.

5. **DIRECTORS' GENERAL AUTHORITY**

Subject to the Articles, the directors are responsible for the management of the Company's Business, for which purpose they may, with the exception of the matters requiring Shareholder consent and expressly reserved pursuant to Article 6 (Shareholder Reserved Matters), exercise all the powers of the Company.

6. **SHAREHOLDER RESERVE MATTERS**

The matters listed in Schedule 1 shall not be carried out without the prior written consent of the Shareholders.

7. **DIRECTORS MAY DELEGATE**

7.1 Subject to the Articles, the directors may delegate any of the powers which are conferred on them under the Articles:-

7.1.1 to such person or committee;

7.1.2 to such an extent;

7.1.3 in relation to such matters; and

7.1.4 on such terms and conditions;

as they think fit.

7.2 Any such delegation will automatically authorise further delegation of the directors' powers by any person to whom they are delegated, unless the directors specifically state otherwise within such delegation authority.

7.3 The directors may revoke any delegation in whole or part, or alter its terms and conditions.

8. **COMMITTEES**

8.1 Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by directors.

8.2 The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

9. **DIRECTORS TO TAKE DECISIONS COLLECTIVELY**

9.1 The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with Article 10.

9.2 All acts done by a meeting of directors, or a committee of directors or by any director shall, even if it is discovered afterwards that:-

- 9.2.1 there was a defect in the appointment of any director; or
- 9.2.2 any director had been disqualified from holding office; or
- 9.2.3 any director had vacated office or was not entitled to vote;

be valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.

10. **UNANIMOUS DECISIONS**

- 10.1 A decision of the directors is taken in accordance with this Article when all Eligible Directors indicate to each other by any means that they share a common view on a matter save to the extent otherwise provided for in any Business Plan.
- 10.2 Such a decision may take the form of a resolution in writing, copies of which have been signed by each Eligible Director or to which each Eligible Director has otherwise indicated agreement in writing.
- 10.3 A decision may not be taken in accordance with this Article if the Eligible Directors would not have formed a quorum at such a meeting.

11. **CALLING A BOARD MEETING**

- 11.1 Any director may call a board meeting by giving not less than 20 business days' notice of the meeting (or such lesser notice as all the directors may agree) to the directors.
- 11.2 Notice of any board meeting must indicate:-
 - 11.2.1 its proposed date and time;
 - 11.2.2 where it is to take place;
 - 11.2.3 the proposed business of the meetings;
 - 11.2.4 if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 11.3 Notice of a board meeting must be given to each director, and must be in writing.
- 11.4 Notice of a board meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the Company not more than 7 days after the date on which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

12. **PARTICIPATION IN BOARD MEETINGS**

- 12.1 Subject to the Articles, directors participate in a board meeting, or part of a board meeting, when:-
 - 12.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 12.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 12.2 In determining whether directors are participating in a board meeting, it is irrelevant where any director is or how they communicate with each other.
- 12.3 If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

13. QUORUM FOR BOARD MEETINGS

- 13.1 At a board meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 13.2 The quorum for the transaction of business at a meeting of the directors is any 2 directors.
- 13.3 If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision to call a shareholders meeting so as to enable the Shareholders to appoint further directors.

14. CHAIRING OF BOARD MEETINGS

- 14.1 The directors may appoint a director to chair their meetings.
- 14.2 The person so appointed for the time being is known as the Chairman.
- 14.3 The directors may terminate the Chairman's appointment at any time.
- 14.4 If the Chairman is not participating in a board meeting within ten minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it.

15. CHAIRMAN'S CASTING VOTE

- 15.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chairman or other director chairing the meeting shall have a casting vote.

16. RECORDS OF DECISIONS TO BE KEPT

The directors must ensure that the Company keeps a record, in writing, for at least 7 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.

17. CONFLICTS OF INTEREST

- 17.1 If a proposed decision of the directors is concerned with an actual or proposed transaction or arrangement with the Company in which a director is interested, that director is not to be counted as participating in the decision-making process for quorum or voting purposes.
- 17.2 But if Article 17.3 applies, a director who is interested in an actual or proposed transaction or arrangement with the Company is to be counted as participating in the decision-making process for quorum and voting purposes.
- 17.3 This paragraph applies when—
- 17.3.1 the Company by ordinary resolution disapplies the provision of the articles which would otherwise prevent a director from being counted as participating in the decision-making process; or
 - 17.3.2 the director's interest cannot reasonably be regarded as likely to give rise to a conflict of interest.
- 17.4 For the purposes of this Article, references to proposed decisions and decision-making processes include any directors' meeting or part of a directors' meeting.
- 17.5 Subject to Article 17.7, if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.

17.6 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.

18. NUMBER AND METHOD OF APPOINTING DIRECTORS

18.1 Unless otherwise determined by ordinary resolution, the number of directors shall not be less than 2 and the appointment or removal of a director shall be a matter to be approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).

19. TERMINATION OF DIRECTOR'S APPOINTMENT

19.1 A person ceases to be a director as soon as:-

19.1.1 that person ceases to be a director by virtue of any provision of the Act or these Articles or is prohibited from being a director by law;

19.1.2 a bankruptcy order is made against that person;

19.1.3 a composition is made with that person's creditors generally in satisfaction of that person's debts;

19.1.4 a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;

19.1.5 notification is received by the Company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;

19.1.6 he is convicted of a criminal offence (other than a motoring offence or series of offences not resulting in disqualification) and the directors resolve that his office be vacated; or

19.1.7 in the case of a person who is also an employee of the Company he ceases to be such an employee; or

19.1.8 he shall for more than six consecutive months have been absent without permission of the Shareholders from meetings of directors held during that period and the Shareholders resolve that his office be vacated; or

19.1.9 all the other Shareholders unanimously resolve that his office be vacated.

19.2 In addition and without prejudice to the provisions of section 168 of the Act, Shareholders may remove any director before the expiration of his period of office and appoint another director in his place.

20. DIRECTORS' REMUNERATION

20.1 Directors may undertake any services for the Company that the directors decide.

20.2 Directors are not entitled to any remuneration for their services to the Company.

20.3 Unless the directors decide otherwise, directors are not accountable to the Company for any remuneration which they receive as directors or other officers or employees of the Company's subsidiaries or of any other body corporate in which the Company is interested.

21. DIRECTORS' AND OFFICERS' EXPENSES

21.1 The Company may pay any reasonable out-of-pocket expenses which the officers (including alternate directors and the secretary) properly incur in connection with their attendance at:-

21.1.1 meetings of directors or committees of directors;

21.1.2 shareholders meetings; or

21.1.3 separate meetings of the holders of any class of shares or of debentures of the Company

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

22. SECRETARY

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration, and upon such conditions as they may think fit and from time to time to remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

23. ALL SHARES TO BE FULLY PAID UP

23.1 No share is to be issued for less than the aggregate of its nominal value and any premium to be paid to the Company in consideration for its issue.

23.2 This does not apply to shares taken on the formation of the Company by the subscribers to the Company's memorandum.

24. POWERS TO ISSUE DIFFERENT CLASSES OF SHARE

24.1 Subject to the Articles, but without prejudice to the rights attached to any existing share, the Company may issue shares with such rights or restrictions as may be determined by ordinary resolution.

24.2 The Company may issue shares which are to be redeemed, or are liable to be redeemed at the option of the Company or the holder, and the directors may determine the terms, conditions and manner of redemption of any such shares.

25. COMPANY NOT BOUND BY LESS THAN ABSOLUTE INTERESTS

Except as required by law, no person is to be recognised by the Company as holding any share upon any trust, and except as otherwise required by law or the Articles, the Company is not in any way to be bound by or recognise any interest in a share other than the holder's absolute ownership of it and all the rights attaching to it.

26. DIRECTORS' AUTHORITY TO ALLOT SHARES

Save to the extent authorised from time to time by an ordinary resolution of the Shareholders, the directors shall not exercise any power to allot shares or to grant rights to subscribe for, or to convert any security into, any shares in the Company.

27. SHARE CERTIFICATES

27.1 The Company must issue each Shareholder, free of charge, with one or more certificates in respect of the shares which that Shareholder holds.

27.2 Every certificate must specify:-

27.2.1 in respect of how many shares, of what class, it is issued;

27.2.2 the nominal value of those shares;

27.2.3 that the shares are fully paid; and

27.2.4 any distinguishing numbers assigned to them.

27.3 No certificate may be issued in respect of shares of more than one class.

27.4 If more than one person holds a share, only one certificate may be issued in respect of it.

27.5 Certificates must:-

27.5.1 have affixed to them the Company's common seal; or

27.5.2 be otherwise executed in accordance with the Companies Acts.

28. **SHARE TRANSFERS**

28.1 Shares may be transferred by means of an instrument of transfer in any usual form or any other form approved by the directors, which is executed by or on behalf of the transferor.

28.2 No fee may be charged for registering any instrument of transfer or other document relating to or affecting the title to any share.

28.3 The Company may retain any instrument of transfer which is registered.

28.4 The transferor remains the holder of a share until the transferee's name is entered in the register of members as holder of it.

29. **DIRECTORS' POWERS ON TRANSFER OF SHARES**

29.1 The directors must not register the transfer of any Share or any interest in any Share unless the transfer is approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).

29.2 The directors may at any time require any Shareholder or any person named as transferee in an instrument of transfer lodged for registration to give the directors such information and evidence as the directors believe is relevant to ensure that a transfer of Shares is being made in accordance with these Articles or that no circumstances have arisen which would result in a Transfer Notice being bound to be given or being deemed to have been given.

29.3 If the directors are not given such information or evidence within 20 days after they have requested it, the directors may in their absolute discretion give notice of refusal to register the transfer concerned together with reasons for the refusal to the person named as transferee or require the Shareholder by written notice to give a Transfer Notice in respect of the relevant Shares. If the information or evidence received by the directors discloses to their satisfaction that a Shareholder may be bound to give or is deemed to have given a Transfer Notice, the directors may in their absolute discretion by written notice to the relevant Shareholder require that a Transfer Notice be given in respect of the relevant Shares.

29.4 An obligation to transfer a Share under these Articles is an obligation to transfer the entire legal and beneficial interest in such Share free from any lien, charge or encumbrance.

30. **PROCEDURE FOR DECLARING DIVIDENDS**

30.1 The Company may by ordinary resolution declare dividends, and the directors may decide to pay interim dividends.

30.2 A dividend must not be declared unless the directors have made a recommendation as to its amount. Such a dividend must not exceed the amount recommended by the directors.

30.3 No dividend may be declared or paid unless it is in accordance with Shareholders' respective rights and approved in the prevailing Business Plan.

- 30.4 Unless the Shareholders' resolution to declare or directors' decision to pay a dividend, or the terms on which shares are issued, specify otherwise, it must be paid by reference to each Shareholder's holding of shares on the date of the resolution or decision to declare or pay it.
- 30.5 If the Company's share capital is divided into different classes, no interim dividend may be paid on shares carrying deferred or non-preferred rights if, at the time of payment, any preferential dividend is in arrear.
- 30.6 The directors may pay at intervals any dividend payable at a fixed rate if it appears to them that the profits available for distribution justify the payment.
- 30.7 If the directors act in good faith, they do not incur any liability to the holders of shares conferring preferred rights for any loss they may suffer by the lawful payment of an interim dividend on shares with deferred or non-preferred rights.

31. **CALCULATION OF DIVIDENDS**

- 31.1 Except as otherwise produced by these Articles or the rights attached to the shares, all dividends must be declared and distributed amongst the holders of shares proportionately according to the number of shares held (and in irrespective of the amount paid up on such shares).
- 31.2 If any share is issued on terms providing that it ranks for dividend as from a particular date, that share ranks for dividend accordingly.

32. **PAYMENT OF DIVIDENDS AND OTHER DISTRIBUTIONS**

- 32.1 Where a dividend or other sum which is a distribution is payable in respect of a share, it must be paid by one or more of the following means:-
- 32.1.1 transfer to a bank or building society account specified by the distribution recipient in writing;
 - 32.1.2 sending a cheque made payable to the distribution recipient by post to the distribution recipient at the distribution recipient's registered address (if the distribution recipient is a holder of the share), or (in any other case) to an address specified by the distribution recipient in writing;
 - 32.1.3 sending a cheque made payable to such person by post to such person at such address as the distribution recipient has specified in writing; or
 - 32.1.4 any other means of payment as the directors agree with the distribution recipient in writing.
- 32.2 In the Articles, the "**distribution recipient**" means, in respect of a share in respect of which a dividend or other sum is payable:-
- 32.2.1 the holder of the share; or
 - 32.2.2 if the share has two or more joint holders, whichever of them is named first in the register of members; or
 - 32.2.3 if the holder is no longer entitled to the share by reason of death or bankruptcy, or otherwise by operation of law, the transmittee.

33. **NO INTEREST ON DISTRIBUTIONS**

- 33.1 The Company may not pay interest on any dividend or other sum payable in respect of a share unless otherwise provided by:-
- 33.1.1 the terms on which the share was issued; or

33.1.2 the provisions of another agreement between the holder of that share and the Company.

34. **CAPITALISATION OF PROFITS**

34.1 Subject to the Articles, the directors may, if they are so authorised by an ordinary resolution:-

34.1.1 decide to capitalise any profits of the Company (whether or not they are available for distribution) which are not required for paying a preferential dividend, or any sum standing to the credit of the Company's share premium account or capital redemption reserve; and

34.1.2 appropriate any sum which they so decide to capitalise (a "**Capitalised Sum**") to the persons who would have been entitled to it if it were distributed by way of dividend (the "**persons entitled**") and in the same proportions.

34.2 Capitalised Sums must be applied:-

34.2.1 on behalf of the persons entitled; and

34.2.2 in the same proportions as a dividend would have been distributed to them.

34.3 Any Capitalised Sum may be applied in paying up new shares of a nominal amount equal to the Capitalised Sum which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.4 A Capitalised Sum which was appropriated from profits available for distribution may be applied in paying up new debentures of the Company which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.5 Subject to the Articles the directors may:-

34.5.1 apply Capitalised Sums in accordance with Articles 34.3 and 34.4 partly in one way and partly in another;

34.5.2 make such arrangements as they think fit to deal with shares or debentures becoming distributable in fractions under this Article (including the issuing of fractional certificates or the making of cash payments); and

34.5.3 authorise any person to enter into an agreement with the Company on behalf of all the persons entitled which is binding on them in respect of the allotment of shares and debentures to them under this Article.

35. **NOTICE OF SHAREHOLDER MEETINGS**

35.1 The notice of a shareholder meeting of the Company must state:-

35.1.1 the time and date of the meeting;

35.1.2 the place of the meeting; and

35.1.3 the general nature of the business to be transacted.

36. **ATTENDANCE AND SPEAKING AT SHAREHOLDER MEETINGS**

36.1 A person is able to exercise the right to speak at a shareholder meeting when that person is a member of the Cabinet of the Council.

36.2 A person is only able to exercise the right to vote at a shareholder meeting if that person is a member of the Cabinet of the Council.

36.3 The directors may make whatever arrangements they consider appropriate to enable those attending a shareholder meeting to exercise their rights to speak or vote at it.

36.4 In determining attendance at a shareholder meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

36.5 Two or more persons who are not in the same place as each other attend a shareholder meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

37. **QUORUM FOR SHAREHOLDER MEETINGS**

37.1 No business other than the appointment of the chairman of the meeting is to be transacted at a shareholder meeting if the persons attending it do not constitute a quorum, pursuant to Article 37.2 below.

37.2 A quorum for the transaction of business at a meeting of the shareholders is:-

37.2.1 the Leader of the Council or the Deputy Leader of the Council; or

37.2.2 in the absence of the Leader of the Council or the Deputy Leader of the Council two other members of the Cabinet of the Council.

38. **CHAIRING SHAREHOLDER MEETINGS**

38.1 If the directors have appointed a chairman, the chairman shall chair shareholder meetings if present and willing to do so.

38.2 If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start:-

38.2.1 the directors present; or

38.2.2 (if no directors are present), the meeting

must appoint a director or shareholder to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.

38.3 The person chairing a meeting in accordance with this Article is referred to as "**the chairman of the meeting**".

39. **ATTENDANCE AND SPEAKING BY DIRECTORS AND NON-SHAREHOLDERS**

39.1 Directors may attend and speak at shareholder meetings, whether or not they are shareholders.

39.2 The chairman of the meeting may in his absolute discretion permit other persons who are not:-

39.2.1 shareholders of the Company; or

39.2.2 otherwise entitled to exercise the rights of shareholders in relation to shareholder meetings

to attend and speak at a shareholder meeting.

40. **ADJOURNMENT**

40.1 If the persons attending a shareholder meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.

- 40.2 The chairman of the meeting may adjourn a shareholder meeting at which a quorum is present if:-
- 40.2.1 the meeting consents to an adjournment; or
 - 40.2.2 it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- 40.3 The chairman of the meeting must adjourn a shareholder meeting if directed to do so by the meeting.
- 40.4 When adjourning a shareholder meeting, the chairman of the meeting must:-
- 40.4.1 either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and
 - 40.4.2 have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- 40.5 If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):-
- 40.5.1 to the same persons to whom notice of the Company's shareholder meetings is required to be given, and
 - 40.5.2 containing the same information which such notice is required to contain.
- 40.6 No business may be transacted at an adjourned shareholder meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

41. **VOTING AT SHAREHOLDER MEETINGS**

- 41.1 A resolution put to the vote of a shareholder meeting must be decided on a show of hands.
- 41.2 No objection may be raised to the qualification of any person voting at a shareholder meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.
- 41.3 Any such objection must be referred to the chairman of the meeting, whose decision is final.

42. **AMENDMENTS TO RESOLUTIONS**

- 42.1 An ordinary resolution to be proposed at a shareholder meeting may be amended by ordinary resolution if:-
- 42.1.1 notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the shareholder meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine); and
 - 42.1.2 the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.
- 42.2 A special resolution to be proposed at a shareholder meeting may be amended by ordinary resolution, if:-
- 42.2.1 the chairman of the meeting proposes the amendment at the shareholder meeting at which the resolution is to be proposed; and

42.2.2 the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

42.3 If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

43. **NOTICES AND COMMUNICATIONS**

43.1 The Company may send, supply or give any document, information or notice to a Shareholder by hard copy, electronic form or by making that document or information available on a website and giving notice of the availability of that document or information to the relevant Shareholder (provided that Shareholder has individually agreed (or is deemed to have agreed) to the Company sending or supplying documents or information generally or those documents or information in question to him by means of a website), in each case subject to the provisions of sections 1143 to 1148 and Schedule 5 of the Act.

43.2 A notice given by means of a website shall be deemed to have been sent, supplied or given when the material was first made available on the website or, if later, when the recipient received (or is deemed to have received) notice of the fact that the material was available on the website.

43.3 Any document, information or notice which is required to be sent or given to the Company shall be sent by hard copy or electronic form in each case, subject to the provisions of sections 1143 to 1148, Schedule 4 and Schedule 5 of the Act.

43.4 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:-

43.4.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, on the second working day after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

43.4.2 if properly addressed and delivered by hand, the next working day after it was given or left at the appropriate address; and

43.4.3 if properly addressed and sent or supplied by electronic means, the next working day after the document or information was sent or supplied.

For the purposes of this Article, no account shall be taken of any part of a day that is not a working day.

43.5 Proof that an envelope containing a document, notice or information was properly addressed, prepaid and posted shall be conclusive evidence that the document, notice or information was sent, supplied or given by post. A copy of a record of the total number of recipients sent to or each recipient to whom an e-mail message was sent together with any notices of failed transmissions and copies of records of subsequent re-sending, suitably certified by or on behalf of the Company, shall be conclusive evidence that the document, notice or information was sent, supplied or given by e-mail.

43.6 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

43.7 A Director may agree with the Company that notices or documents sent to that Director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

43.8 Any notice or document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or documents for the time being.

44. **COMPANY SEALS**

44.1 Any common seal may only be used by the authority in writing of the directors.

44.2 The directors may decide by what means and in what form any common seal is to be used.

44.3 Unless otherwise decided by the directors in writing, if the Company has a common seal and it is affixed to a document, the document must also be signed by at least one authorised person.

44.4 An authorised person is:-

44.4.1 any director of the Company;

44.4.2 the Company secretary (if any); or

44.4.3 any person authorised by the directors in writing for the purpose of signing documents to which the common seal is applied.

45. **NO RIGHT TO INSPECT ACCOUNTS AND OTHER RECORDS**

Except as provided by law or authorised by the directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or documents merely by virtue of being a shareholder.

46. **PROVISION FOR EMPLOYEES ON CESSATION OF BUSINESS**

The directors may decide to make provision for the benefit of persons employed or formerly employed by the Company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Company or that subsidiary.

47. **DIRECTORS' INDEMNITY AND INSURANCE**

47.1 Subject to Article 47.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:-

47.1.1 each relevant officer shall be indemnified out of the out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant office in the actual or purported execution and/or discharge of his duties, or in relation to them including (in each case) any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

47.1.2 the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in Article 47.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurred such expenditure.

47.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

47.3 In this Article:-

- 47.3.1 companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and
- 47.3.2 a "relevant officer" means any director or other officer or former director or other officer of the Company or an associated company (including any company which is a trustee of an occupational pension scheme (as defined by section 235(6) of the Act, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor).

48. **PARENT COMPANY**

- 48.1 Whenever a company wherever incorporated (hereinafter called the "**Parent Company**") is the holder of not less than 90 per cent of the Shares of the Company the following provisions will apply and to the extent of any inconsistency will have overriding effect as against all other provisions of these Articles:-
- 48.1.1 the Parent Company may at any time and from time to time appoint any person to be a Director or remove from office any Director howsoever appointed and so that in the case of his removal from office will be deemed an act of the Company and will have effect without prejudice to any claim for damages in respect of the consequent termination of his office;
- 48.1.2 no securities or Shares may be issued or agreed to be issued or put under option without the consent of the Parent Company; and
- 48.1.3 any or all powers of the directors will be restricted in such respects and to such extent as the Parent Company may by notice to the Company from time to time prescribe.
- 48.2 Any such appointment, removal, consent or notice must be in writing served on the Company and signed on behalf of the Parent Company by any two of its directors or by any one of its directors and its secretary or some other person duly authorised for the purpose.
- 48.3 No person dealing with the Company will be concerned to see or enquire as to whether the powers of the directors have been in any way restricted under this Article or as to whether any requisite consent of the Parent Company has been obtained and no obligation incurred or security given or transaction effected by the Company to or with any third party will be invalid or ineffectual unless the third party had at the time express notice that the incurring of such obligation or the giving of such security or the effecting of such transaction was in excess of the powers of the Directors.

SCHEDULE 1

Shareholder Reserve Matters

1. Approval and adoption of each Business Plan (and any amendments/variations) for each and every scheme.
2. Alteration in the nature/scope of the Business for each and every scheme, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company.
3. Taking any action outside the parameters of the Business Plans in a manner not reasonably contemplated within the scope of the Business Plan or which could not reasonably be expected to fall within the scope of the Business Plan including but not limited to contract expenditure or increasing any indebtedness of the Company outside the parameters of the Business Plans.
4. Acquiring, disposing or agreeing to acquire or dispose of any Company asset, any interest in any Company asset (including the exercise of an option) or any other land or buildings.
5. Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
6. Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the Company becomes a Subsidiary, entering into joint ventures or partnerships.
7. Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company.
8. Granting or entering into any license agreement or arrangement concerning the trading names of the Company and goodwill attached thereto.
9. Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
10. Making any petition or passing any resolution to wind up the Company or making any application for an administration or winding up order or any order having similar effect in relation to the Company or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator.
11. Changing the name of the Company.
12. Change in status of the Company.
13. Entry by the Company into any partnership or other profit share arrangement.
14. The admission of a new shareholder to the Company or the expulsion of any then existing shareholder.
15. Contracting and/or entering into a commitment to contract expenditure outside the parameters of activity (as set out in the budget) contemplated by the agreed Business Plans.
16. Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person.
17. Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans.

18. Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company).
19. Agreeing to pay any remuneration to an employee of a Company other than out of pocket expenses.
20. The appointment or removal of any director.
21. Any other activity the Shareholders of the Company may determine from time to time.

Company No [COMPANY NUMBER]

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Property Services Ltd]

Incorporated [DATE OF INCORPORATION]



Pinsent Masons
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THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Property Services Ltd]

Incorporated [DATE OF INCORPORATION]

1. **MODEL ARTICLES**

1.1 The Model Articles do not apply to the Company and these Articles alone are the articles of association of the Company.

2. **INTERPRETATION**

2.1 In the Articles, unless the context requires otherwise:-

"Act"	means the Companies Act 2006
"Articles"	means the Company's articles of association
"Bankruptcy"	includes individual insolvency proceedings in a jurisdiction other than England and Wales, Scotland or Northern Ireland which have an effect similar to that of bankruptcy
"Business"	shall have the meaning given to it under Article 4.1
"business day"	means any day (other than a Saturday or Sunday) on which clearing banks in the City of London are open for the transaction of normal sterling banking business
"Business Plan"	means the business plan approved and adopted by the Company from time to time pursuant to Article 4.2
"Cabinet"	means such elected members of the Council appointed to the cabinet from time to time
"Capitalised Sum"	has the meaning given in Article 34.1.2
"Chairman"	has the meaning given to it in Article 14
"chairman of the meeting"	Has the meaning given to it in Article 38
"Companies Acts"	means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Company

"Council"	means [Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER]
"Deputy Leader"	means the person appointed to the position of deputy leader of the Council from time to time
"director"	means a director for the time being of the Company, and includes any person occupying the position of director, by whatever name called
"distribution recipient"	has the meaning given in Article 32.2
"document"	includes, unless otherwise specified, any document sent or supplied in electronic form
"Eligible Director"	means a director who would have been entitled to vote on the matter had it been proposed as a resolution at a board meeting (but excluding any director whose vote is not to be counted in respect of a particular matter)
"Fully Paid"	in relation to a share, means that the nominal value and any premium to be paid to the Company in respect of that share have been paid to the Company
"Holder"	in relation to shares means the person whose name is entered in the register of members as the holder of the shares
"instrument"	means a document in hard copy form
"Leader"	means the person appointed to the position of leader of the Council from time to time
"Model Articles"	means the model articles for private companies limited by shares contained in Schedule 1 of the Companies (Model Articles) Regulations 2008 as amended prior to the date of adoption of these Articles
"paid"	means paid or credited as paid
"participate"	in relation to a board meeting, has the meaning given in Article 12
"persons entitled"	has the meaning in Article 34.1.2
"Shareholder"	means a person who is the holder of a share who, at the date hereof, shall be the Council
"Shares"	means shares in the Company
"subsidiary"	has the meaning given in section 1159 of the Act
"writing"	means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

2.2 References in these Articles to Shares being "**paid**" means those Shares being paid or credited as paid.

2.3 References in these Articles to "**writing**" means representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

2.4 References in these Articles to a document includes, unless otherwise specified, any document sent or supplied in electronic form.

2.5 Unless the context otherwise requires:-

2.5.1 words in the singular include the plural and vice versa;

2.5.2 words in one gender include the other genders; and

2.5.3 words importing natural persons include corporations.

2.6 Words or expressions contained in these Articles which are defined in the Act have the same meaning as in the Act in force on the date of adoption of these Articles including the following words which are defined in the following sections of the Act:-

Word(s)/expression	Section Number in Act
electronic form	section 1168
equity share capital	section 548
hard copy form	section 1168
ordinary resolution	section 282
special resolution	section 283
working day	section 1173

2.7 A reference to an Article by number is to the relevant article of these Articles.

2.8 Headings used in these Articles do not affect their construction or interpretation.

2.9 References to a statute or statutory provision is a reference to it as it is in force as at the date of adoption of these Articles.

3. **LIMITATION OF LIABILITY**

The liability of the members is limited to the amount, if any, unpaid on the shares held by them.

4. **THE BUSINESS OF THE COMPANY**

4.1 The Business of the Company shall be to:-

4.1.1 contract commercially with private sector landlords, landowners, other commercial organisations and housing associations to provide property maintenance services and other services as deemed appropriate from time to time;

4.1.2 carry out the business of a general property services company;

4.1.3 carry out any other activities as the Shareholders may determine from time to time; and

4.1.4 carry out the activities described in sub-articles 4.1.1 to 4.1.2 in the best interests of the Company and its Shareholders.

4.2 **Business Plan**

4.2.1 The Shareholders shall prepare a Business Plan for each and every scheme to be undertaken by the Company which shall be unanimously approved by the Shareholders.

4.2.2 The Business Plan(s) which has been prepared in accordance with Article 4.2.1 shall remain in force as the Business Plan for the Company until such time as it is replaced by an updated Business Plan approved unanimously by the Shareholders from time to time.

5. DIRECTORS' GENERAL AUTHORITY

Subject to the Articles, the directors are responsible for the management of the Company's Business, for which purpose they may, with the exception of the matters requiring Shareholder consent and expressly reserved pursuant to Article 6 (Shareholder Reserved Matters), exercise all the powers of the Company.

6. SHAREHOLDER RESERVE MATTERS

The matters listed in Schedule 1 shall not be carried out without the prior written consent of the Shareholders.

7. DIRECTORS MAY DELEGATE

7.1 Subject to the Articles, the directors may delegate any of the powers which are conferred on them under the Articles:-

7.1.1 to such person or committee;

7.1.2 to such an extent;

7.1.3 in relation to such matters; and

7.1.4 on such terms and conditions;

as they think fit.

7.2 Any such delegation will automatically authorise further delegation of the directors' powers by any person to whom they are delegated, unless the directors specifically state otherwise within such delegation authority.

7.3 The directors may revoke any delegation in whole or part, or alter its terms and conditions.

8. COMMITTEES

8.1 Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by directors.

8.2 The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

9. DIRECTORS TO TAKE DECISIONS COLLECTIVELY

9.1 The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with Article 10.

9.2 All acts done by a meeting of directors, or a committee of directors or by any director shall, even if it is discovered afterwards that:-

9.2.1 there was a defect in the appointment of any director; or

9.2.2 any director had been disqualified from holding office; or

9.2.3 any director had vacated office or was not entitled to vote;

be valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.

10. **UNANIMOUS DECISIONS**

- 10.1 A decision of the directors is taken in accordance with this Article when all Eligible Directors indicate to each other by any means that they share a common view on a matter save to the extent otherwise provided for in any Business Plan.
- 10.2 Such a decision may take the form of a resolution in writing, copies of which have been signed by each Eligible Director or to which each Eligible Director has otherwise indicated agreement in writing.
- 10.3 A decision may not be taken in accordance with this Article if the Eligible Directors would not have formed a quorum at such a meeting.

11. **CALLING A BOARD MEETING**

- 11.1 Any director may call a board meeting by giving not less than 20 business days' notice of the meeting (or such lesser notice as all the directors may agree) to the directors.
- 11.2 Notice of any board meeting must indicate:-
- 11.2.1 its proposed date and time;
 - 11.2.2 where it is to take place;
 - 11.2.3 the proposed business of the meetings;
 - 11.2.4 if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 11.3 Notice of a board meeting must be given to each director, and must be in writing.
- 11.4 Notice of a board meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the Company not more than 7 days after the date on which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

12. **PARTICIPATION IN BOARD MEETINGS**

- 12.1 Subject to the Articles, directors participate in a board meeting, or part of a board meeting, when:-
- 12.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 12.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 12.2 In determining whether directors are participating in a board meeting, it is irrelevant where any director is or how they communicate with each other.
- 12.3 If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

13. **QUORUM FOR BOARD MEETINGS**

- 13.1 At a board meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.

- 13.2 The quorum for the transaction of business at a meeting of the directors is any 2 directors.
- 13.3 If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision to call a shareholder meeting so as to enable the Shareholders to appoint further directors.

14. **CHAIRING OF BOARD MEETINGS**

- 14.1 The directors may appoint a director to chair their meetings.
- 14.2 The person so appointed for the time being is known as the Chairman.
- 14.3 The directors may terminate the Chairman's appointment at any time.
- 14.4 If the Chairman is not participating in a board meeting within ten minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it.

15. **CHAIRMAN'S CASTING VOTE**

- 15.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chairman or other director chairing the meeting shall have a casting vote.

16. **RECORDS OF DECISIONS TO BE KEPT**

The directors must ensure that the Company keeps a record, in writing, for at least 7 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.

17. **CONFLICTS OF INTEREST**

- 17.1 If a proposed decision of the directors is concerned with an actual or proposed transaction or arrangement with the Company in which a director is interested, that director is not to be counted as participating in the decision-making process for quorum or voting purposes.
- 17.2 But if Article 17.3 applies, a director who is interested in an actual or proposed transaction or arrangement with the Company is to be counted as participating in the decision-making process for quorum and voting purposes.
- 17.3 This paragraph applies when—
- 17.3.1 the Company by ordinary resolution disapplies the provision of the articles which would otherwise prevent a director from being counted as participating in the decision-making process; or
 - 17.3.2 the director's interest cannot reasonably be regarded as likely to give rise to a conflict of interest.
- 17.4 For the purposes of this Article, references to proposed decisions and decision-making processes include any directors' meeting or part of a directors' meeting.
- 17.5 Subject to Article 17.7, if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.
- 17.6 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.

18. NUMBER AND METHOD OF APPOINTING DIRECTORS

18.1 Unless otherwise determined by ordinary resolution, the number of directors shall not be less than 2 and the appointment or removal of a director shall be a matter to be approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).

19. TERMINATION OF DIRECTOR'S APPOINTMENT

19.1 A person ceases to be a director as soon as:-

19.1.1 that person ceases to be a director by virtue of any provision of the Act or these Articles or is prohibited from being a director by law;

19.1.2 a bankruptcy order is made against that person;

19.1.3 a composition is made with that person's creditors generally in satisfaction of that person's debts;

19.1.4 a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;

19.1.5 notification is received by the Company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;

19.1.6 he is convicted of a criminal offence (other than a motoring offence or series of offences not resulting in disqualification) and the directors resolve that his office be vacated; or

19.1.7 in the case of a person who is also an employee of the Company he ceases to be such an employee; or

19.1.8 he shall for more than six consecutive months have been absent without permission of the Shareholders from meetings of directors held during that period and the Shareholders resolve that his office be vacated; or

19.1.9 all the other Shareholders unanimously resolve that his office be vacated.

19.2 In addition and without prejudice to the provisions of section 168 of the Act, Shareholders may remove any director before the expiration of his period of office and appoint another director in his place.

20. DIRECTORS' REMUNERATION

20.1 Directors may undertake any services for the Company that the directors decide.

20.2 Directors are not entitled to any remuneration for their services to the Company.

20.3 Unless the directors decide otherwise, directors are not accountable to the Company for any remuneration which they receive as directors or other officers or employees of the Company's subsidiaries or of any other body corporate in which the Company is interested.

21. DIRECTORS' AND OFFICERS' EXPENSES

21.1 The Company may pay any reasonable out-of-pocket expenses which the officers (including alternate directors and the secretary) properly incur in connection with their attendance at:-

21.1.1 meetings of directors or committees of directors;

21.1.2 shareholder meetings; or

21.1.3 separate meetings of the holders of any class of shares or of debentures of the Company or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

22. SECRETARY

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration, and upon such conditions as they may think fit and from time to time to remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

23. ALL SHARES TO BE FULLY PAID UP

23.1 No share is to be issued for less than the aggregate of its nominal value and any premium to be paid to the Company in consideration for its issue.

23.2 This does not apply to shares taken on the formation of the Company by the subscribers to the Company's memorandum.

24. POWERS TO ISSUE DIFFERENT CLASSES OF SHARE

24.1 Subject to the Articles, but without prejudice to the rights attached to any existing share, the Company may issue shares with such rights or restrictions as may be determined by ordinary resolution.

24.2 The Company may issue shares which are to be redeemed, or are liable to be redeemed at the option of the Company or the holder, and the directors may determine the terms, conditions and manner of redemption of any such shares.

25. COMPANY NOT BOUND BY LESS THAN ABSOLUTE INTERESTS

Except as required by law, no person is to be recognised by the Company as holding any share upon any trust, and except as otherwise required by law or the Articles, the Company is not in any way to be bound by or recognise any interest in a share other than the holder's absolute ownership of it and all the rights attaching to it.

26. DIRECTORS' AUTHORITY TO ALLOT SHARES

Save to the extent authorised from time to time by an ordinary resolution of the Shareholders, the directors shall not exercise any power to allot shares or to grant rights to subscribe for, or to convert any security into, any shares in the Company.

27. SHARE CERTIFICATES

27.1 The Company must issue each Shareholder, free of charge, with one or more certificates in respect of the shares which that Shareholder holds.

27.2 Every certificate must specify:-

27.2.1 in respect of how many shares, of what class, it is issued;

27.2.2 the nominal value of those shares;

27.2.3 that the shares are fully paid; and

27.2.4 any distinguishing numbers assigned to them.

27.3 No certificate may be issued in respect of shares of more than one class.

- 27.4 If more than one person holds a share, only one certificate may be issued in respect of it.
- 27.5 Certificates must:-
- 27.5.1 have affixed to them the Company's common seal; or
- 27.5.2 be otherwise executed in accordance with the Companies Acts.
28. **SHARE TRANSFERS**
- 28.1 Shares may be transferred by means of an instrument of transfer in any usual form or any other form approved by the directors, which is executed by or on behalf of the transferor.
- 28.2 No fee may be charged for registering any instrument of transfer or other document relating to or affecting the title to any share.
- 28.3 The Company may retain any instrument of transfer which is registered.
- 28.4 The transferor remains the holder of a share until the transferee's name is entered in the register of members as holder of it.
29. **DIRECTORS' POWERS ON TRANSFER OF SHARES**
- 29.1 The directors must not register the transfer of any Share or any interest in any Share unless the transfer is approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).
- 29.2 The directors may at any time require any Shareholder or any person named as transferee in an instrument of transfer lodged for registration to give the directors such information and evidence as the directors believe is relevant to ensure that a transfer of Shares is being made in accordance with these Articles or that no circumstances have arisen which would result in a Transfer Notice being bound to be given or being deemed to have been given.
- 29.3 If the directors are not given such information or evidence within 20 days after they have requested it, the directors may in their absolute discretion give notice of refusal to register the transfer concerned together with reasons for the refusal to the person named as transferee or require the Shareholder by written notice to give a Transfer Notice in respect of the relevant Shares. If the information or evidence received by the directors discloses to their satisfaction that a Shareholder may be bound to give or is deemed to have given a Transfer Notice, the directors may in their absolute discretion by written notice to the relevant Shareholder require that a Transfer Notice be given in respect of the relevant Shares.
- 29.4 An obligation to transfer a Share under these Articles is an obligation to transfer the entire legal and beneficial interest in such Share free from any lien, charge or encumbrance.
30. **PROCEDURE FOR DECLARING DIVIDENDS**
- 30.1 The Company may by ordinary resolution declare dividends, and the directors may decide to pay interim dividends.
- 30.2 A dividend must not be declared unless the directors have made a recommendation as to its amount. Such a dividend must not exceed the amount recommended by the directors.
- 30.3 No dividend may be declared or paid unless it is in accordance with Shareholders' respective rights and approved in the prevailing Business Plan.
- 30.4 Unless the Shareholders' resolution to declare or directors' decision to pay a dividend, or the terms on which shares are issued, specify otherwise, it must be paid by reference to each Shareholders' holding of shares on the date of the resolution or decision to declare or pay it.

- 30.5 If the Company's share capital is divided into different classes, no interim dividend may be paid on shares carrying deferred or non-preferred rights if, at the time of payment, any preferential dividend is in arrear.
- 30.6 The directors may pay at intervals any dividend payable at a fixed rate if it appears to them that the profits available for distribution justify the payment.
- 30.7 If the directors act in good faith, they do not incur any liability to the holders of shares conferring preferred rights for any loss they may suffer by the lawful payment of an interim dividend on shares with deferred or non-preferred rights.

31. **CALCULATION OF DIVIDENDS**

- 31.1 Except as otherwise produced by these Articles or the rights attached to the shares, all dividends must be declared and distributed amongst the holders of shares proportionately according to the number of shares held (and in irrespective of the amount paid up on such shares).
- 31.2 If any share is issued on terms providing that it ranks for dividend as from a particular date that share ranks for dividend accordingly.

32. **PAYMENT OF DIVIDENDS AND OTHER DISTRIBUTIONS**

- 32.1 Where a dividend or other sum which is a distribution is payable in respect of a share, it must be paid by one or more of the following means:-
- 32.1.1 transfer to a bank or building society account specified by the distribution recipient in writing;
 - 32.1.2 sending a cheque made payable to the distribution recipient by post to the distribution recipient at the distribution recipient's registered address (if the distribution recipient is a holder of the share), or (in any other case) to an address specified by the distribution recipient in writing;
 - 32.1.3 sending a cheque made payable to such person by post to such person at such address as the distribution recipient has specified in writing; or
 - 32.1.4 any other means of payment as the directors agree with the distribution recipient in writing.
- 32.2 In the Articles, the "**distribution recipient**" means, in respect of a share in respect of which a dividend or other sum is payable:-
- 32.2.1 the holder of the share; or
 - 32.2.2 if the share has two or more joint holders, whichever of them is named first in the register of members; or
 - 32.2.3 if the holder is no longer entitled to the share by reason of death or bankruptcy, or otherwise by operation of law, the transmittee.

33. **NO INTEREST ON DISTRIBUTIONS**

- 33.1 The Company may not pay interest on any dividend or other sum payable in respect of a share unless otherwise provided by:-
- 33.1.1 the terms on which the share was issued; or
 - 33.1.2 the provisions of another agreement between the holder of that share and the Company.

34. **CAPITALISATION OF PROFITS**

34.1 Subject to the Articles, the directors may, if they are so authorised by an ordinary resolution:-

34.1.1 decide to capitalise any profits of the Company (whether or not they are available for distribution) which are not required for paying a preferential dividend, or any sum standing to the credit of the Company's share premium account or capital redemption reserve; and

34.1.2 appropriate any sum which they so decide to capitalise (a "**Capitalised Sum**") to the persons who would have been entitled to it if it were distributed by way of dividend (the "**persons entitled**") and in the same proportions.

34.2 Capitalised Sums must be applied:-

34.2.1 on behalf of the persons entitled; and

34.2.2 in the same proportions as a dividend would have been distributed to them.

34.3 Any Capitalised Sum may be applied in paying up new shares of a nominal amount equal to the Capitalised Sum which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.4 A Capitalised Sum which was appropriated from profits available for distribution may be applied in paying up new debentures of the Company which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.5 Subject to the Articles the directors may:-

34.5.1 apply Capitalised Sums in accordance with Articles 34.3 and 34.4 partly in one way and partly in another;

34.5.2 make such arrangements as they think fit to deal with shares or debentures becoming distributable in fractions under this Article (including the issuing of fractional certificates or the making of cash payments); and

34.5.3 authorise any person to enter into an agreement with the Company on behalf of all the persons entitled which is binding on them in respect of the allotment of shares and debentures to them under this Article.

35. **NOTICE OF SHAREHOLDER MEETINGS**

35.1 The notice of a shareholder meeting of the Company must state:-

35.1.1 the time and date of the meeting;

35.1.2 the place of the meeting; and

35.1.3 the general nature of the business to be transacted.

36. **ATTENDANCE AND SPEAKING AT SHAREHOLDER MEETINGS**

36.1 A person is able to exercise the right to speak at a shareholder meeting when that person is a member of the Cabinet of the Council.

36.2 A person is only able to exercise the right to vote at a shareholder meeting if that person is a member of the Cabinet of the Council.

36.3 The directors may make whatever arrangements they consider appropriate to enable those attending a shareholder meeting to exercise their rights to speak or vote at it.

36.4 In determining attendance at a shareholder meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

36.5 Two or more persons who are not in the same place as each other attend a shareholder meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

37. **QUORUM FOR SHAREHOLDER MEETINGS**

37.1 No business other than the appointment of the chairman of the meeting is to be transacted at a shareholder meeting if the persons attending it do not constitute a quorum, pursuant to Article 37.2 below.

37.2 A quorum for the transaction of business at a meeting of the shareholders is:-

37.2.1 the Leader of the Council or the Deputy Leader of the Council; or

37.2.2 in the absence of the Leader of the Council or the Deputy Leader of the Council two other members of the Cabinet of the Council.

38. **CHAIRING SHAREHOLDER MEETINGS**

38.1 If the directors have appointed a chairman, the chairman shall chair shareholder meetings if present and willing to do so.

38.2 If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start:-

38.2.1 the directors present; or

38.2.2 (if no directors are present), the meeting

must appoint a director or shareholder to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.

38.3 The person chairing a meeting in accordance with this Article is referred to as "**the chairman of the meeting**".

39. **ATTENDANCE AND SPEAKING BY DIRECTORS AND NON-SHAREHOLDERS**

39.1 Directors may attend and speak at shareholder meetings, whether or not they are shareholders.

39.2 The chairman of the meeting may in his absolute discretion permit other persons who are not:-

39.2.1 shareholders of the Company; or

39.2.2 otherwise entitled to exercise the rights of shareholders in relation to shareholder meetings

to attend and speak at a shareholder meeting.

40. **ADJOURNMENT**

40.1 If the persons attending a shareholder meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.

40.2 The chairman of the meeting may adjourn a shareholder meeting at which a quorum is present if:-

- 40.2.1 the meeting consents to an adjournment; or
 - 40.2.2 it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- 40.3 The chairman of the meeting must adjourn a shareholder meeting if directed to do so by the meeting.
- 40.4 When adjourning a shareholder meeting, the chairman of the meeting must:-
- 40.4.1 either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and
 - 40.4.2 have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- 40.5 If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):-
- 40.5.1 to the same persons to whom notice of the Company's shareholder meetings is required to be given, and
 - 40.5.2 containing the same information which such notice is required to contain.
- 40.6 No business may be transacted at an adjourned shareholder meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

41. **VOTING AT SHAREHOLDER MEETINGS**

- 41.1 A resolution put to the vote of a shareholder meeting must be decided on a show of hands.
- 41.2 No objection may be raised to the qualification of any person voting at a shareholder meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.
- 41.3 Any such objection must be referred to the chairman of the meeting, whose decision is final.

42. **AMENDMENTS TO RESOLUTIONS**

- 42.1 An ordinary resolution to be proposed at a shareholder meeting may be amended by ordinary resolution if:-
 - 42.1.1 notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the shareholder meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine); and
 - 42.1.2 the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.
- 42.2 A special resolution to be proposed at a shareholder meeting may be amended by ordinary resolution, if:-
 - 42.2.1 the chairman of the meeting proposes the amendment at the shareholder meeting at which the resolution is to be proposed; and
 - 42.2.2 the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

42.3 If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

43. **NOTICES AND COMMUNICATIONS**

43.1 The Company may send, supply or give any document, information or notice to a Shareholder by hard copy, electronic form or by making that document or information available on a website and giving notice of the availability of that document or information to the relevant Shareholder (provided that Shareholder has individually agreed (or is deemed to have agreed) to the Company sending or supplying documents or information generally or those documents or information in question to him by means of a website), in each case subject to the provisions of sections 1143 to 1148 and Schedule 5 of the Act.

43.2 A notice given by means of a website shall be deemed to have been sent, supplied or given when the material was first made available on the website or, if later, when the recipient received (or is deemed to have received) notice of the fact that the material was available on the website.

43.3 Any document, information or notice which is required to be sent or given to the Company shall be sent by hard copy or electronic form in each case, subject to the provisions of sections 1143 to 1148, Schedule 4 and Schedule 5 of the Act.

43.4 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:-

43.4.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, on the second working day after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

43.4.2 if properly addressed and delivered by hand, the next working day after it was given or left at the appropriate address; and

43.4.3 if properly addressed and sent or supplied by electronic means, the next working day after the document or information was sent or supplied.

For the purposes of this Article, no account shall be taken of any part of a day that is not a working day.

43.5 Proof that an envelope containing a document, notice or information was properly addressed, prepaid and posted shall be conclusive evidence that the document, notice or information was sent, supplied or given by post. A copy of a record of the total number of recipients sent to or each recipient to whom an e-mail message was sent together with any notices of failed transmissions and copies of records of subsequent re-sending, suitably certified by or on behalf of the Company, shall be conclusive evidence that the document, notice or information was sent, supplied or given by e-mail.

43.6 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

43.7 A Director may agree with the Company that notices or documents sent to that Director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

43.8 Any notice or document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or documents for the time being.

44. **COMPANY SEALS**

44.1 Any common seal may only be used by the authority in writing of the directors.

44.2 The directors may decide by what means and in what form any common seal is to be used.

44.3 Unless otherwise decided by the directors in writing, if the Company has a common seal and it is affixed to a document, the document must also be signed by at least one authorised person.

44.4 An authorised person is:-

44.4.1 any director of the Company;

44.4.2 the Company secretary (if any); or

44.4.3 any person authorised by the directors in writing for the purpose of signing documents to which the common seal is applied.

45. **NO RIGHT TO INSPECT ACCOUNTS AND OTHER RECORDS**

Except as provided by law or authorised by the directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or documents merely by virtue of being a shareholder.

46. **PROVISION FOR EMPLOYEES ON CESSATION OF BUSINESS**

The directors may decide to make provision for the benefit of persons employed or formerly employed by the Company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Company or that subsidiary.

47. **DIRECTORS' INDEMNITY AND INSURANCE**

47.1 Subject to Article 47.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:-

47.1.1 each relevant officer shall be indemnified out of the out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant office in the actual or purported execution and/or discharge of his duties, or in relation to them including (in each case) any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

47.1.2 the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in Article 47.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurred such expenditure.

47.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

47.3 In this Article:-

47.3.1 companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and

47.3.2 a "relevant officer" means any director or other officer or former director or other officer of the Company or an associated company (including any company which is a trustee of an occupational pension scheme (as defined by section 235(6) of the Act, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor).

48. **PARENT COMPANY**

48.1 Whenever a company wherever incorporated (hereinafter called the "**Parent Company**") is the holder of not less than 90 per cent of the Shares of the Company the following provisions will apply and to the extent of any inconsistency will have overriding effect as against all other provisions of these Articles:-

48.1.1 the Parent Company may at any time and from time to time appoint any person to be a Director or remove from office any Director howsoever appointed and so that in the case of his removal from office will be deemed an act of the Company and will have effect without prejudice to any claim for damages in respect of the consequent termination of his office;

48.1.2 no securities or Shares may be issued or agreed to be issued or put under option without the consent of the Parent Company; and

48.1.3 any or all powers of the directors will be restricted in such respects and to such extent as the Parent Company may by notice to the Company from time to time prescribe.

48.2 Any such appointment, removal, consent or notice must be in writing served on the Company and signed on behalf of the Parent Company by any two of its directors or by any one of its directors and its secretary or some other person duly authorised for the purpose.

48.3 No person dealing with the Company will be concerned to see or enquire as to whether the powers of the directors have been in any way restricted under this Article or as to whether any requisite consent of the Parent Company has been obtained and no obligation incurred or security given or transaction effected by the Company to or with any third party will be invalid or ineffectual unless the third party had at the time express notice that the incurring of such obligation or the giving of such security or the effecting of such transaction was in excess of the powers of the Directors.

SCHEDULE 1

Shareholder Reserve Matters

1. Approval and adoption of each Business Plan (and any amendments/variations) for each and every scheme.
2. Alteration in the nature/scope of the Business for each and every scheme, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company.
3. Taking any action outside the parameters of the Business Plans in a manner not reasonably contemplated within the scope of the Business Plan or which could not reasonably be expected to fall within the scope of the Business Plan including but not limited to contract expenditure or increasing any indebtedness of the Company outside the parameters of the Business Plans.
4. Acquiring, disposing or agreeing to acquire or dispose of any Company asset, any interest in any Company asset (including the exercise of an option) or any other land or buildings.
5. Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
6. Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the Company becomes a Subsidiary, entering into joint ventures or partnerships.
7. Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company.
8. Granting or entering into any license agreement or arrangement concerning the trading names of the Company and goodwill attached thereto.
9. Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
10. Making any petition or passing any resolution to wind up the Company or making any application for an administration or winding up order or any order having similar effect in relation to the Company or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator.
11. Changing the name of the Company.
12. Change in status of the Company.
13. Entry by the Company into any partnership or other profit share arrangement.
14. The admission of a new shareholder to the Company or the expulsion of any then existing shareholder.
15. Contracting and/or entering into a commitment to contract expenditure outside the parameters of activity (as set out in the budget) contemplated by the agreed Business Plans.
16. Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person.
17. Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans.

18. Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company).
19. Agreeing to pay any remuneration to an employee of a Company other than out of pocket expenses.
20. The appointment or removal of any director.
21. Any other activity the Shareholders of the Company may determine from time to time.

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Company No [COMPANY NUMBER]

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Rentals Ltd]

Incorporated [DATE OF INCORPORATION]



Pinsent Masons
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THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

[Aspire Rentals Ltd]

Incorporated [DATE OF INCORPORATION]

1. **MODEL ARTICLES**

1.1 The Model Articles do not apply to the Company and these Articles alone are the articles of association of the Company.

2. **INTERPRETATION**

2.1 In the Articles, unless the context requires otherwise:-

"Act"	means the Companies Act 2006
"Articles"	means the Company's articles of association
"Bankruptcy"	includes individual insolvency proceedings in a jurisdiction other than England and Wales, Scotland or Northern Ireland which have an effect similar to that of bankruptcy
"Business"	shall have the meaning given to it under Article 4.1
"business day"	means any day (other than a Saturday or Sunday) on which clearing banks in the City of London are open for the transaction of normal sterling banking business
"Business Plan"	means the business plan approved and adopted by the Company from time to time pursuant to Article 4.2
"Cabinet"	means such elected members of the Council appointed to the cabinet from time to time
"Capitalised Sum"	has the meaning given in Article 34.1.2
"Chairman"	has the meaning given to it in Article 14
"chairman of the meeting"	Has the meaning given to it in Article 38
"Companies Acts"	means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Company

"Council"	means [Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER]
"Deputy Leader"	means the person appointed to the position of deputy leader of the Council from time to time
"director"	means a director for the time being of the Company, and includes any person occupying the position of director, by whatever name called
"distribution recipient"	has the meaning given in Article 32.2
"document"	includes, unless otherwise specified, any document sent or supplied in electronic form
"Eligible Director"	means a director who would have been entitled to vote on the matter had it been proposed as a resolution at a board meeting (but excluding any director whose vote is not to be counted in respect of a particular matter)
"Fully Paid"	in relation to a share, means that the nominal value and any premium to be paid to the Company in respect of that share have been paid to the Company
"Holder"	in relation to shares means the person whose name is entered in the register of members as the holder of the shares
"instrument"	means a document in hard copy form
"Leader"	means the person appointed to the position of leader of the Council from time to time
"Model Articles"	means the model articles for private companies limited by shares contained in Schedule 1 of the Companies (Model Articles) Regulations 2008 as amended prior to the date of adoption of these Articles
"paid"	means paid or credited as paid
"participate"	in relation to a board meeting, has the meaning given in Article 12
"persons entitled"	has the meaning in Article 34.1.2
"Shareholder"	means a person who is the holder of a share who, at the date hereof, shall be the Council
"Shares"	means shares in the Company
"subsidiary"	has the meaning given in section 1159 of the Act
"writing"	means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

2.2 References in these Articles to Shares being "**paid**" means those Shares being paid or credited as paid.

2.3 References in these Articles to "**writing**" means representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

- 2.4 References in these Articles to a document includes, unless otherwise specified, any document sent or supplied in electronic form.
- 2.5 Unless the context otherwise requires:-
- 2.5.1 words in the singular include the plural and vice versa;
- 2.5.2 words in one gender include the other genders; and
- 2.5.3 words importing natural persons include corporations.
- 2.6 Words or expressions contained in these Articles which are defined in the Act have the same meaning as in the Act in force on the date of adoption of these Articles including the following words which are defined in the following sections of the Act:-

Word(s)/expression	Section Number in Act
electronic form	section 1168
equity share capital	section 548
hard copy form	section 1168
ordinary resolution	section 282
special resolution	section 283
working day	section 1173

- 2.7 A reference to an Article by number is to the relevant article of these Articles.
- 2.8 Headings used in these Articles do not affect their construction or interpretation.
- 2.9 References to a statute or statutory provision is a reference to it as it is in force as at the date of adoption of these Articles.

3. **LIMITATION OF LIABILITY**

The liability of the members is limited to the amount, if any, unpaid on the shares held by them.

4. **THE BUSINESS OF THE COMPANY**

- 4.1 The Business of the Company shall be to:-
- 4.1.1 acquire land and/or properties to deliver new and/or improved homes of a mixed tenure with long-term economic and social benefits for the people of the district of Uttlesford;
- 4.1.2 to dispose of existing property and/or acquire new property in accordance with the terms of the prevailing Business Plan;
- 4.1.3 to procure and/or deliver the repairs and maintenance service to some or all of the properties;
- 4.1.4 to develop commercial units and private residential units for private rental and/or sale;
- 4.1.5 carry out any other activities as the Shareholders may determine from time to time;
- 4.1.6 carry out the activities described in sub-articles 4.1.1 to 4.1.5 in the best interests of the Company and at all times in accordance with the Business Plan.

4.2 **Business Plan**

4.2.1 The Shareholders shall prepare a Business Plan for each and every scheme to be undertaken by the Company which shall be unanimously approved by the Shareholders.

4.2.2 The Business Plan(s) which has been prepared in accordance with Article 4.2.1 shall remain in force as the Business Plan for the Company until such time as it is replaced by an updated Business Plan approved unanimously by the Shareholders from time to time.

5. **DIRECTORS' GENERAL AUTHORITY**

Subject to the Articles, the directors are responsible for the management of the Company's Business, for which purpose they may, with the exception of the matters requiring Shareholder consent and expressly reserved pursuant to Article 6 (Shareholder Reserved Matters), exercise all the powers of the Company.

6. **SHAREHOLDER RESERVE MATTERS**

The matters listed in Schedule 1 shall not be carried out without the prior written consent of the Shareholders.

7. **DIRECTORS MAY DELEGATE**

7.1 Subject to the Articles, the directors may delegate any of the powers which are conferred on them under the Articles:-

7.1.1 to such person or committee;

7.1.2 to such an extent;

7.1.3 in relation to such matters; and

7.1.4 on such terms and conditions;

as they think fit.

7.2 Any such delegation will automatically authorise further delegation of the directors' powers by any person to whom they are delegated, unless the directors specifically state otherwise within such delegation authority.

7.3 The directors may revoke any delegation in whole or part, or alter its terms and conditions.

8. **COMMITTEES**

8.1 Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by directors.

8.2 The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

9. **DIRECTORS TO TAKE DECISIONS COLLECTIVELY**

9.1 The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with Article 10.

9.2 All acts done by a meeting of directors, or a committee of directors or by any director shall, even if it is discovered afterwards that:-

- 9.2.1 there was a defect in the appointment of any director; or
- 9.2.2 any director had been disqualified from holding office; or
- 9.2.3 any director had vacated office or was not entitled to vote;

be valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.

10. **UNANIMOUS DECISIONS**

- 10.1 A decision of the directors is taken in accordance with this Article when all Eligible Directors indicate to each other by any means that they share a common view on a matter save to the extent otherwise provided for in any Business Plan.
- 10.2 Such a decision may take the form of a resolution in writing, copies of which have been signed by each Eligible Director or to which each Eligible Director has otherwise indicated agreement in writing.
- 10.3 A decision may not be taken in accordance with this Article if the Eligible Directors would not have formed a quorum at such a meeting.

11. **CALLING A BOARD MEETING**

- 11.1 Any director may call a board meeting by giving not less than 20 business days' notice of the meeting (or such lesser notice as all the directors may agree) to the directors.
- 11.2 Notice of any board meeting must indicate:-
 - 11.2.1 its proposed date and time;
 - 11.2.2 where it is to take place;
 - 11.2.3 the proposed business of the meetings;
 - 11.2.4 if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 11.3 Notice of a board meeting must be given to each director, and must be in writing.
- 11.4 Notice of a board meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the Company not more than 7 days after the date on which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

12. **PARTICIPATION IN BOARD MEETINGS**

- 12.1 Subject to the Articles, directors participate in a board meeting, or part of a board meeting, when:-
 - 12.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 12.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 12.2 In determining whether directors are participating in a board meeting, it is irrelevant where any director is or how they communicate with each other.
- 12.3 If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

13. QUORUM FOR BOARD MEETINGS

- 13.1 At a board meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 13.2 The quorum for the transaction of business at a meeting of the directors is any 2 directors.
- 13.3 If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision to call a shareholder meeting so as to enable the Shareholders to appoint further directors.

14. CHAIRING OF BOARD MEETINGS

- 14.1 The directors may appoint a director to chair their meetings.
- 14.2 The person so appointed for the time being is known as the Chairman.
- 14.3 The directors may terminate the Chairman's appointment at any time.
- 14.4 If the Chairman is not participating in a board meeting within ten minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it.

15. CHAIRMAN'S CASTING VOTE

- 15.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chairman or other director chairing the meeting shall have a casting vote.

16. RECORDS OF DECISIONS TO BE KEPT

The directors must ensure that the Company keeps a record, in writing, for at least 7 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.

17. CONFLICTS OF INTEREST

- 17.1 If a proposed decision of the directors is concerned with an actual or proposed transaction or arrangement with the Company in which a director is interested, that director is not to be counted as participating in the decision-making process for quorum or voting purposes.
- 17.2 But if Article 17.3 applies, a director who is interested in an actual or proposed transaction or arrangement with the Company is to be counted as participating in the decision-making process for quorum and voting purposes.
- 17.3 This paragraph applies when—
- 17.3.1 the Company by ordinary resolution disapplies the provision of the articles which would otherwise prevent a director from being counted as participating in the decision-making process; or
 - 17.3.2 the director's interest cannot reasonably be regarded as likely to give rise to a conflict of interest.
- 17.4 For the purposes of this Article, references to proposed decisions and decision-making processes include any directors' meeting or part of a directors' meeting.
- 17.5 Subject to Article 17.7, if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.

17.6 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.

18. **NUMBER AND METHOD OF APPOINTING DIRECTORS**

18.1 Unless otherwise determined by ordinary resolution, the number of directors shall not be less than 2 and the appointment or removal of a director shall be a matter to be approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).

19. **TERMINATION OF DIRECTOR'S APPOINTMENT**

19.1 A person ceases to be a director as soon as:-

19.1.1 that person ceases to be a director by virtue of any provision of the Act or these Articles or is prohibited from being a director by law;

19.1.2 a bankruptcy order is made against that person;

19.1.3 a composition is made with that person's creditors generally in satisfaction of that person's debts;

19.1.4 a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;

19.1.5 notification is received by the Company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;

19.1.6 he is convicted of a criminal offence (other than a motoring offence or series of offences not resulting in disqualification) and the directors resolve that his office be vacated; or

19.1.7 in the case of a person who is also an employee of the Company he ceases to be such an employee; or

19.1.8 he shall for more than six consecutive months have been absent without permission of the Shareholders from meetings of directors held during that period and the Shareholders resolve that his office be vacated; or

19.1.9 all the other Shareholders unanimously resolve that his office be vacated.

19.2 In addition and without prejudice to the provisions of section 168 of the Act, Shareholders may remove any director before the expiration of his period of office and appoint another director in his place.

20. **DIRECTORS' REMUNERATION**

20.1 Directors may undertake any services for the Company that the directors decide.

20.2 Directors are not entitled to any remuneration for their services to the Company.

20.3 Unless the directors decide otherwise, directors are not accountable to the Company for any remuneration which they receive as directors or other officers or employees of the Company's subsidiaries or of any other body corporate in which the Company is interested.

21. **DIRECTORS' AND OFFICERS' EXPENSES**

21.1 The Company may pay any reasonable out-of-pocket expenses which the officers (including alternate directors and the secretary) properly incur in connection with their attendance at:-

21.1.1 meetings of directors or committees of directors;

21.1.2 shareholder meetings; or

21.1.3 separate meetings of the holders of any class of shares or of debentures of the Company

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

22. SECRETARY

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration, and upon such conditions as they may think fit and from time to time to remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

23. ALL SHARES TO BE FULLY PAID UP

23.1 No share is to be issued for less than the aggregate of its nominal value and any premium to be paid to the Company in consideration for its issue.

23.2 This does not apply to shares taken on the formation of the Company by the subscribers to the Company's memorandum.

24. POWERS TO ISSUE DIFFERENT CLASSES OF SHARE

24.1 Subject to the Articles, but without prejudice to the rights attached to any existing share, the Company may issue shares with such rights or restrictions as may be determined by ordinary resolution.

24.2 The Company may issue shares which are to be redeemed, or are liable to be redeemed at the option of the Company or the holder, and the directors may determine the terms, conditions and manner of redemption of any such shares.

25. COMPANY NOT BOUND BY LESS THAN ABSOLUTE INTERESTS

Except as required by law, no person is to be recognised by the Company as holding any share upon any trust, and except as otherwise required by law or the Articles, the Company is not in any way to be bound by or recognise any interest in a share other than the holder's absolute ownership of it and all the rights attaching to it.

26. DIRECTORS' AUTHORITY TO ALLOT SHARES

Save to the extent authorised from time to time by an ordinary resolution of the Shareholders, the directors shall not exercise any power to allot shares or to grant rights to subscribe for, or to convert any security into, any shares in the Company.

27. SHARE CERTIFICATES

27.1 The Company must issue each Shareholder, free of charge, with one or more certificates in respect of the shares which that Shareholder holds.

27.2 Every certificate must specify:-

27.2.1 in respect of how many shares, of what class, it is issued;

27.2.2 the nominal value of those shares;

27.2.3 that the shares are fully paid; and

27.2.4 any distinguishing numbers assigned to them.

27.3 No certificate may be issued in respect of shares of more than one class.

27.4 If more than one person holds a share, only one certificate may be issued in respect of it.

27.5 Certificates must:-

27.5.1 have affixed to them the Company's common seal; or

27.5.2 be otherwise executed in accordance with the Companies Acts.

28. **SHARE TRANSFERS**

28.1 Shares may be transferred by means of an instrument of transfer in any usual form or any other form approved by the directors, which is executed by or on behalf of the transferor.

28.2 No fee may be charged for registering any instrument of transfer or other document relating to or affecting the title to any share.

28.3 The Company may retain any instrument of transfer which is registered.

28.4 The transferor remains the holder of a share until the transferee's name is entered in the register of members as holder of it.

29. **DIRECTORS' POWERS ON TRANSFER OF SHARES**

29.1 The directors must not register the transfer of any Share or any interest in any Share unless the transfer is approved by the Shareholders pursuant to Article 6 (Shareholder Reserved Matters).

29.2 The directors may at any time require any Shareholder or any person named as transferee in an instrument of transfer lodged for registration to give the directors such information and evidence as the directors believe is relevant to ensure that a transfer of Shares is being made in accordance with these Articles or that no circumstances have arisen which would result in a Transfer Notice being bound to be given or being deemed to have been given.

29.3 If the directors are not given such information or evidence within 20 days after they have requested it, the directors may in their absolute discretion give notice of refusal to register the transfer concerned together with reasons for the refusal to the person named as transferee or require the Shareholder by written notice to give a Transfer Notice in respect of the relevant Shares. If the information or evidence received by the directors discloses to their satisfaction that a Shareholder may be bound to give or is deemed to have given a Transfer Notice, the directors may in their absolute discretion by written notice to the relevant Shareholder require that a Transfer Notice be given in respect of the relevant Shares.

29.4 An obligation to transfer a Share under these Articles is an obligation to transfer the entire legal and beneficial interest in such Share free from any lien, charge or encumbrance.

30. **PROCEDURE FOR DECLARING DIVIDENDS**

30.1 The Company may by ordinary resolution declare dividends, and the directors may decide to pay interim dividends.

30.2 A dividend must not be declared unless the directors have made a recommendation as to its amount. Such a dividend must not exceed the amount recommended by the directors.

30.3 No dividend may be declared or paid unless it is in accordance with Shareholders' respective rights and approved in the prevailing Business Plan.

- 30.4 Unless the Shareholders' resolution to declare or directors' decision to pay a dividend, or the terms on which shares are issued, specify otherwise, it must be paid by reference to each Shareholder's holding of shares on the date of the resolution or decision to declare or pay it.
- 30.5 If the Company's share capital is divided into different classes, no interim dividend may be paid on shares carrying deferred or non-preferred rights if, at the time of payment, any preferential dividend is in arrear.
- 30.6 The directors may pay at intervals any dividend payable at a fixed rate if it appears to them that the profits available for distribution justify the payment.
- 30.7 If the directors act in good faith, they do not incur any liability to the holders of shares conferring preferred rights for any loss they may suffer by the lawful payment of an interim dividend on shares with deferred or non-preferred rights.

31. **CALCULATION OF DIVIDENDS**

- 31.1 Except as otherwise produced by these Articles or the rights attached to the shares, all dividends must be declared and distributed amongst the holders of shares proportionately according to the number of shares held (and in irrespective of the amount paid up on such shares).
- 31.2 If any share is issued on terms providing that it ranks for dividend as from a particular date, that share ranks for dividend accordingly.

32. **PAYMENT OF DIVIDENDS AND OTHER DISTRIBUTIONS**

- 32.1 Where a dividend or other sum which is a distribution is payable in respect of a share, it must be paid by one or more of the following means:-
- 32.1.1 transfer to a bank or building society account specified by the distribution recipient in writing;
 - 32.1.2 sending a cheque made payable to the distribution recipient by post to the distribution recipient at the distribution recipient's registered address (if the distribution recipient is a holder of the share), or (in any other case) to an address specified by the distribution recipient in writing;
 - 32.1.3 sending a cheque made payable to such person by post to such person at such address as the distribution recipient has specified in writing; or
 - 32.1.4 any other means of payment as the directors agree with the distribution recipient in writing.
- 32.2 In the Articles, the "**distribution recipient**" means, in respect of a share in respect of which a dividend or other sum is payable:-
- 32.2.1 the holder of the share; or
 - 32.2.2 if the share has two or more joint holders, whichever of them is named first in the register of members; or
 - 32.2.3 if the holder is no longer entitled to the share by reason of death or bankruptcy, or otherwise by operation of law, the transmittee.

33. **NO INTEREST ON DISTRIBUTIONS**

- 33.1 The Company may not pay interest on any dividend or other sum payable in respect of a share unless otherwise provided by:-
- 33.1.1 the terms on which the share was issued; or

33.1.2 the provisions of another agreement between the holder of that share and the Company.

34. **CAPITALISATION OF PROFITS**

34.1 Subject to the Articles, the directors may, if they are so authorised by an ordinary resolution:-

34.1.1 decide to capitalise any profits of the Company (whether or not they are available for distribution) which are not required for paying a preferential dividend, or any sum standing to the credit of the Company's share premium account or capital redemption reserve; and

34.1.2 appropriate any sum which they so decide to capitalise (a "**Capitalised Sum**") to the persons who would have been entitled to it if it were distributed by way of dividend (the "**persons entitled**") and in the same proportions.

34.2 Capitalised Sums must be applied:-

34.2.1 on behalf of the persons entitled; and

34.2.2 in the same proportions as a dividend would have been distributed to them.

34.3 Any Capitalised Sum may be applied in paying up new shares of a nominal amount equal to the Capitalised Sum which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.4 A Capitalised Sum which was appropriated from profits available for distribution may be applied in paying up new debentures of the Company which are then allotted credited as fully paid to the persons entitled or as they may direct.

34.5 Subject to the Articles the directors may:-

34.5.1 apply Capitalised Sums in accordance with Articles 34.3 and 34.4 partly in one way and partly in another;

34.5.2 make such arrangements as they think fit to deal with shares or debentures becoming distributable in fractions under this Article (including the issuing of fractional certificates or the making of cash payments); and

34.5.3 authorise any person to enter into an agreement with the Company on behalf of all the persons entitled which is binding on them in respect of the allotment of shares and debentures to them under this Article.

35. **NOTICE OF SHAREHOLDER MEETINGS**

35.1 The notice of a shareholder meeting of the Company must state:-

35.1.1 the time and date of the meeting;

35.1.2 the place of the meeting; and

35.1.3 the general nature of the business to be transacted.

36. **ATTENDANCE AND SPEAKING AT SHAREHOLDER MEETINGS**

36.1 A person is able to exercise the right to speak at a shareholder meeting when that person is a member of the Cabinet of the Council.

36.2 A person is only able to exercise the right to vote at a shareholder meeting if that person is a member of the Cabinet of the Council.

36.3 The directors may make whatever arrangements they consider appropriate to enable those attending a shareholder meeting to exercise their rights to speak or vote at it.

36.4 In determining attendance at a shareholder meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

36.5 Two or more persons who are not in the same place as each other attend a shareholder meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

37. **QUORUM FOR SHAREHOLDER MEETINGS**

37.1 No business other than the appointment of the chairman of the meeting is to be transacted at a shareholder meeting if the persons attending it do not constitute a quorum, pursuant to Article 37.2 below.

37.2 A quorum for the transaction of business at a meeting of the shareholders is:-

37.2.1 the Leader of the Council or the Deputy Leader of the Council; or

37.2.2 in the absence of the Leader of the Council or the Deputy Leader of the Council two other members of the Cabinet of the Council.

38. **CHAIRING SHAREHOLDER MEETINGS**

38.1 If the directors have appointed a chairman, the chairman shall chair shareholder meetings if present and willing to do so.

38.2 If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start:-

38.2.1 the directors present; or

38.2.2 (if no directors are present), the meeting

must appoint a director or shareholder to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.

38.3 The person chairing a meeting in accordance with this Article is referred to as "**the chairman of the meeting**".

39. **ATTENDANCE AND SPEAKING BY DIRECTORS AND NON-SHAREHOLDERS**

39.1 Directors may attend and speak at shareholder meetings, whether or not they are shareholders.

39.2 The chairman of the meeting may in his absolute discretion permit other persons who are not:-

39.2.1 shareholders of the Company; or

39.2.2 otherwise entitled to exercise the rights of shareholders in relation to shareholder meetings

to attend and speak at a shareholder meeting.

40. **ADJOURNMENT**

40.1 If the persons attending a shareholder meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.

- 40.2 The chairman of the meeting may adjourn a shareholder meeting at which a quorum is present if:-
- 40.2.1 the meeting consents to an adjournment; or
 - 40.2.2 it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- 40.3 The chairman of the meeting must adjourn a shareholder meeting if directed to do so by the meeting.
- 40.4 When adjourning a shareholder meeting, the chairman of the meeting must:-
- 40.4.1 either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and
 - 40.4.2 have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- 40.5 If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):-
- 40.5.1 to the same persons to whom notice of the Company's shareholder meetings is required to be given, and
 - 40.5.2 containing the same information which such notice is required to contain.
- 40.6 No business may be transacted at an adjourned shareholder meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.
41. **VOTING AT SHAREHOLDER MEETINGS**
- 41.1 A resolution put to the vote of a shareholder meeting must be decided on a show of hands.
- 41.2 No objection may be raised to the qualification of any person voting at a shareholder meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.
- 41.3 Any such objection must be referred to the chairman of the meeting, whose decision is final.
42. **AMENDMENTS TO RESOLUTIONS**
- 42.1 An ordinary resolution to be proposed at a shareholder meeting may be amended by ordinary resolution if:-
- 42.1.1 notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the shareholder meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine); and
 - 42.1.2 the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.
- 42.2 A special resolution to be proposed at a shareholder meeting may be amended by ordinary resolution, if:-
- 42.2.1 the chairman of the meeting proposes the amendment at the shareholder meeting at which the resolution is to be proposed; and

42.2.2 the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

42.3 If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

43. **NOTICES AND COMMUNICATIONS**

43.1 The Company may send, supply or give any document, information or notice to a Shareholder by hard copy, electronic form or by making that document or information available on a website and giving notice of the availability of that document or information to the relevant Shareholder (provided that Shareholder has individually agreed (or is deemed to have agreed) to the Company sending or supplying documents or information generally or those documents or information in question to him by means of a website), in each case subject to the provisions of sections 1143 to 1148 and Schedule 5 of the Act.

43.2 A notice given by means of a website shall be deemed to have been sent, supplied or given when the material was first made available on the website or, if later, when the recipient received (or is deemed to have received) notice of the fact that the material was available on the website.

43.3 Any document, information or notice which is required to be sent or given to the Company shall be sent by hard copy or electronic form in each case, subject to the provisions of sections 1143 to 1148, Schedule 4 and Schedule 5 of the Act.

43.4 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:-

43.4.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, on the second working day after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

43.4.2 if properly addressed and delivered by hand, the next working day after it was given or left at the appropriate address; and

43.4.3 if properly addressed and sent or supplied by electronic means, the next working day after the document or information was sent or supplied.

For the purposes of this Article, no account shall be taken of any part of a day that is not a working day.

43.5 Proof that an envelope containing a document, notice or information was properly addressed, prepaid and posted shall be conclusive evidence that the document, notice or information was sent, supplied or given by post. A copy of a record of the total number of recipients sent to or each recipient to whom an e-mail message was sent together with any notices of failed transmissions and copies of records of subsequent re-sending, suitably certified by or on behalf of the Company, shall be conclusive evidence that the document, notice or information was sent, supplied or given by e-mail.

43.6 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

43.7 A Director may agree with the Company that notices or documents sent to that Director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

43.8 Any notice or document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or documents for the time being.

44. **COMPANY SEALS**

44.1 Any common seal may only be used by the authority in writing of the directors.

44.2 The directors may decide by what means and in what form any common seal is to be used.

44.3 Unless otherwise decided by the directors in writing, if the Company has a common seal and it is affixed to a document, the document must also be signed by at least one authorised person.

44.4 An authorised person is:-

44.4.1 any director of the Company;

44.4.2 the Company secretary (if any); or

44.4.3 any person authorised by the directors in writing for the purpose of signing documents to which the common seal is applied.

45. **NO RIGHT TO INSPECT ACCOUNTS AND OTHER RECORDS**

Except as provided by law or authorised by the directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or documents merely by virtue of being a shareholder.

46. **PROVISION FOR EMPLOYEES ON CESSATION OF BUSINESS**

The directors may decide to make provision for the benefit of persons employed or formerly employed by the Company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Company or that subsidiary.

47. **DIRECTORS' INDEMNITY AND INSURANCE**

47.1 Subject to Article 47.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:-

47.1.1 each relevant officer shall be indemnified out of the out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant office in the actual or purported execution and/or discharge of his duties, or in relation to them including (in each case) any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

47.1.2 the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in Article 47.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurred such expenditure.

47.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

47.3 In this Article:-

- 47.3.1 companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and
- 47.3.2 a "relevant officer" means any director or other officer or former director or other officer of the Company or an associated company (including any company which is a trustee of an occupational pension scheme (as defined by section 235(6) of the Act, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor).

48. **PARENT COMPANY**

- 48.1 Whenever a company wherever incorporated (hereinafter called the "**Parent Company**") is the holder of not less than 90 per cent of the Shares of the Company the following provisions will apply and to the extent of any inconsistency will have overriding effect as against all other provisions of these Articles:-
- 48.1.1 the Parent Company may at any time and from time to time appoint any person to be a Director or remove from office any Director howsoever appointed and so that in the case of his removal from office will be deemed an act of the Company and will have effect without prejudice to any claim for damages in respect of the consequent termination of his office;
- 48.1.2 no securities or Shares may be issued or agreed to be issued or put under option without the consent of the Parent Company; and
- 48.1.3 any or all powers of the directors will be restricted in such respects and to such extent as the Parent Company may by notice to the Company from time to time prescribe.
- 48.2 Any such appointment, removal, consent or notice must be in writing served on the Company and signed on behalf of the Parent Company by any two of its directors or by any one of its directors and its secretary or some other person duly authorised for the purpose.
- 48.3 No person dealing with the Company will be concerned to see or enquire as to whether the powers of the directors have been in any way restricted under this Article or as to whether any requisite consent of the Parent Company has been obtained and no obligation incurred or security given or transaction effected by the Company to or with any third party will be invalid or ineffectual unless the third party had at the time express notice that the incurring of such obligation or the giving of such security or the effecting of such transaction was in excess of the powers of the Directors.

SCHEDULE 1

SHAREHOLDER RESERVE MATTERS

1. Approval and adoption of each Business Plan (and any amendments/variations) for each and every scheme
2. Alteration in the nature/scope of the Business for each and every scheme, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company
3. Taking any action outside the parameters of the Business Plans in a manner not reasonably contemplated within the scope of the Business Plan or which could not reasonably be expected to fall within the scope of the Business Plan including but not limited to contract expenditure or increasing any indebtedness of the Company outside the parameters of the Business Plans
4. Acquiring, disposing or agreeing to acquire or dispose of any Company asset, any interest in any Company asset (including the exercise of an option) or any other land or buildings
5. Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
6. Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the Company becomes a Subsidiary, entering into joint ventures or partnerships
7. Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company
8. Granting or entering into any license agreement or arrangement concerning the trading names of the Company and goodwill attached thereto
9. Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
10. Making any petition or passing any resolution to wind up the Company or making any application for an administration or winding up order or any order having similar effect in relation to the Company or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator
11. Changing the name of the Company
12. Change in status of the Company
13. Entry by the Company into any partnership or other profit share arrangement
14. The admission of a new shareholder to the Company or the expulsion of any then existing shareholder
15. Contracting and/or entering into a commitment to contract expenditure within the parameters of activity (as set out in the budget) contemplated by the Business Plans
16. Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person
17. Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans

18. Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company
19. Agreeing to pay any remuneration to an employee of a Company other than out of pocket expenses
20. The appointment or removal of any director.
21. Any other activity the Shareholder of the Company may determine from time to time.

Committee: Cabinet

Agenda Item

Date: 26 May 2016

17

Title: Asset Management Plan

Portfolio Holder: Councillor Simon Howell

Key decision: No

Summary

1. The Council's Asset Management Plan is refreshed every year and the proposed strategy for 2016/17 is presented with this report.
2. The Plan includes a complete list of the Council's non-housing assets and sets out strategic objectives and guiding principles for their use. Detailed priorities for 2016/17 are set out.
3. One of the key reasons for updating the Asset Management Plan is to provide ongoing assurance to the external auditor that the Council has a sound approach. This is taken into account as part of the external auditor's statutory 'value for money' opinion.

Recommendations

4. The Cabinet is recommended to approve the Asset Management Plan as attached to this report.

Financial Implications

5. There are no direct financial implications arising from the recommendation. The financial implications of specific projects will be reported to Members at the time they are progressed.

Background Papers

None.

Impact

Communication/Consultation	None
Community Safety	No specific implications
Equalities	An EQIA is appended, there are no issues arising
Health and Safety	No specific implications

Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications
Workforce/Workplace	No specific implications

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Actions in the Asset Management Plan are not implemented	2 (the Council has the capacity to take these issues forward)	3 (the Council will be unable to demonstrate progress)	The actions have been built into workplans

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



Asset Management Plan 2016/17

Asset Management Governance

The Asset Management Plan is owned by the Cabinet under the lead responsibility of the Portfolio Holder for Finance & Administration. The Asset Management Plan will be refreshed annually.

Other Portfolio Holders are involved as necessary e.g. the Portfolio Holder for Environment will be involved with the establishment of ongoing waste vehicle depot provision.

At Corporate Management Team (CMT) level the Director of Finance and Corporate Services is responsible for preparing and maintaining the Asset Management Plan. Different CMT members are responsible for taking forward individual action plan items.

The Council has retained the services of professional valuers.

Asset Management – Strategic Objectives

The Council will:

- Use its land and buildings to contribute to the achievement of Corporate Plan priorities
- Ensure that the assets held meet the strategic objectives of the Council. Those assets that do not will be disposed of as opportunities arise.
- Ensure that its assets meet the needs of those who use them, are safe and comply with the law
- Devolve responsibility for owning and operating assets to local people, where appropriate
- Reduce asset running costs, for example by sharing facilities with other organisations, or investing in energy conservation measures.
- Participate in strategic initiatives involving the examination of public sector property base.
- Establish a wholly owned subsidiary company to generate income from available assets.

Aspire

The Council has agreed to establish a wholly owned company and that will have a number of subsidiaries, one of which will be Aspire Rentals Ltd.

The aim of Aspire Rentals Ltd is to generate additional income for the Council through developing suitable assets that are owned by the Council and potentially acquiring assets on the open market. These properties will then be rented on the private rental market.

Aspire Rentals Ltd will have three directors all of whom will be employees of the Council.

Summary of asset portfolio

A detailed schedule of all non-Housing Council owned and/or operated property is attached to this Plan. In summary, the Council owns and/or operates the following:

- 17 Pieces of Amenity Land*
- 11 Car parks
- 10 Community facilities*
- 8 Non-Statutory Allotment sites
- 5 Sports & Leisure facilities
- 3 Office buildings*
- 2 Depots
- 1 Public Toilet
- 1 Cemetery
- 8 Miscellaneous assets

*includes items which the Council leases in, so, under accounting rules, the Council is deemed to own the asset

In addition, as at 1 April 2016 the Council owns 2,798 council dwellings, 504 garages and various pieces of housing land. These are all earmarked for social housing purposes and are governed by the HRA Business Plan. They fall outside the scope of this Asset Management Plan. (Allotments are technically housing assets but are not covered by the HRA Business Plan, so are included in this Asset Management Plan.)

Review of Asset Management Plan 2015/16

The Council has achieved the following during 2015/16:

1. Completed the works to refurbish the London Road office.
2. Completed the refurbishment of the Hill Street toilet and transferred the asset to Saffron Walden Town Council.
3. Completed the Thaxted Community Information Centre refit and collocated the library service into the facility.
4. Continued the restoration work on the Castle.
5. Taken an active part in the Essex Property Asset Management (EPAM) project.
6. Taken an active part in the One Public Estate project.
7. Installed photovoltaic panels on the Shirehill vehicle workshop

Asset Management – Items carried forward from 2016/17

The following 2015/16 Action Plan items whilst started, remain outstanding at the year end and will be addressed in 2016/17:

1. Finalise the letting of the School Room at the Museum.
2. Complete the transfer of Flich Green Community Centre and play areas to Flich Green Parish Council.
3. Finalise the way forward for Great Dunmow depot – Current options for alternate site are being explored.
4. Continue the restoration work on the Castle.
5. Continue to undertake a strategic review of all assets in the assets plan to ensure they add value to the council.
6. Review the future use of the asset at De Vigier Avenue, Saffron Walden (Asset No. 24).

Asset Management – Items for 2016/17

The following are the priorities for 2016/17:

1. Explore options for commercial letting of parts of the ground floor of the London Road offices.
2. Explore options for the extension of the Museum with the aid of a Heritage Lottery Fund Bid
3. Review options for the use of the building at the front of the Garden Rooms (formerly Saffron Walden Day centre).
4. Develop the new wholly owned subsidiary company and commence development/asset purchase

Asset management policies

Within our overall aim of seeking to improve service delivery and at the same time reduce our costs, we have adopted the following guiding principles to ensure that the Council's assets are fit for purpose. These are:

1. Assets must meet the needs of those that use them.

- This includes staff, members, visitors, customers and general public, people with disabilities or special needs and other minority groups. For example, remodelling the public toilets within the reception area in the London Road Council offices.
- Property facilities should be appropriate to delivery of the Council's Services. For example, the waste and street cleansing vehicle workshop and depot facilities at Shire Hill.
- Compliance with statutory obligations in asbestos, electrical testing, access/DDA, legionella, emissions, etc.

2. Assets must be affordable.

- This means keeping running costs down, prioritising capital spending, full option appraisals incorporating whole life costing (where appropriate) and assessing opportunity costs.
- It also means making sure that any borrowing for capital works follows a robust business case and can be afforded and that any capital tied up in property, which is not required to meet the Council's objectives is released as soon as possible.
- Working with Partners to deliver Services more effectively and efficiently. For example the satellite office in Thaxted which is shared with the Parish Council, Citizen Advice Bureau and voluntary tourism organisation and will soon house the Library.
- To ensure optimum utilisation of property resources. For example, the top floor of the Council Offices in Saffron Walden has been refurbished and is used by Essex County Council staff.
- Opportunities to generate additional income from existing assets with spare capacity needs to be pursued (rental income or capital receipts).

3. Assets must be safe and comply with the law.

- This means ensuring regular surveys and inspections for asbestos, legionella, fire, health & safety etc., as well as physical condition surveys and Disability Discrimination Act (DDA) audits are undertaken.
- Need to ensure condition surveys are annually updated to provide the basis for setting the repairs and renewals budget.
- Dispose of assets that are not fit for purpose or surplus to requirements.

4. Assets must contribute to our Corporate Plan.

- Ensuring that our property decisions are linked to decisions on other Council resources (staff, IT, finance) and that asset management contributes to our corporate goals and vision.
- The Council will work in collaboration with partner organisations, including other public bodies and voluntary and community groups, to achieve a strategic approach to asset management across the district.

5. Assets must be sustainable.

- Monitoring and reducing energy consumption and CO₂ emissions, ensuring that asset decisions take into account environmental considerations.
- Identify potential energy saving projects. For example, the new boiler installed at the Council offices is expected to be 30-60% more efficient.

6. Adoption of Assets through S106 Obligations

- Where the asset would primarily be for the benefit of the community, the Council will seek to ensure that the asset is either transferred directly from the developer to the parish/town council, a body established for the purpose of holding and managing the asset for the benefit of the community or other appropriate party. In all cases an on-going maintenance sum will be requested from the developer prior to any transfer of ownership.

Uttlesford District Council owned/operated property

PROPERTY TYPE	ASSET NUMBER	DESCRIPTION	PAGE
Amenity Land	1	Open Space Barnard Close/Bullfields/Cherry Garden Lane, Newport	13
Amenity Land	2	Open Space Woodlands Park, Great Dunmow	14
Amenity Land	3	Open Space Nursery Rise, Great Dunmow	15
Amenity Land	4	Open Space Elizabeth Way Saffron Walden	16
Amenity Land	5	Open Space Limefields Little Walden Road, Saffron Walden	17
Amenity Land	6	Play Area Flitch Green	18
Amenity Land	7	Open Space Willow Road, Great Dunmow	19
Amenity Land	8	Open Space The Downs, Stebbing	20
Amenity Land	41	Open Space Causeway End Road, Felsted	52
Amenity Land	42	Open Space adjoining cemetery Saffron Walden	53
Amenity Land	44	Greenways, Saffron Walden	55
Amenity Land	55	Buffer strip, Hornbeams, Priors Green	66

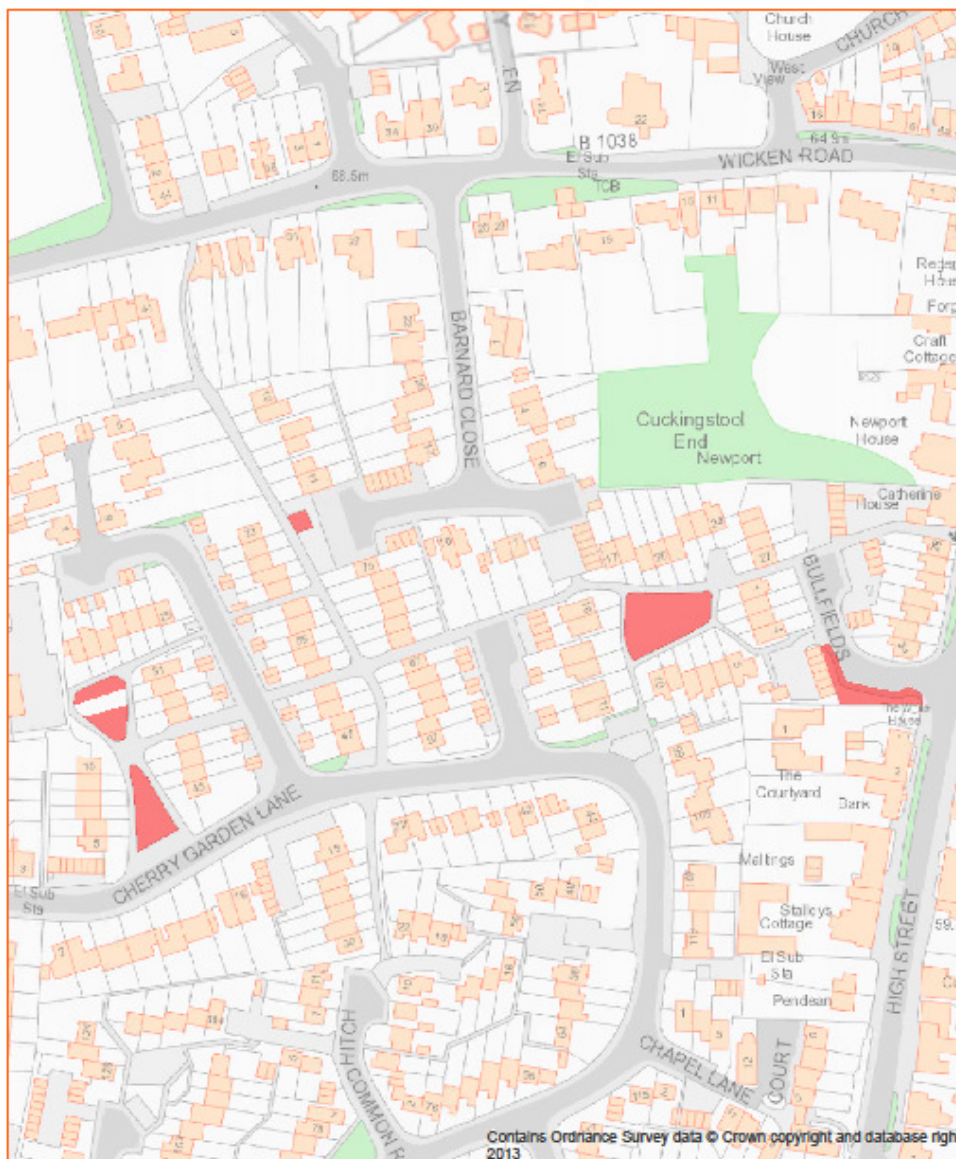
PROPERTY TYPE	ASSET NUMBER	DESCRIPTION	PAGE
Amenity Land	62	Peaslands Road, Saffron Walden	73
Amenity Land	63	Garden Land Adjacent to 21 Church Field Saffron Walden	74
Amenity Land	64	Land at Oakwood Park Saines Road Flitch Green	75
Amenity Land	65	Land at Fitzwalter Road Little Dunmow	76
Area Office	9	Council Offices London Road Saffron Walden	21
Area Office	10	Lodge House London Road Saffron Walden	22
Area Office	11	Ground floor premises, 7 Town Street, Thaxted	23
Car Park	12	Lower Street, Stansted Mountfitchet	24
Car Park	13	Swan Meadow, Saffron Walden (includes adjoining land, Freshwell Street)	25
Car Park	14	Fairycroft Road, Saffron Walden	26
Car Park	15	Debden Road, Saffron Walden	27
Car Park	16	Chequers Lane, Great Dunmow	28
Car Park	17	Angel Lane, Great Dunmow	29
Car Park	18	White Street, Great Dunmow	30
Car Park	19	Rose & Crown Walk, Common Hill, Saffron Walden	31

PROPERTY TYPE	ASSET NUMBER	DESCRIPTION	PAGE
Car Park	20	The Common, Saffron Walden	32
Car Park	56	New Street Great Dunmow	67
Car Park	33	Catons Lane, Saffron Walden	44
Car Park	40	Crafton Green, Stansted	51
Cemetery	21	Cemetery land north of Church Street, Church End, Great Dunmow	33
Community Facility	22	Day Centre Chequers Lane, Great Dunmow	34
Community Facility	23	Day Centre Vicarage Mead, Thaxted	35
Community Facility	25	Day Centre South Road, Takeley	37
Community Facility	26	Day Centre Hill Street, Saffron Walden	38
Community Facility	27	Community Hall Flich Green	39
Community Facility	28	Museum, Museum Street Saffron Walden	40
Community Facility	30	Castle grounds & ruins, Saffron Walden	41
Community Facility	53	The Guildhall, Thaxted	64
Depot	31	New Street, Great Dunmow	42
Depot	32	Shire Hill, Saffron Walden	43
Leisure Facility	61	Lord Butler Leisure Centre, Saffron Walden	72

PROPERTY TYPE	ASSET NUMBER	DESCRIPTION	PAGE
Leisure Facility	34	Turpins Bowls Hall, Lord Butler Leisure Centre, Saffron Walden	45
Leisure Facility	35	Skateboard park, Lord Butler Leisure Centre, Saffron Walden	46
Leisure Facility	57	Stansted Sports Centre, Stansted	68
Leisure Facility	58	Dunmow Sports Centre, Great Dunmow	69
Miscellaneous	24	Land at De Vigier Avenue Saffron Walden	36
Miscellaneous	36	Ransom Strip Harris Yard Saffron Walden	47
Miscellaneous	37	Ransom Strip Harris Yard Saffron Walden	48
Miscellaneous	38	Claypits Plantation, Debden Road Saffron Walden	49
Miscellaneous	43	Sewage Works Bardfield End Villas Thaxted	54
Miscellaneous	45	Verge at Lower Street Car Park Stansted	56
Miscellaneous	59	Land at Thaxted Road, Saffron Walden	70
Miscellaneous	54	Land North of Gaces Acre, Newport	65
Public Toilets	39	Hill Street, Saffron Walden	50
Allotments	46	Magdalen Green, Thaxted	57
Allotments	47	Birdbush Avenue (North), Saffron Walden	58
Allotments	48	Birdbush Avenue (South), Saffron Walden	59
		Page 220	

PROPERTY TYPE	ASSET NUMBER	DESCRIPTION	PAGE
Allotments	49	Laws Close, Saffron Walden	60
Allotments	50	Peaslands Road, Saffron Walden	61
Allotments	51	Petlands, Little Walden	62
Allotments	60	Radwinter Road, Saffron Walden	71
Allotments	52	Rowntree Way, Saffron Walden	63

Asset No.1 Barnard Close & Cherry Garden Lane Newport



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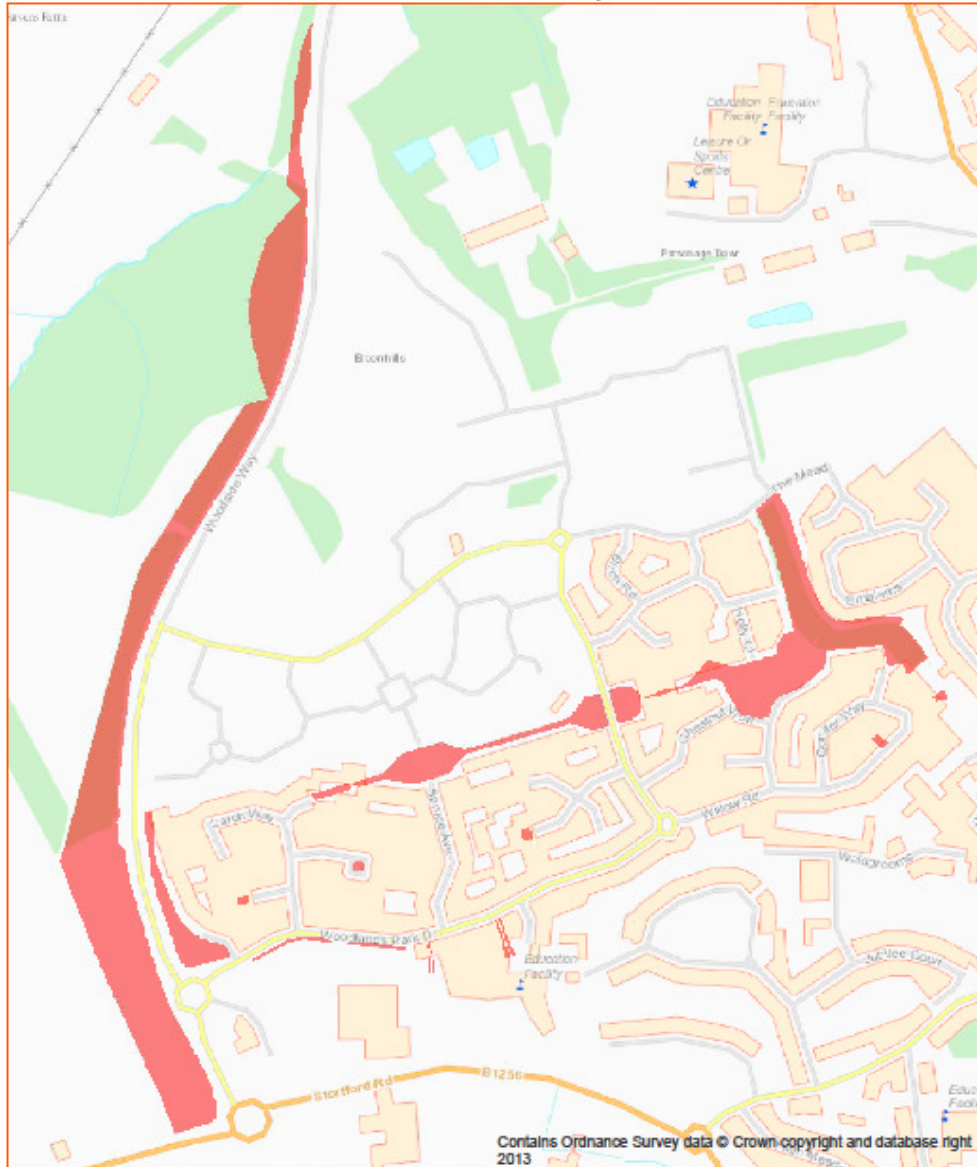
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.113	1,123	3
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
551857	233850	010090835089	CB11 3QA	Owned
DESCRIPTION				
6 areas of open space land in Barnard Close, Cherry Garden Lane and Bullfields in Newport.				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.2 Woodlands Park, Great Dunmow



Date: 25/11/2013

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1:6,250



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	8.318	83,178	160
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561452	222377	010090835054	CM6 1WN	Owned
DESCRIPTION				
13 areas of open space land				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.3 Nursery Rise, Great Dunmow



Date: 25/11/2013

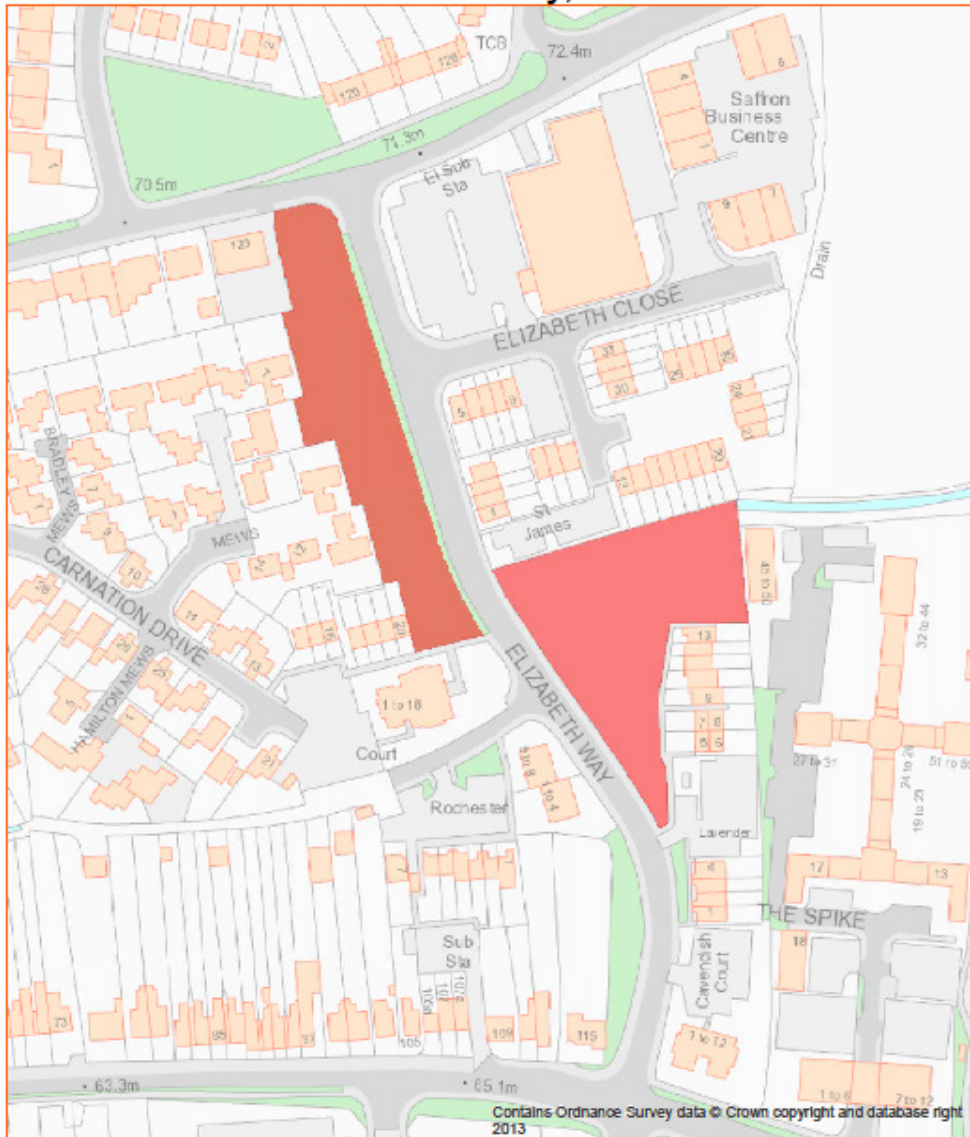
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1:3,032



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.702	7,025	18
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561457	222105	010090835104	CM6 1WN	Owned
DESCRIPTION				
6 areas of open space land				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.4 Elizabeth Way, Saffron Walden



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	1.261	5,586	14
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554929	238647	010090835071	CB10 2NN	Owned
DESCRIPTION				
2 areas of open space land				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.5 Limefields, Saffron Walden



Date: 25/11/2013

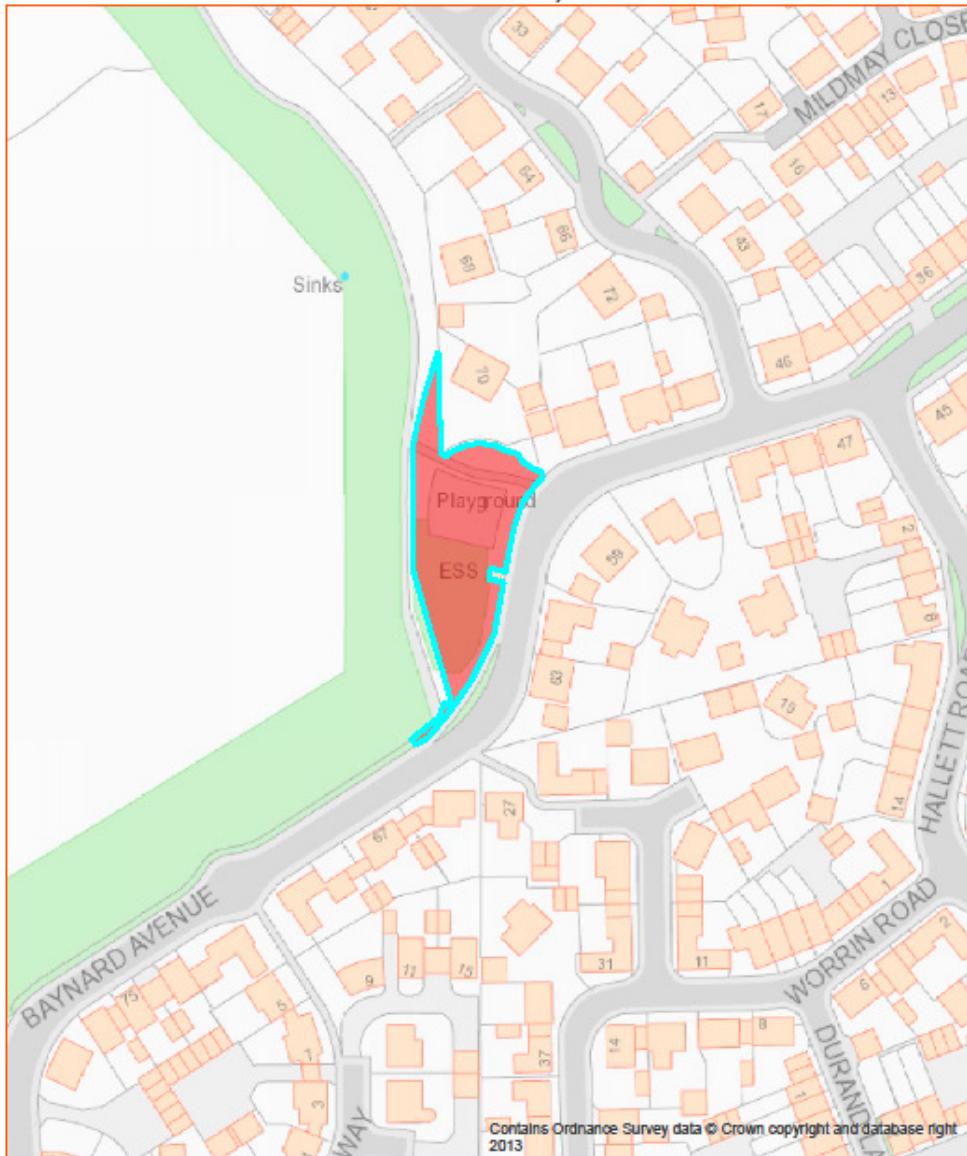
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.15	1,502	4
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554105	239560	010090835053	CB10 2GF	Owned
DESCRIPTION				
single area of open space land				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.6 Flich Green, Little Dunmow



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.124	1,238	3
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
566314	220967	010090835073	CM6 3FF	Owned
DESCRIPTION				
Play Area				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.7 Willow Road, Great Dunmow



Date: 25/11/2013

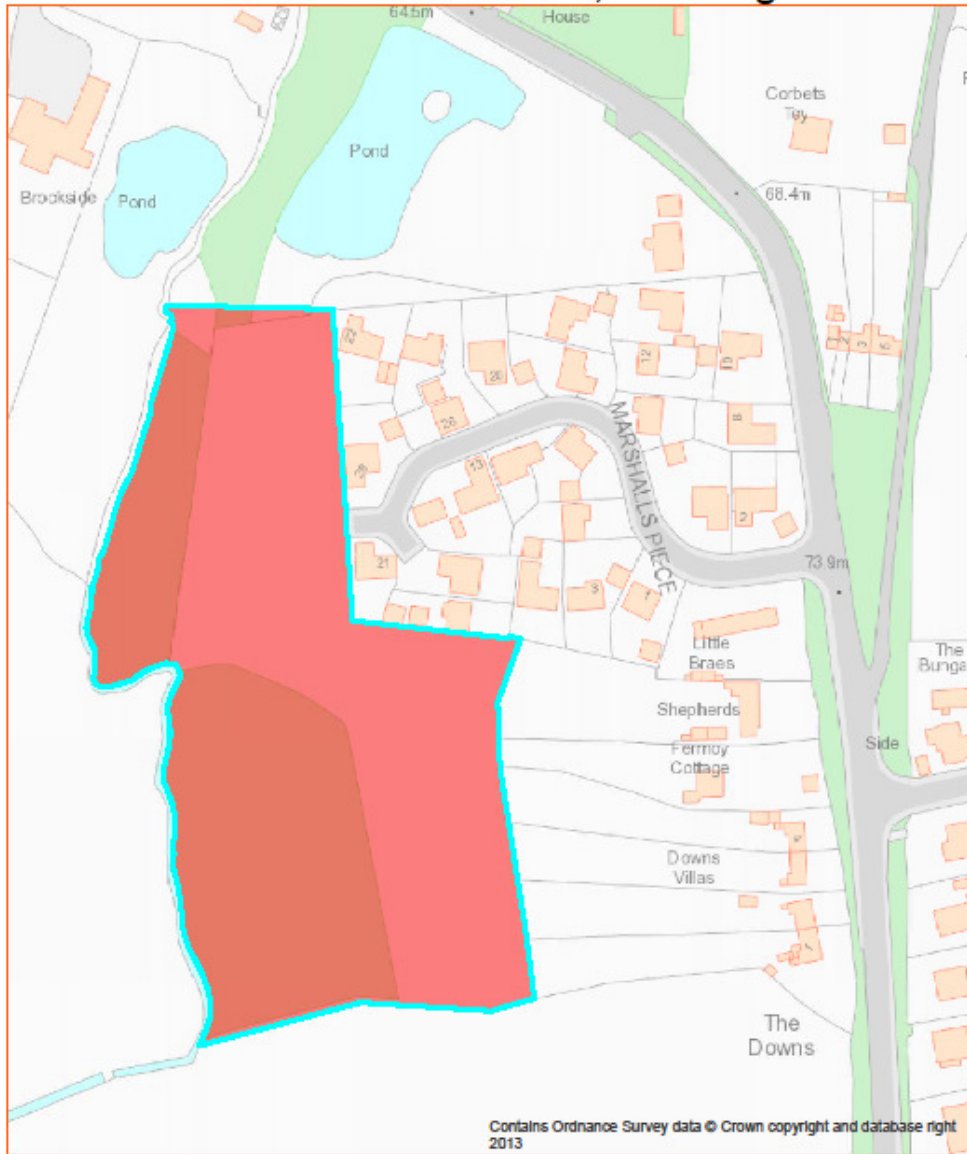
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.031	308	1
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562344	222362	010090835079	CM6 1WD	Owned
DESCRIPTION				
2 areas of open space land				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.8 The Downs, Stebbing



Date: 25/11/2013

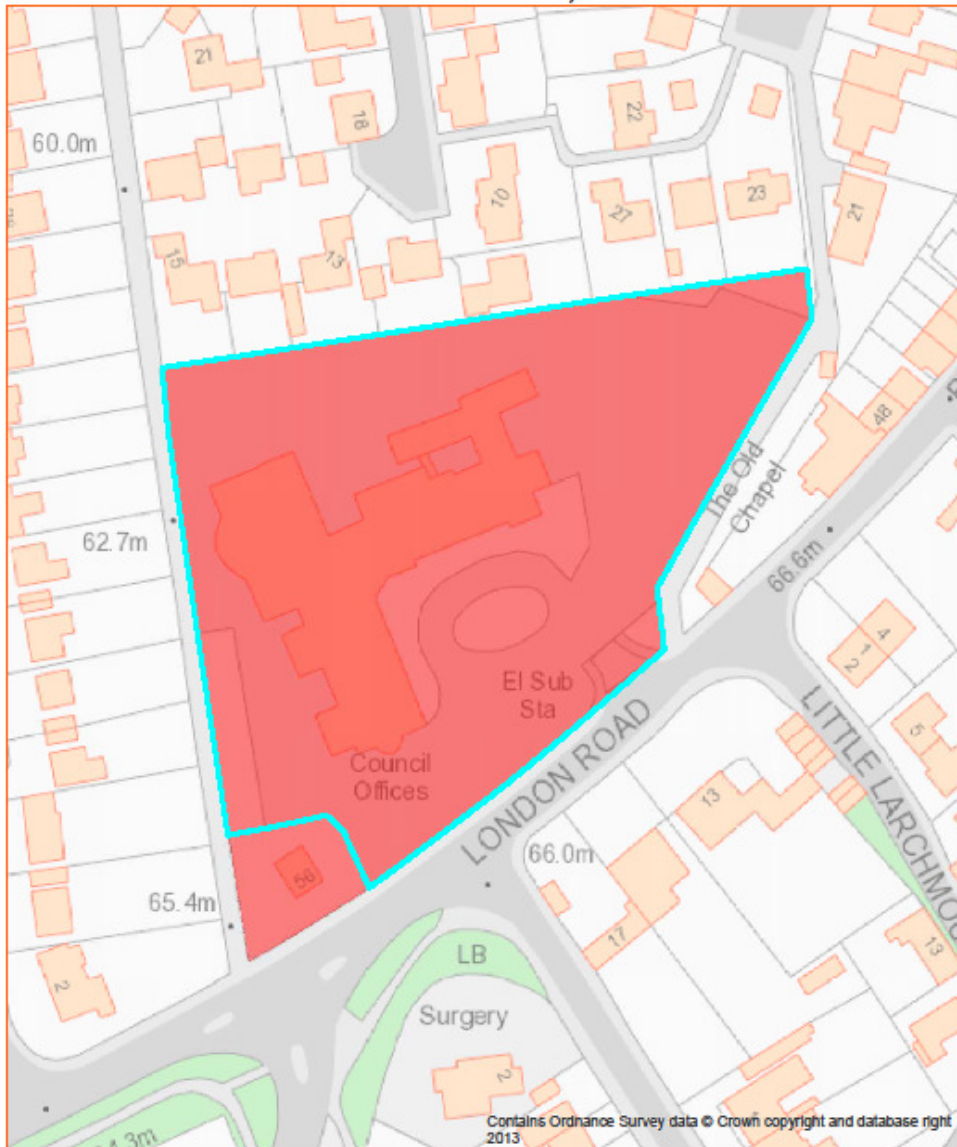
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	1.621	16,200	41
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
565693	224772	010090835107	CM6 3RZ	Leased
DESCRIPTION				
Single area of open space land				
ADDITIONAL INFORMATION				

Asset No.9 Council Offices, Saffron Walden



Date: 25/11/2013

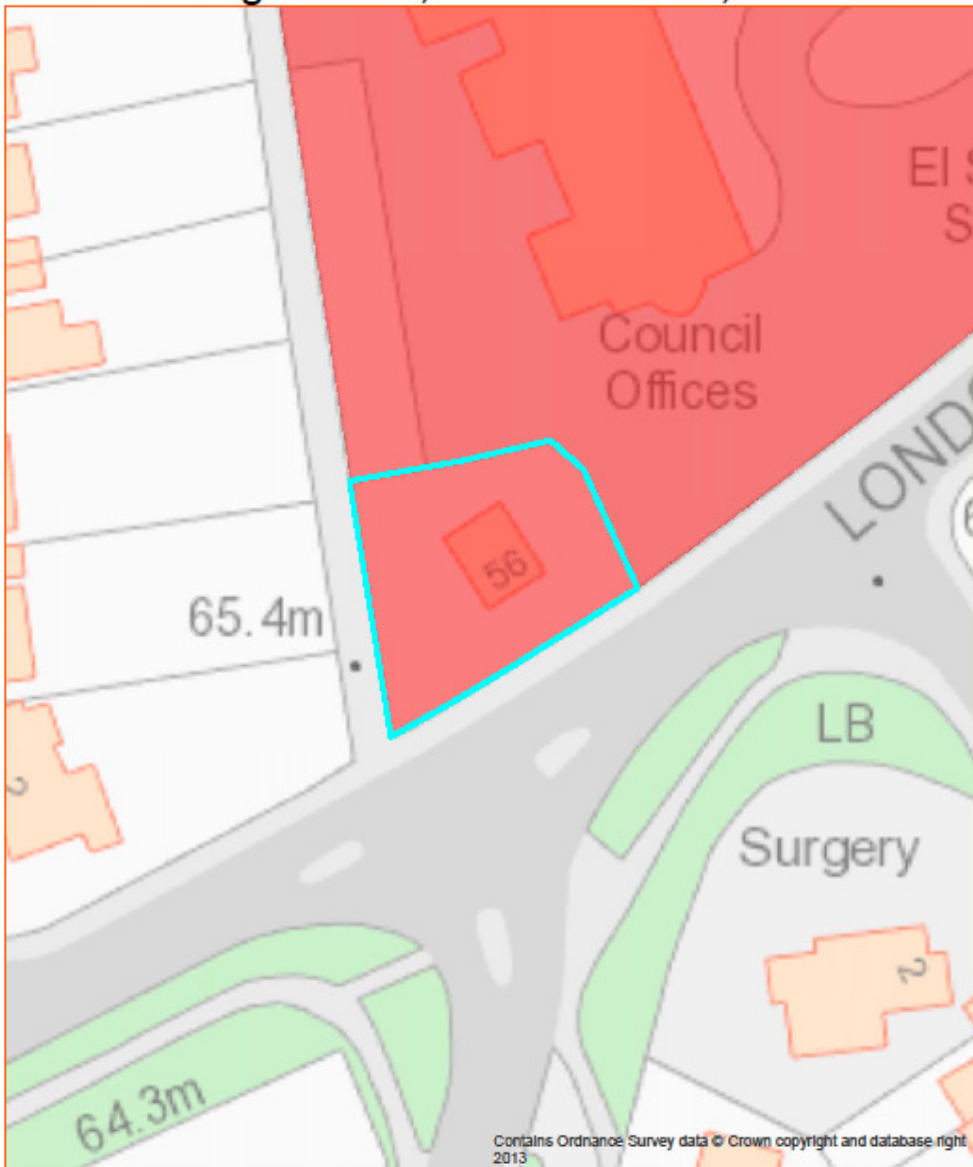
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Area Office	Delivery of Council Services	0.886	Building 3,116 Site 8,862	2,797
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553595	237980	20004267308	CB11 4ER	Owned
DESCRIPTION				
Main Council Office				
ADDITIONAL INFORMATION				
Stock condition survey used to highlight maintenance requirements				

Asset No.10 Lodge House, Council Offices, Saffron Walden



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Area Office	Delivery of Council Services	0.046	Building 61 Site 459	74
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553565	237915	100090652567	CB11 4ER	Owned
DESCRIPTION				
House in main council office grounds				
ADDITIONAL INFORMATION				

Asset No.11 Ground Floor, 7 Town Street, Thaxted



Date: 25/11/2013

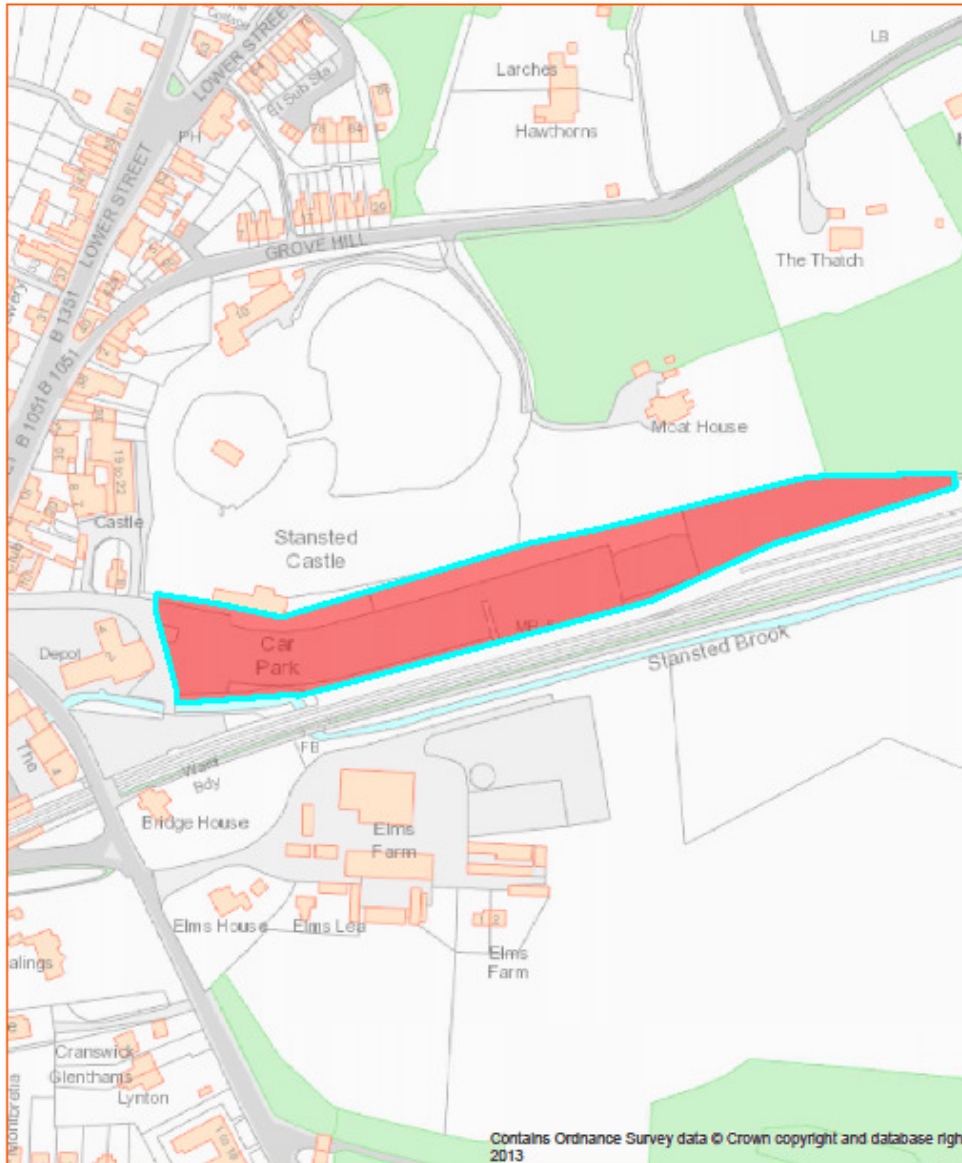
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Area Office	Delivery of Council Services	0.012	124	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561200	230891	010002183293	CM6 2LD	Leased In
DESCRIPTION				
Customer Information Centre				
ADDITIONAL INFORMATION				

Asset No.12 Lower Street Car Park, Stansted Mountfitchet



Date: 25/11/2013

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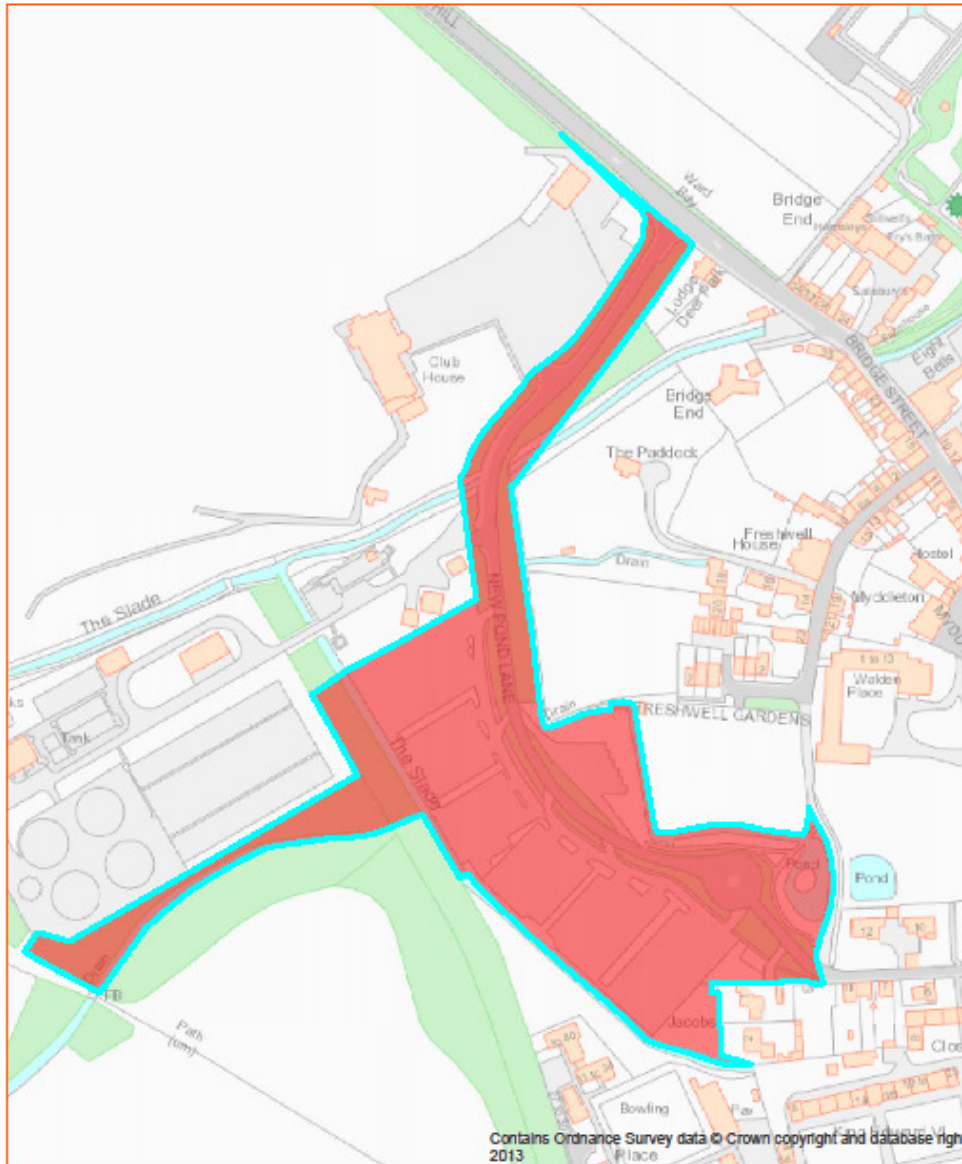


PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	1.022	10,224	185
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
551638	224920	010090833989	CM24 8SP	Owned
DESCRIPTION				
Car Park				

ADDITIONAL INFORMATION

Maintained by Grounds Maintenance team

Asset No.13 Swan Meadow Car Park, Saffron Walden



Date: 25/11/2013

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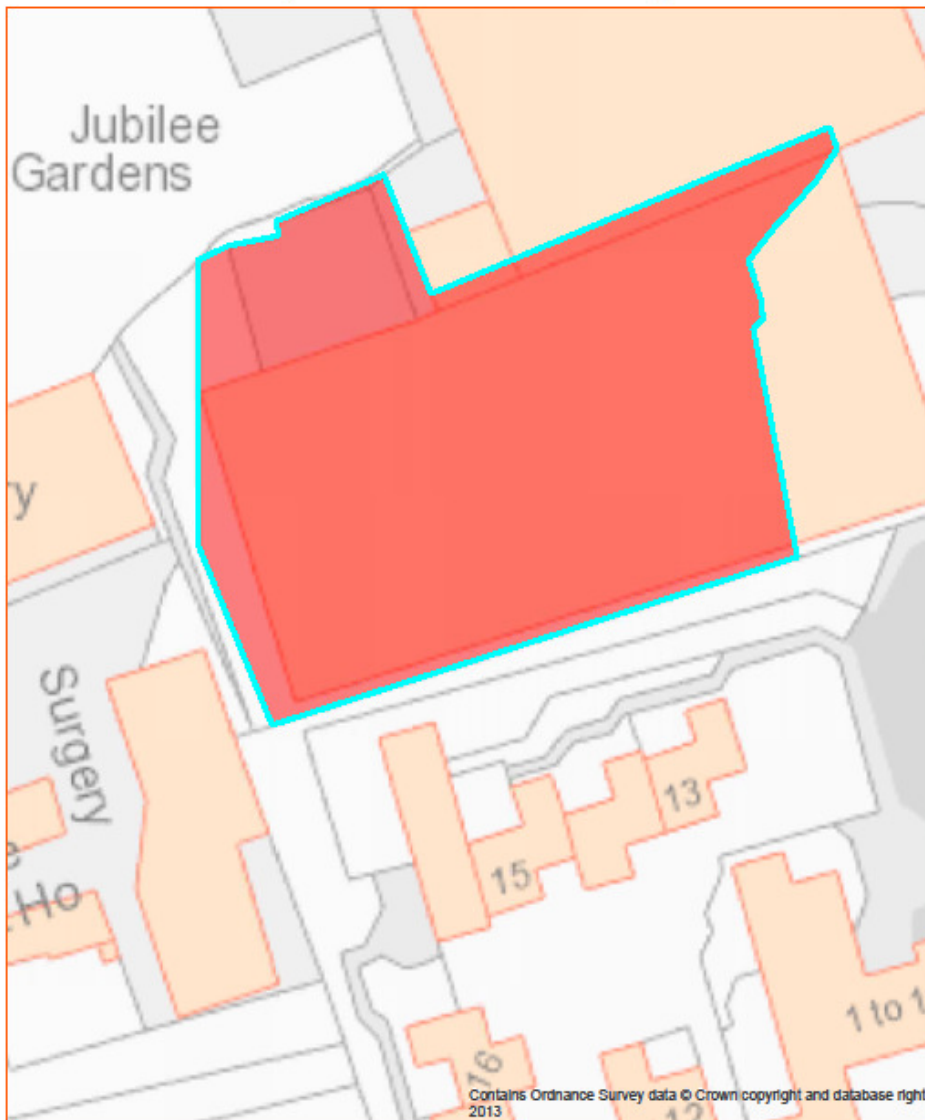
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	3.034	30,337	630
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553376	238508	200004267682	CB10 1DH	Owned
DESCRIPTION				

Car Park
ADDITIONAL INFORMATION
Maintained by Grounds Maintenance team

Asset No.14 Fairycroft Road Car Park, Saffron Walden



Date: 25/11/2013

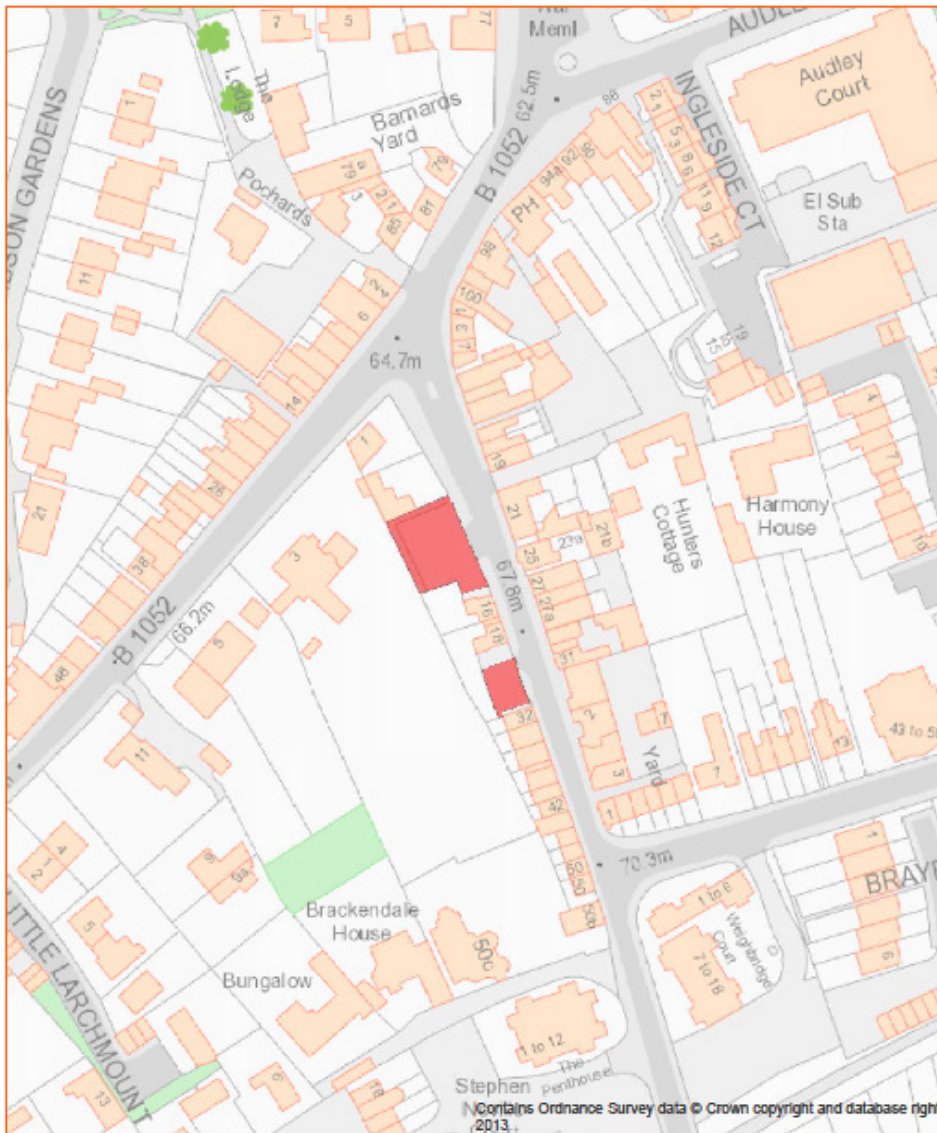
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.229	5,000	1,350
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553376	238508	200004267682	CB10 1DH	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.15 Debden Road Car Parks, Saffron Walden



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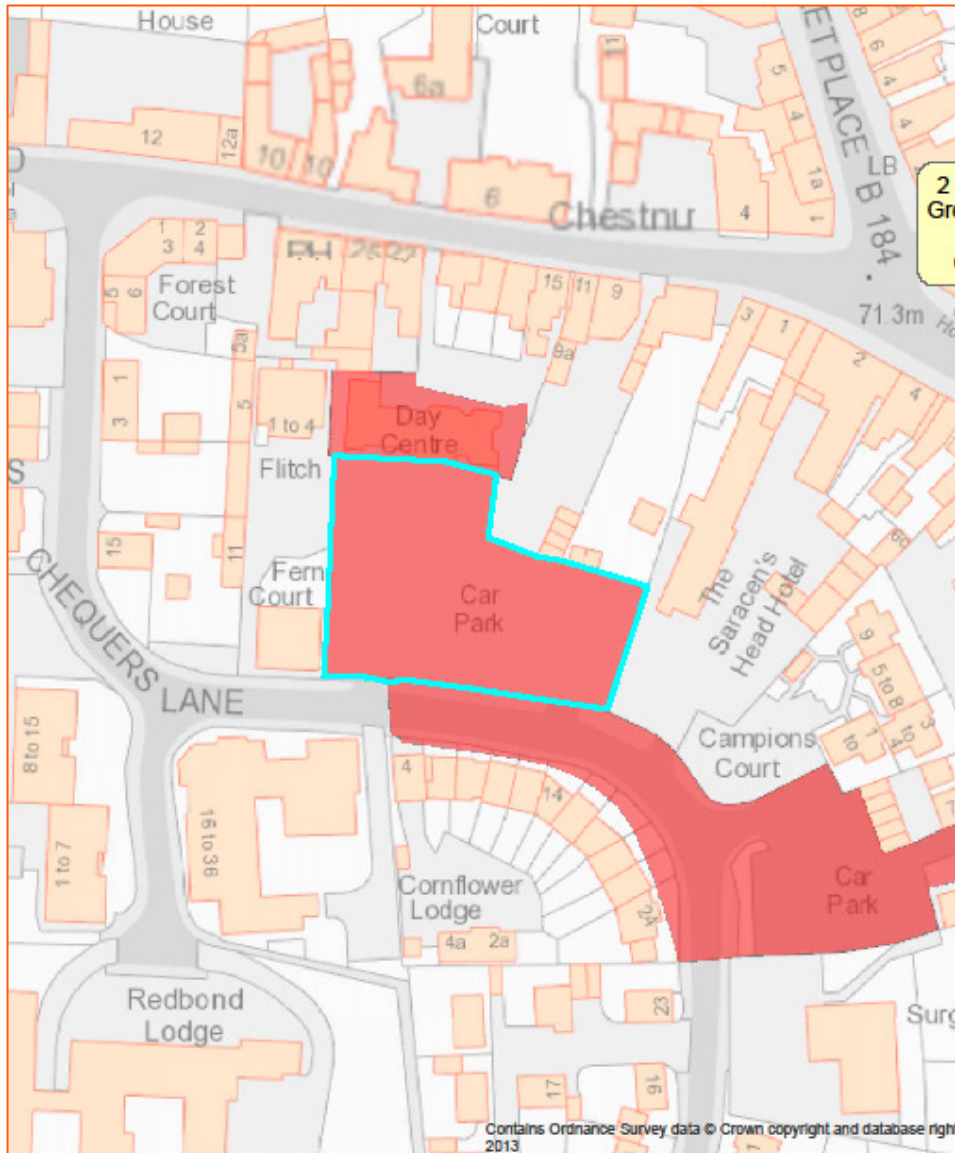
Date: 11/03/2014

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.042	441	17
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553766	238034	010090834317	CB11 4AB	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.16 Chequers Lane Car Park, Great Dunmow



Date: 11/03/2014

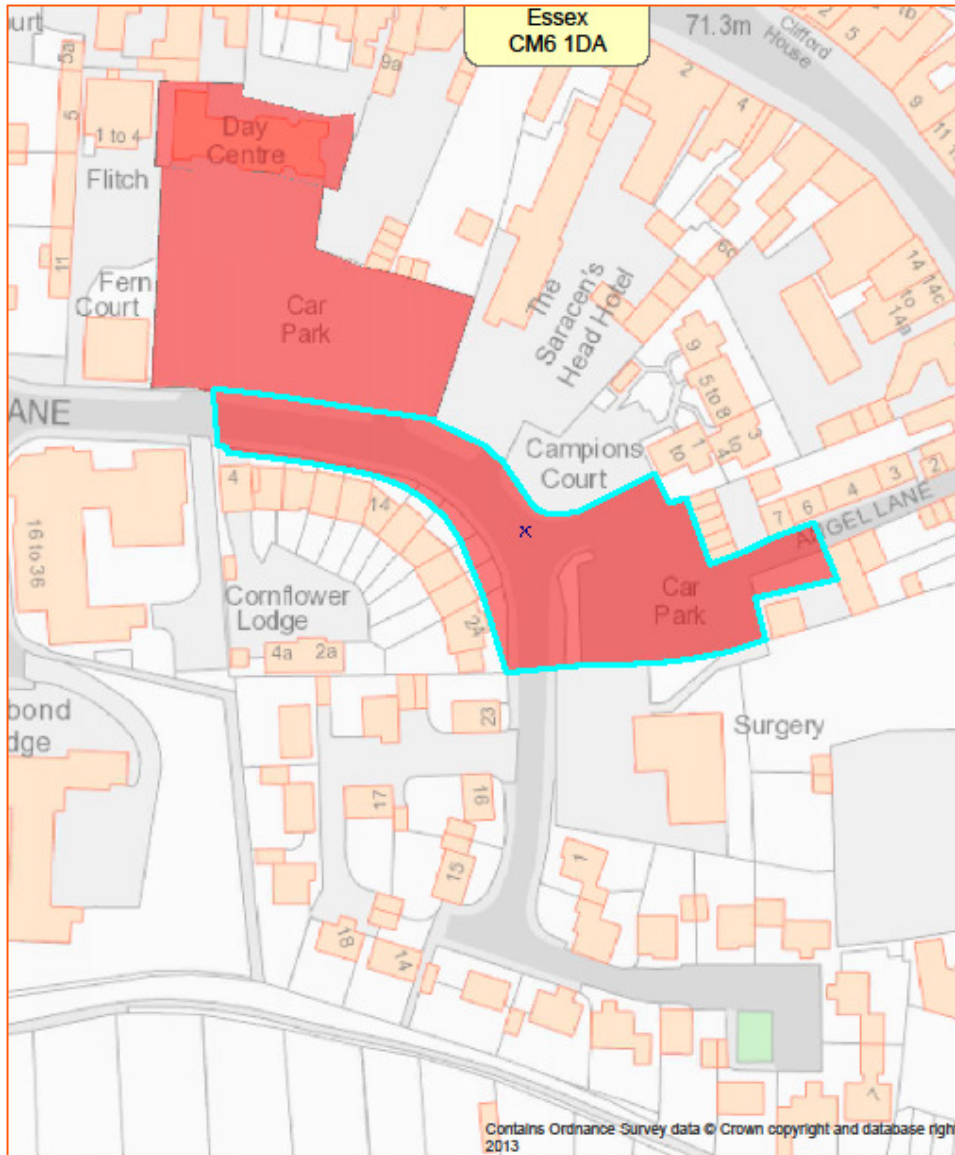
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.193	1.927	143
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562640	221939	010090834905	CM6 1ZQ	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.17 Angel Lane Car Park, Great Dunmow



Date: 24/01/2014

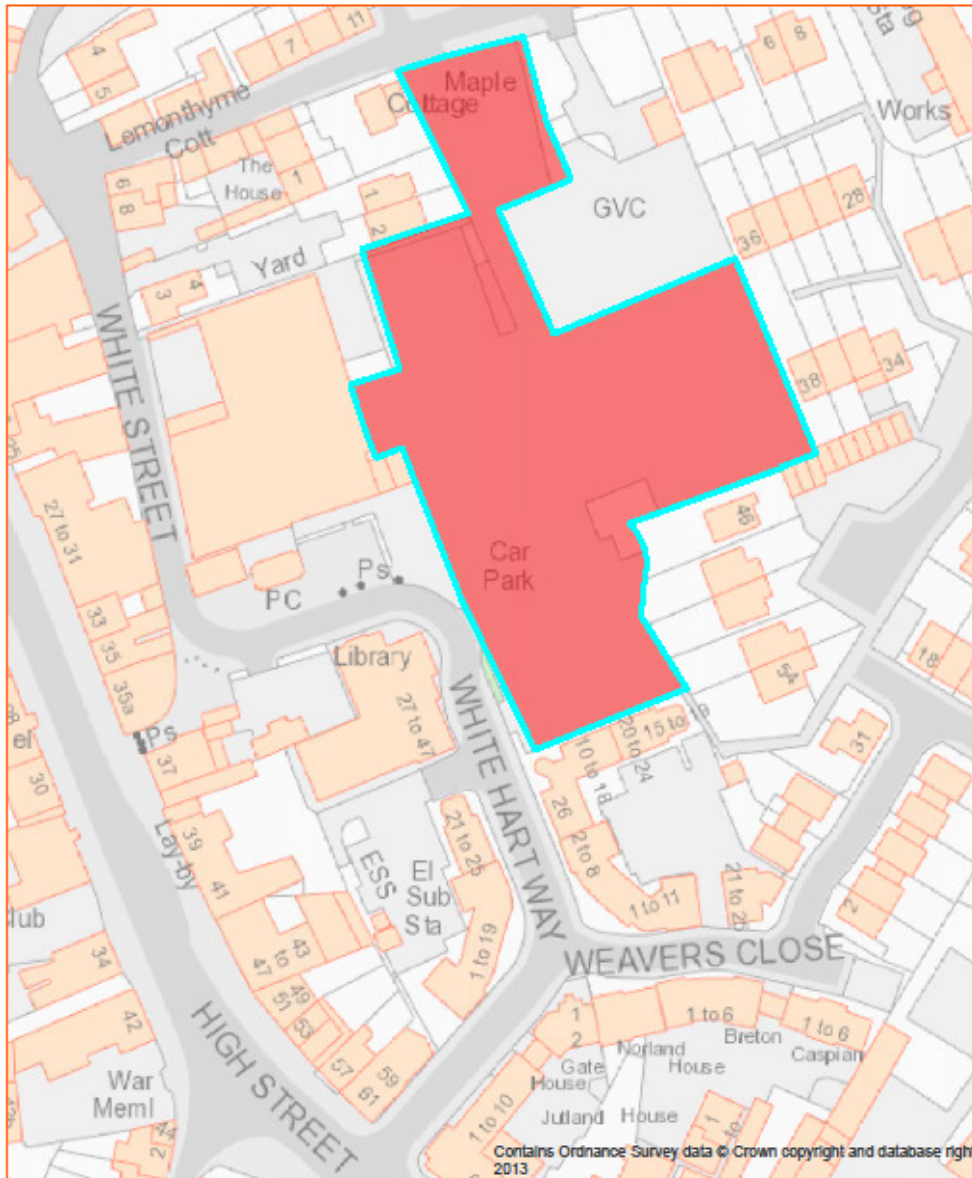
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.23	1,144	114
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562688	221894	010090833571	CM6 1AQ	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.18 White Street Car Park, Great Dunmow



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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.507	5,075	506
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562886	221937	100091628700	CM6 1HN	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.19 Rose and Crown Car Park, Saffron Walden



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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.09	896	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553973	238525	010090833407	CB10 1JH	Leased
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.20 The Common Car Park, Saffron Walden



Date: 11/03/2014

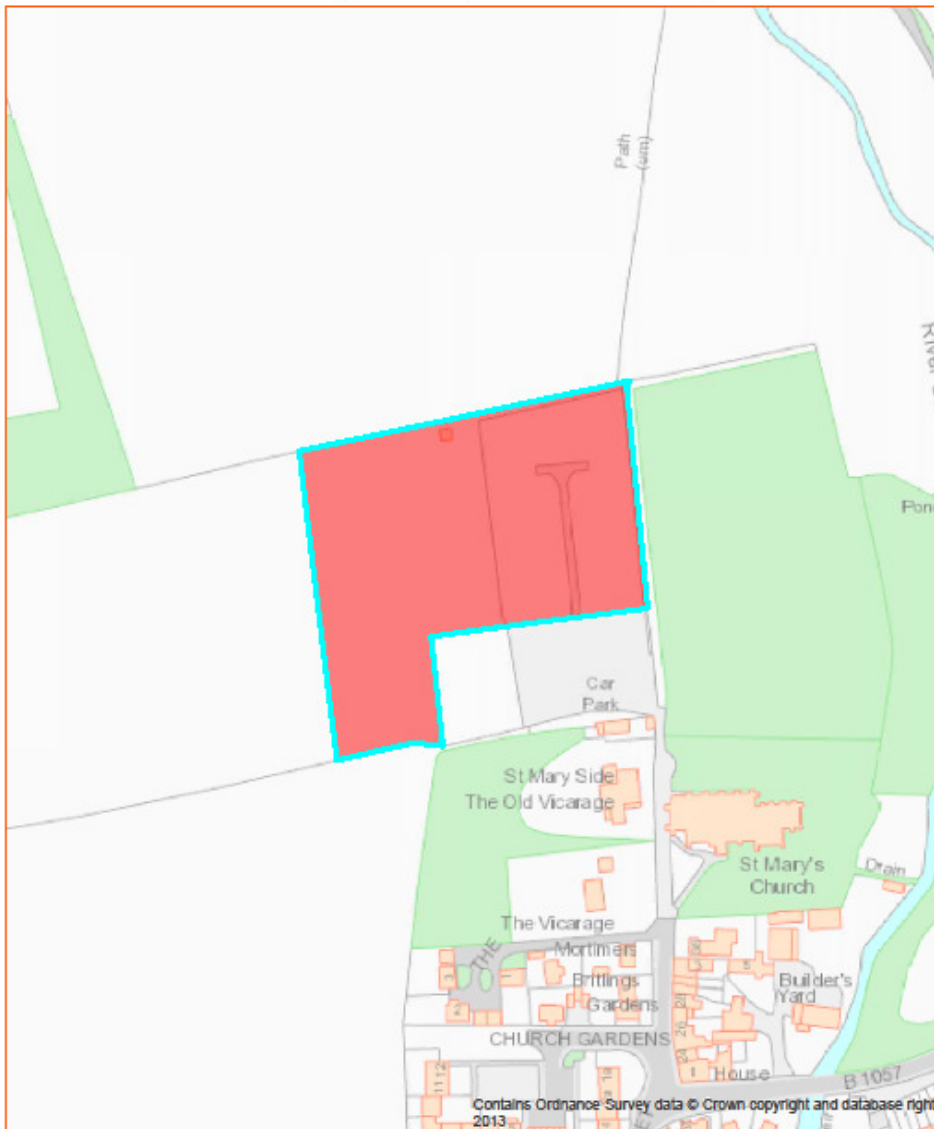
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.283	2,799	441
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554040	238542	200004267249	CB10 1LS	Owned
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.21 Cemetery Land, Church End, Great Dunmow



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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Cemetery Land	Cemetery Provision	1.201	10,810	40
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562851	223068	010090835062	CM6 2AE	Owned
DESCRIPTION				
North Of Church Street, Church End, Great Dunmow				
ADDITIONAL INFORMATION				
Leased to Great Dunmow Town Council				

Asset No.22 Day Centre, Chequers Lane, Great Dunmow



Date: 25/11/2013

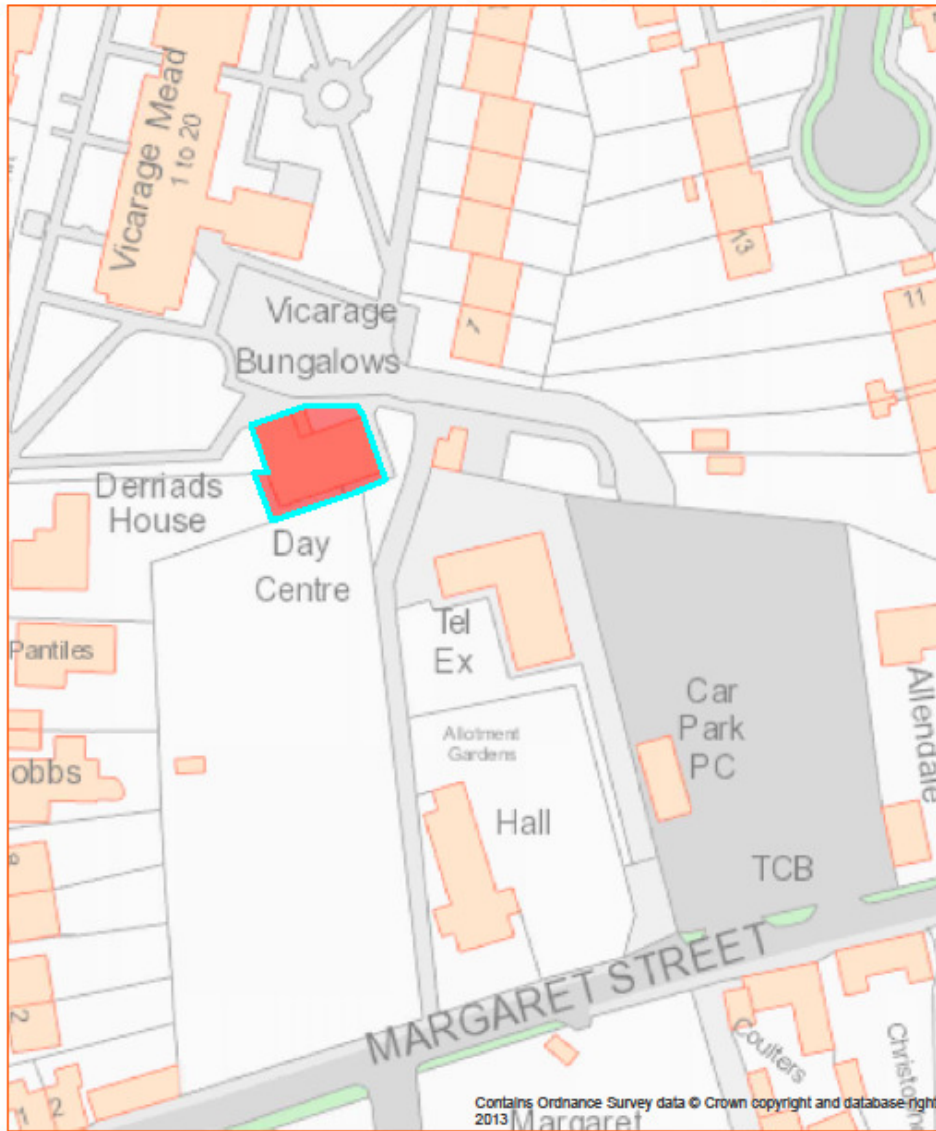
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Day Centre	Community Facility	0.053	Building 245 Site 525	365
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562632	221970	100091449086	CM6 1EQ	Owned
DESCRIPTION				
Day Centre				
ADDITIONAL INFORMATION				

Asset No.23 Day Centre, Vicarage Mead, Thaxted



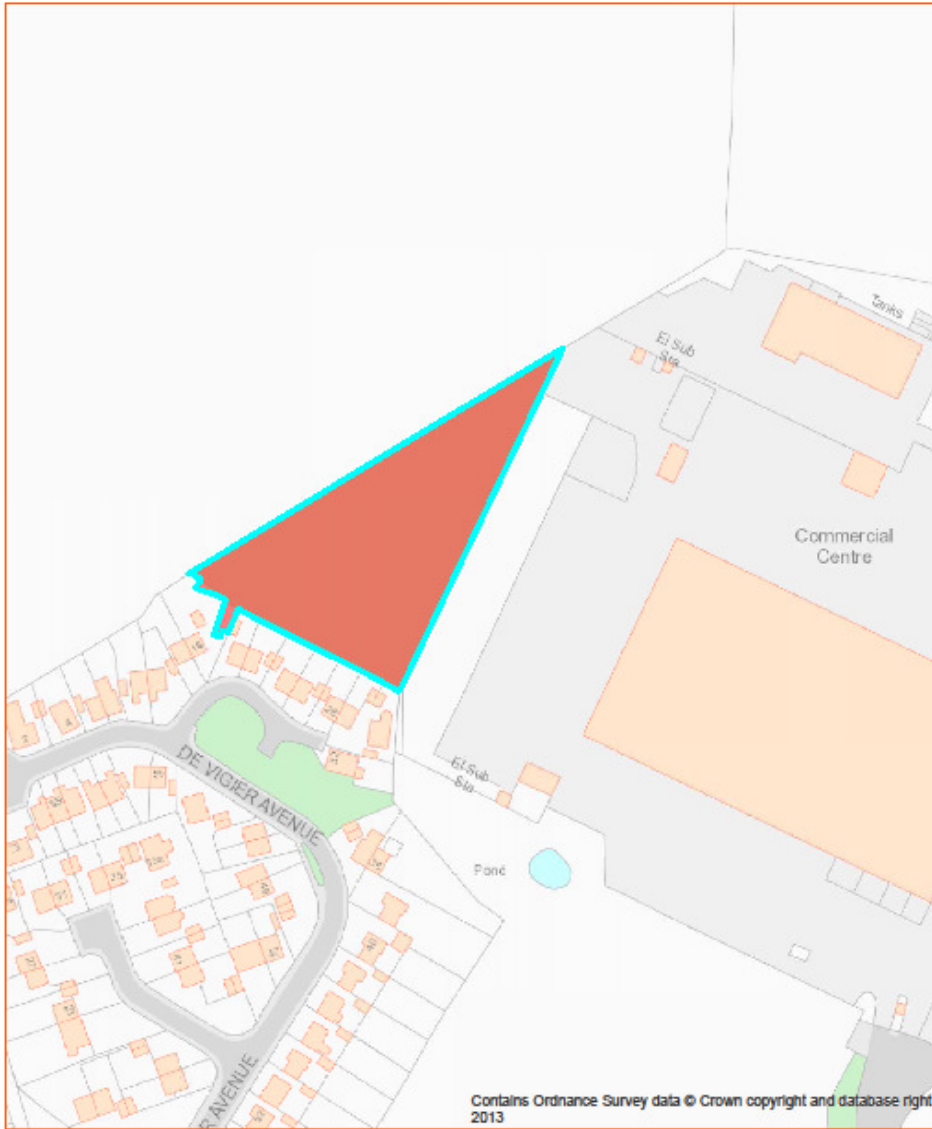
Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Day Centre	Community Facility	0.022	Building 102 Site 222	190
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561061	231192	010023914816	CM6 2RL	Owned
DESCRIPTION				
Day Centre				
ADDITIONAL INFORMATION				

Asset No.24 Land at De Vigier Avenue, Saffron Walden



Date: 11/03/2014

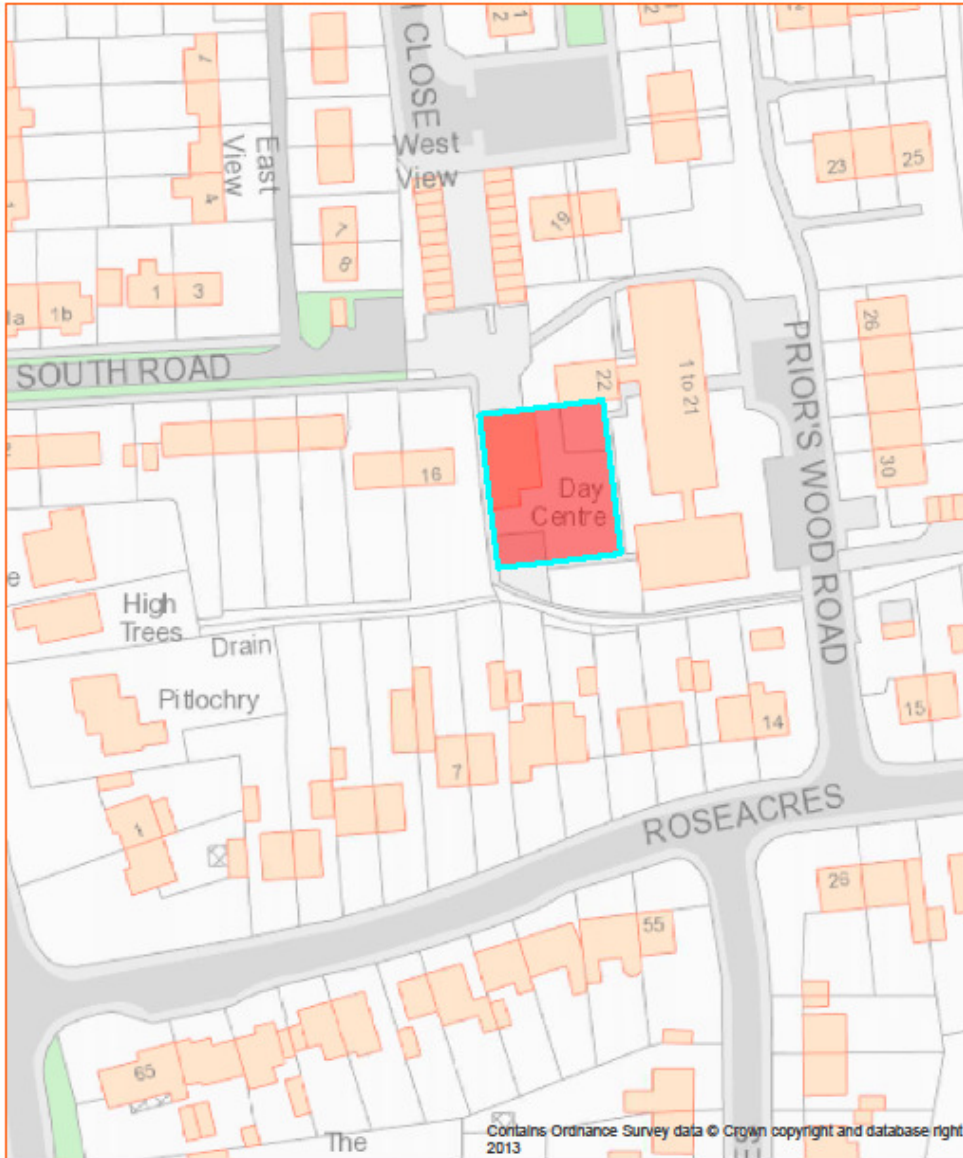
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Open Space	0.53	5,300	13
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
555114	239126	010090833549	CB10 2BN	Owned
DESCRIPTION				
Overgrown area beside Ashdon Road Commercial Centre				
ADDITIONAL INFORMATION				

Asset No.25 Day Centre, Takeley



Date: 25/11/2013

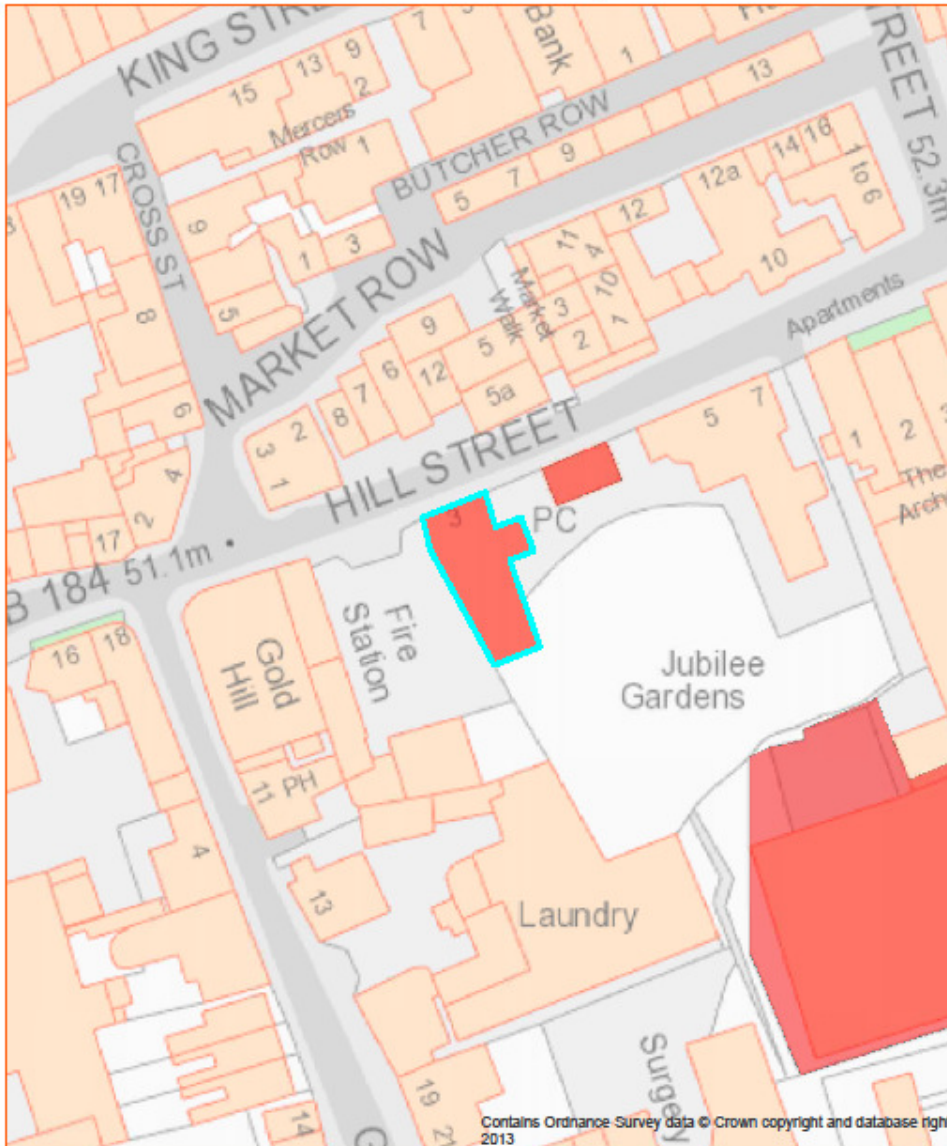
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Day Centre	Community Facility	0.066	126	165
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
556229	221497	010090835103	CM22 6RP	Owned
DESCRIPTION				
Day Centre				
ADDITIONAL INFORMATION				

Asset No.26 Garden Rooms, Saffron Walden



Date: 11/03/2014

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Day Centre	Community Facility		221	291
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553846	238407	100091411679	CB10 1EH	Owned
DESCRIPTION				
Day Centre				
ADDITIONAL INFORMATION				
Formerly known as Saffron Walden Day Centre				

Asset No.27 Community Hall, Flich Green



Date: 11/03/2014

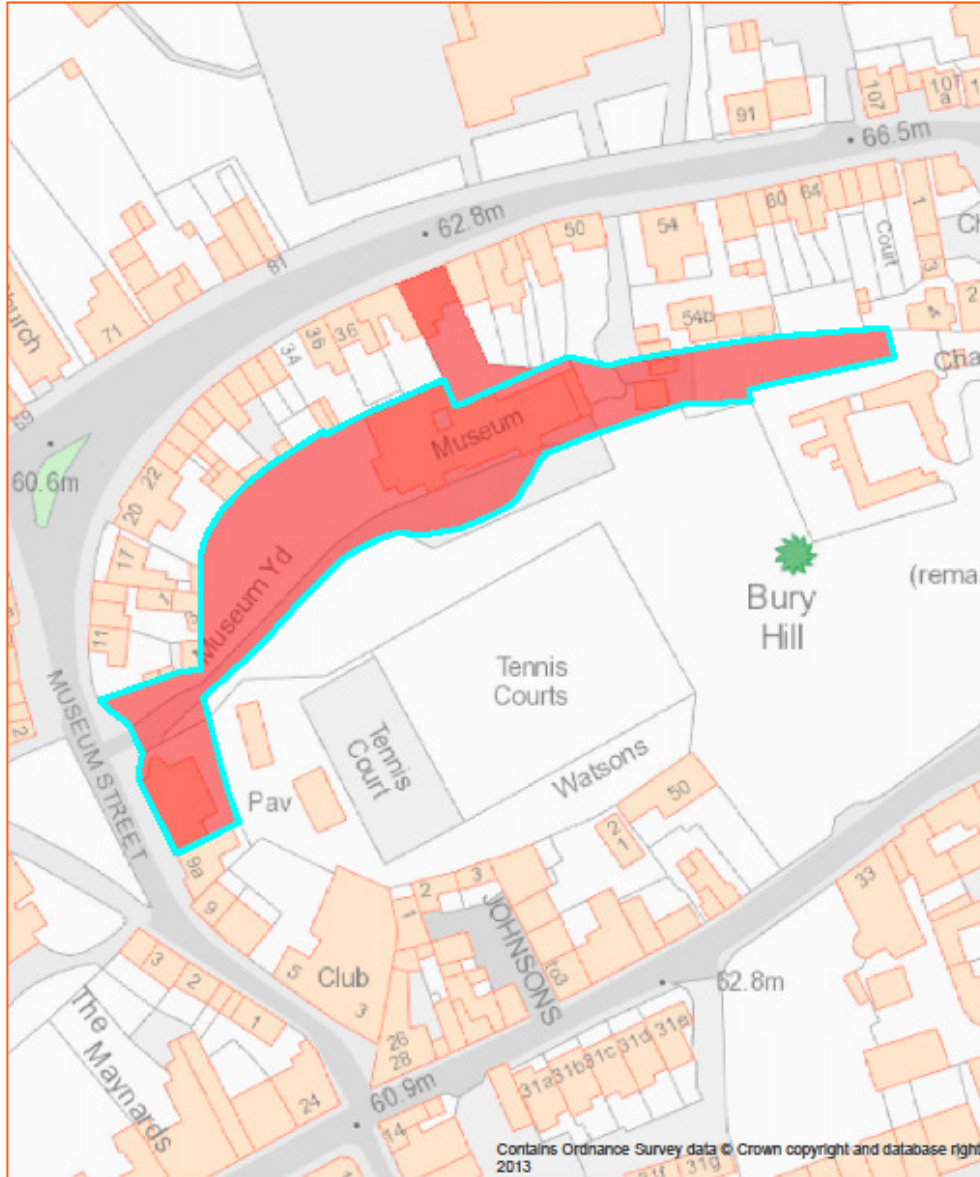
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Community Hall	Community Facility	0.053	2,886	1,117
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
566597	220550	010023915524	CM6 3GG	Owned
DESCRIPTION				
Community Centre				
ADDITIONAL INFORMATION				

Asset No.28 Museum, Saffron Walden



Date: 25/11/2013

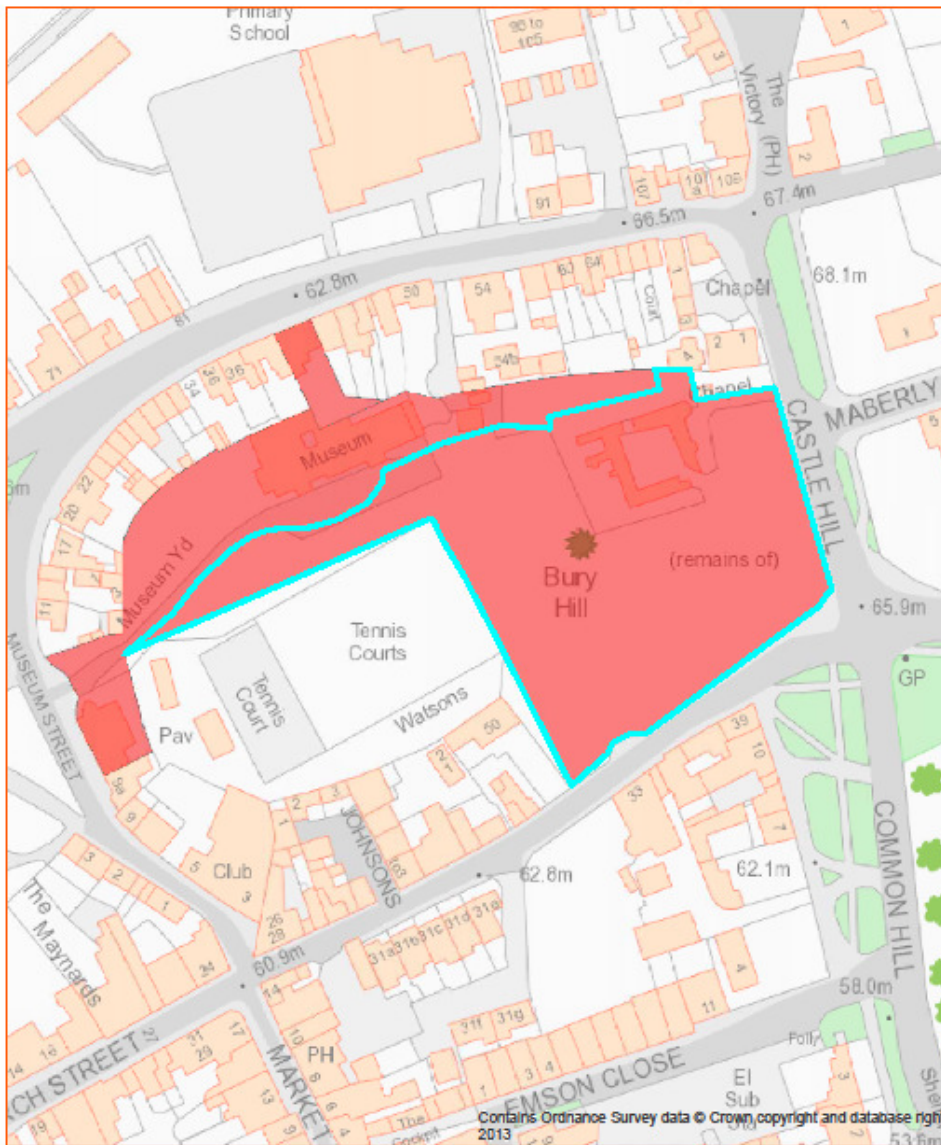
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Museum	Heritage Asset	0.271	2,710	427
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553831	238705	200004262672	CB10 1BN	Leased
DESCRIPTION				
Museum and grounds including School Room				
ADDITIONAL INFORMATION				
Leased from Saffron Walden Museum Society				

Asset No.30 Castle Grounds and Ruin, Saffron Walden



Date: 11/03/2014

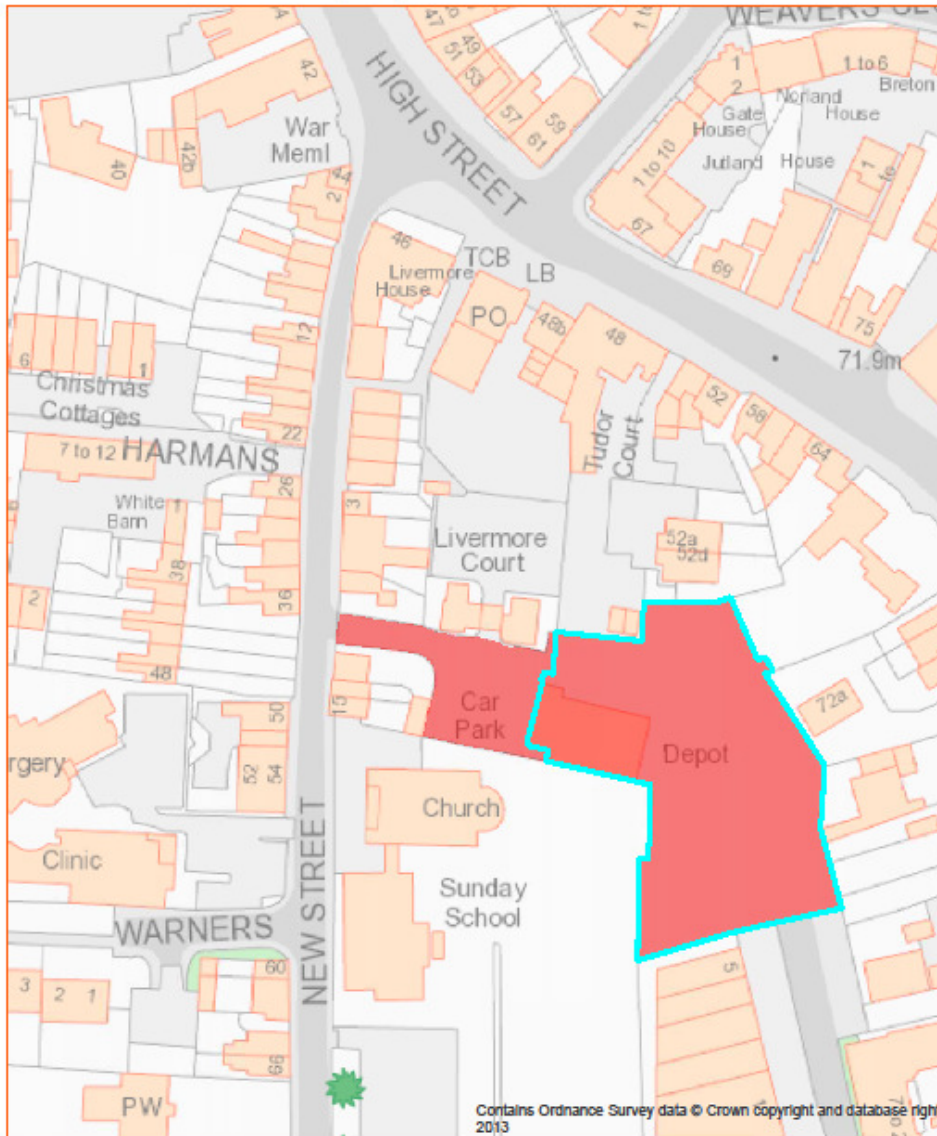
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Community Facility	Heritage and Tourism Asset	0.653	6,543	123
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553904	238695	010090836212	CB10 1JQ	Owned
DESCRIPTION				
Castle and grounds				
ADDITIONAL INFORMATION				

Asset No.31 Depot, New Street, Great Dunmow



Date: 26/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Depot	Delivery of Council Services	0.239	2,404	226
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562882	221692	010090835052	CM6 1AP	Owned
DESCRIPTION				
Depot				
ADDITIONAL INFORMATION				
Alternative sites being explored along with future options for this site				

Asset No.32 Depot, Shire Hill, Saffron Walden



Date: 25/11/2013

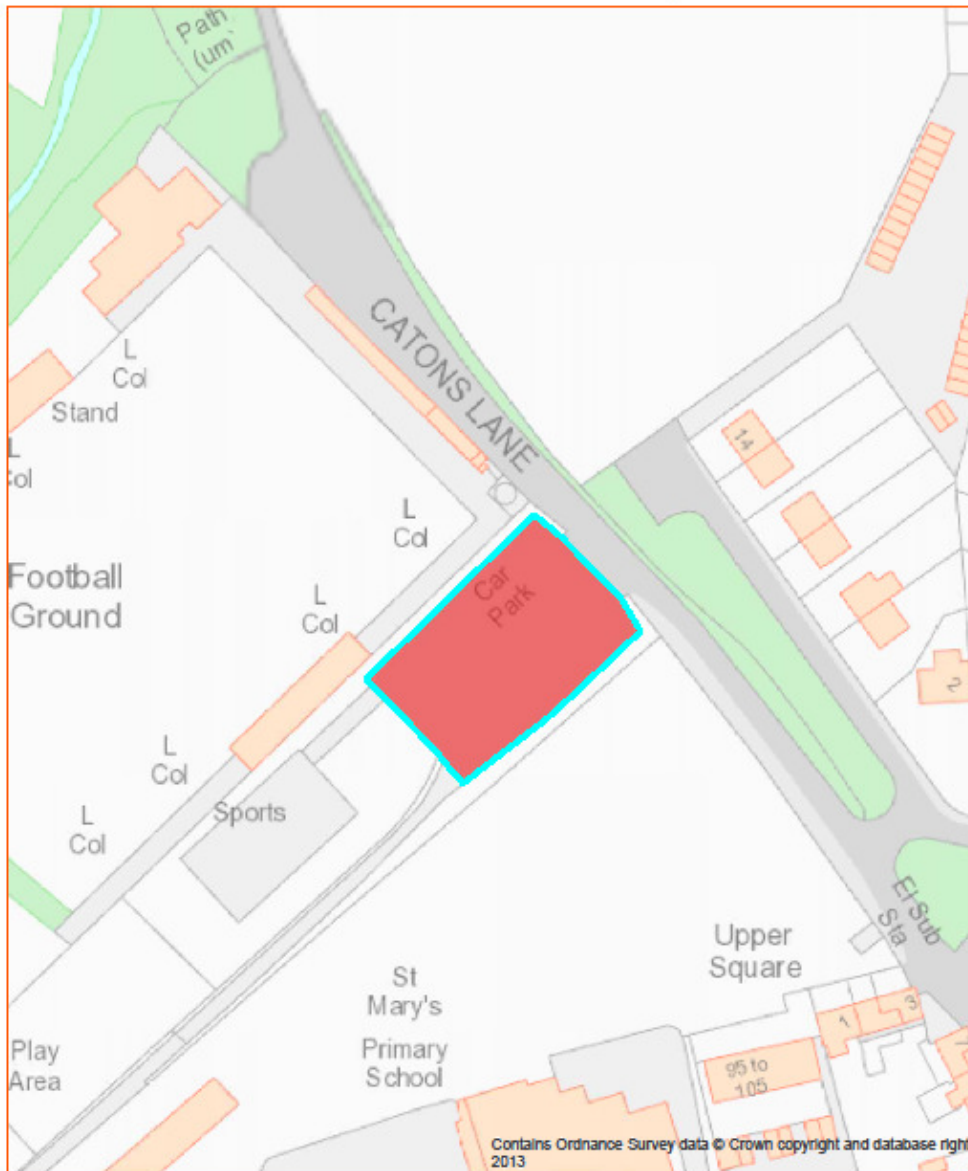
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Depot	Delivery of Council Services	0.393	3,927	295
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554740	237951	010090835096	CB11 3AZ	Owned
DESCRIPTION				
Depot				
ADDITIONAL INFORMATION				
Includes New Museum Store				

Asset No.33 Catons Lane Car Park, Saffron Walden



Date: 11/03/2014

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.124	1,243	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553844	238897	100091628837	CB10 2DU	Leased
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				

Asset No.34 Turpins Bowls Hall, Saffron Walden



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Leisure	Leisure Provision		1,913	245
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554695	237497	100091413039	CB11 3EG	Owned
DESCRIPTION				
Bowls Hall				
ADDITIONAL INFORMATION				

Asset No.35 Skateboard Park, Saffron Walden



Date: 25/11/2013

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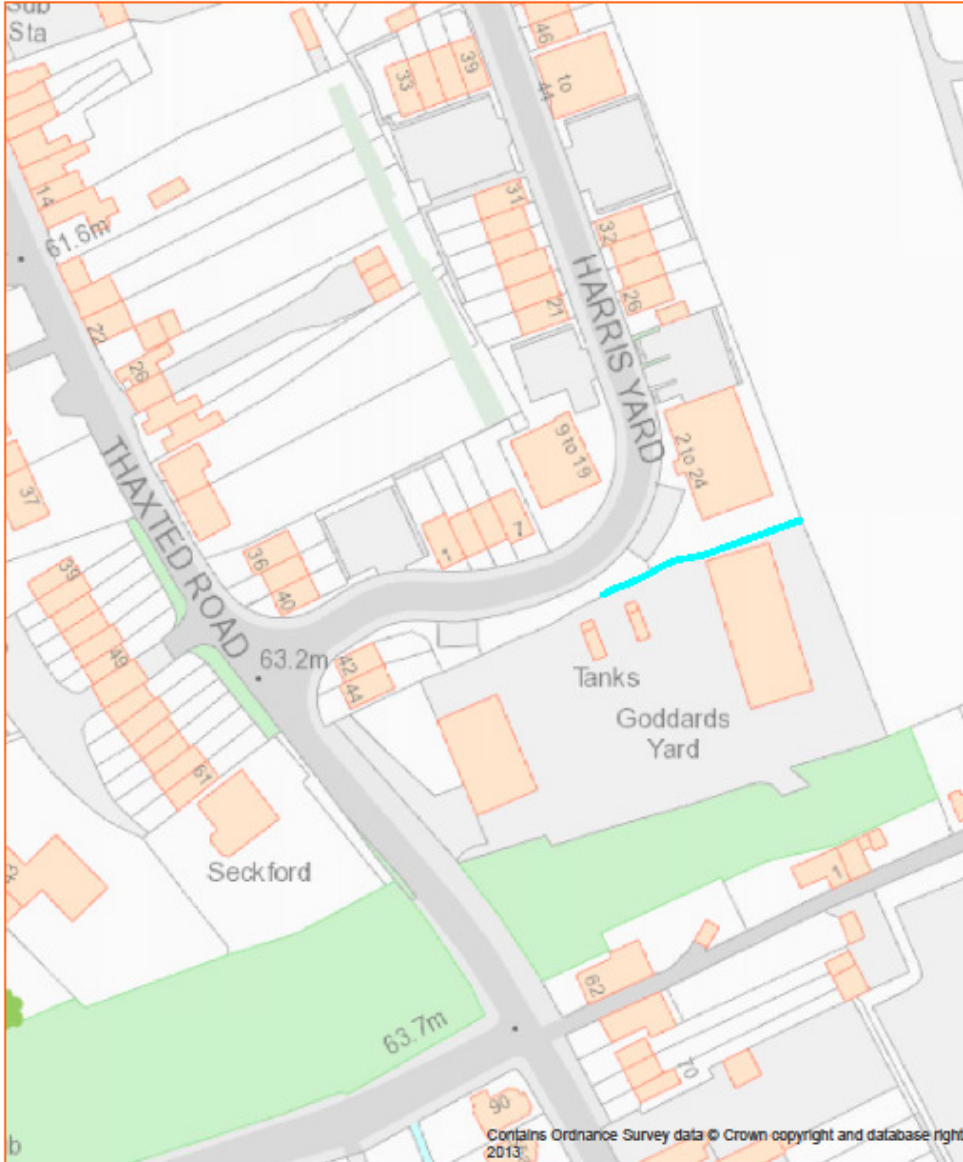
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Leisure	Leisure Provision	0.15	1,496	51
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554734	237463	010090835086	CB11 3EG	Owned
DESCRIPTION				
Skate Park				

ADDITIONAL INFORMATION

Asset No.36 Ransom Strip, Harris Yard, Saffron Walden



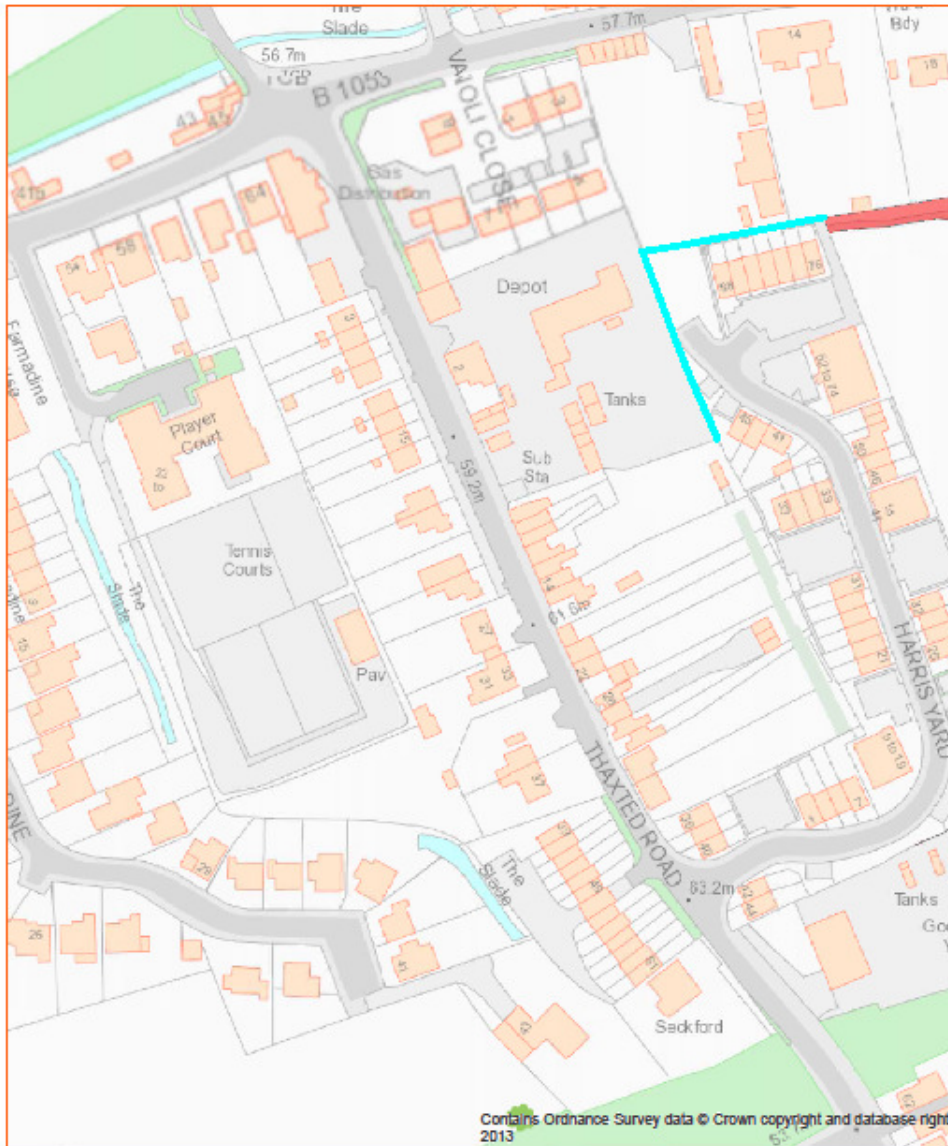
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Ransom Strip	0.001	7	0
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554548	238257	010090835087	CB11 3AA	Owned
DESCRIPTION				

Ransom Strip**ADDITIONAL INFORMATION****Asset No.37 Ransom Strip, Harris Yard, Saffron Walden**

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Ransom Strip	0.004	37	0
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554470	238405	010090835097	CB11 3AR	Owned
DESCRIPTION	Page 258			

Ransom Strip**ADDITIONAL INFORMATION****Asset No.38 Claypits Plantation, Saffron Walden**

Date: 11/03/2014

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Community Facility	1.118	11,182	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554094	236760	010090835085	CB11 4DT	Leased
DESCRIPTION				
Nature conservation and BMX track				

ADDITIONAL INFORMATION

Leased from Audley End Estate

Asset No.39 Public Toilets, Hill Street, Saffron Walden



Date: 25/11/2013

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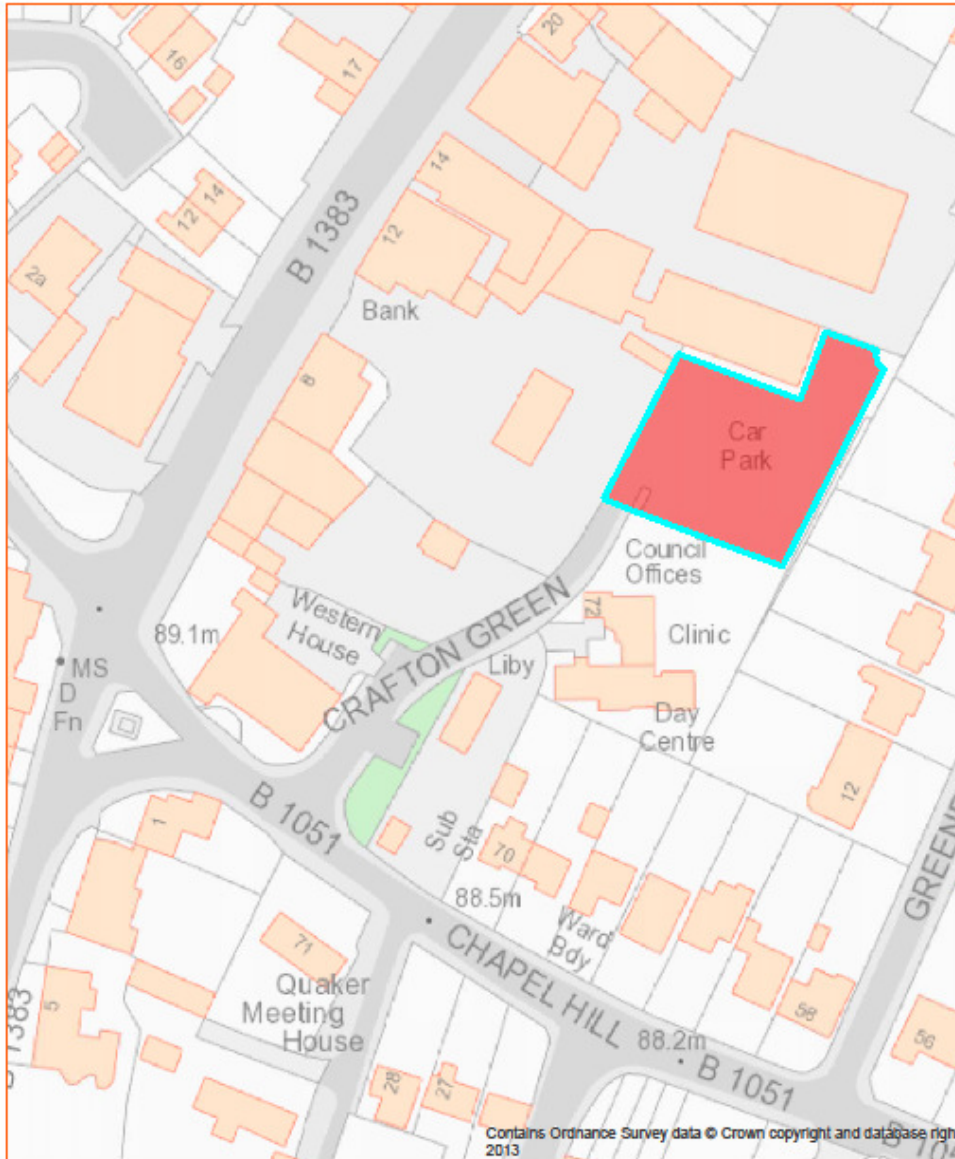


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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Public Toilets	Community Facility		57	137
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553860	238421	200004267296	CB10 1EH	Owned

DESCRIPTION
Public Toilets
ADDITIONAL INFORMATION

Asset No.40 Crafton Green Car Park, Stansted Mountfitchet



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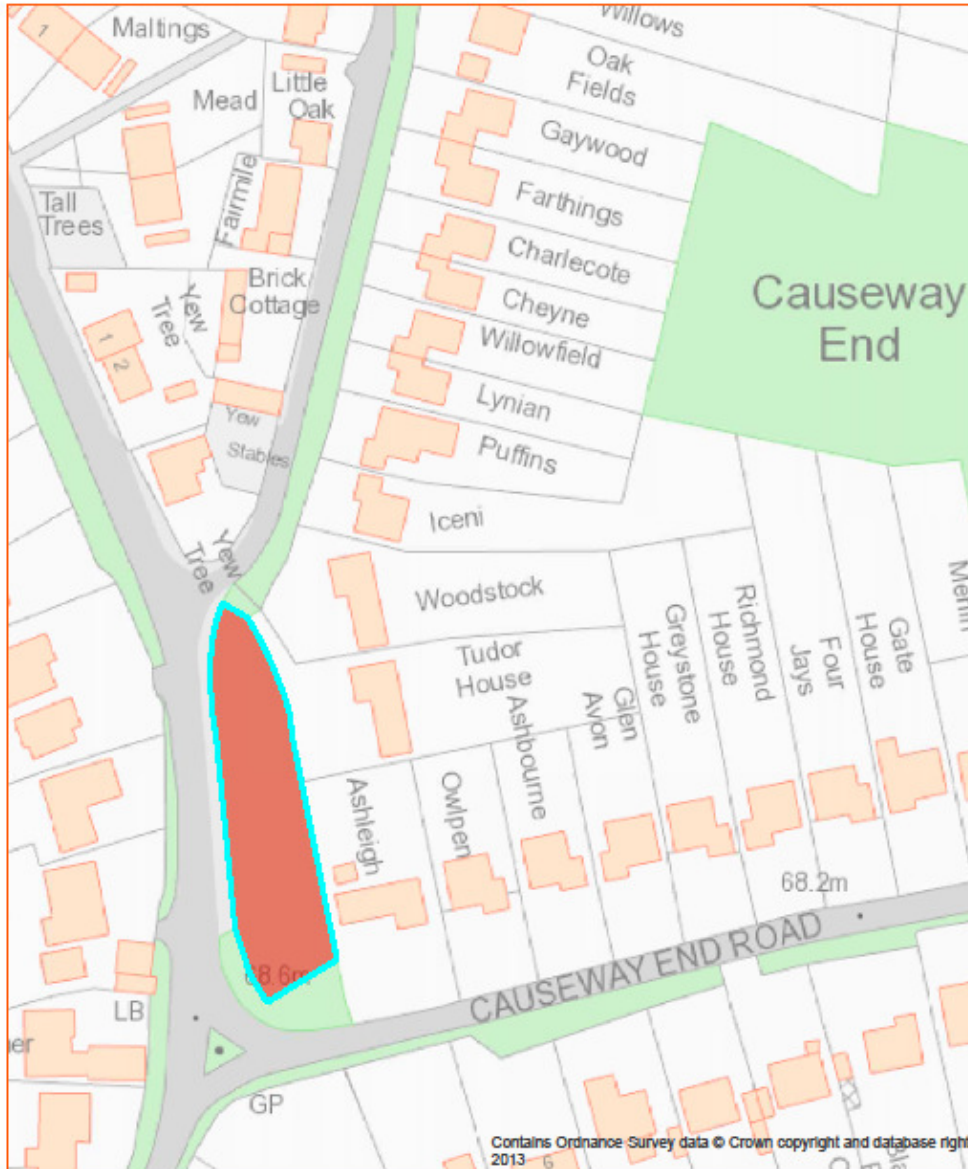
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.124	3,927	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED

551092	225121	100091629066	CM24 8AQ	Leased
DESCRIPTION				
Car Park				
ADDITIONAL INFORMATION				
Agreement with Stansted Mountfitchet Parish Council				

Asset No.41 Causeway End Road, Felsted



Date: 25/11/2013

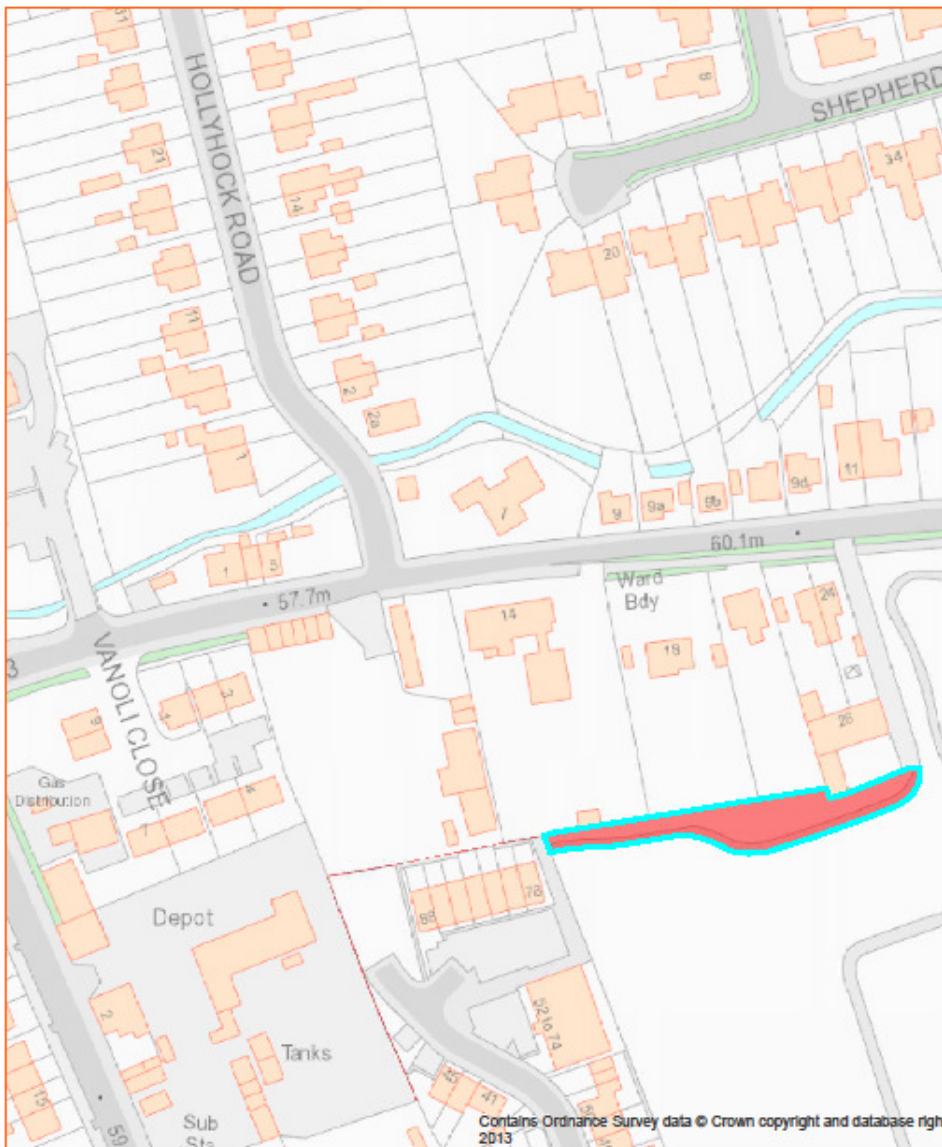
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.099	991	2
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
568177	219517	010090835070	CM6 3LU	Owned
DESCRIPTION				
Open Space				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.42 Land Adjacent Cemetery, Saffron Walden



Date: 25/11/2013

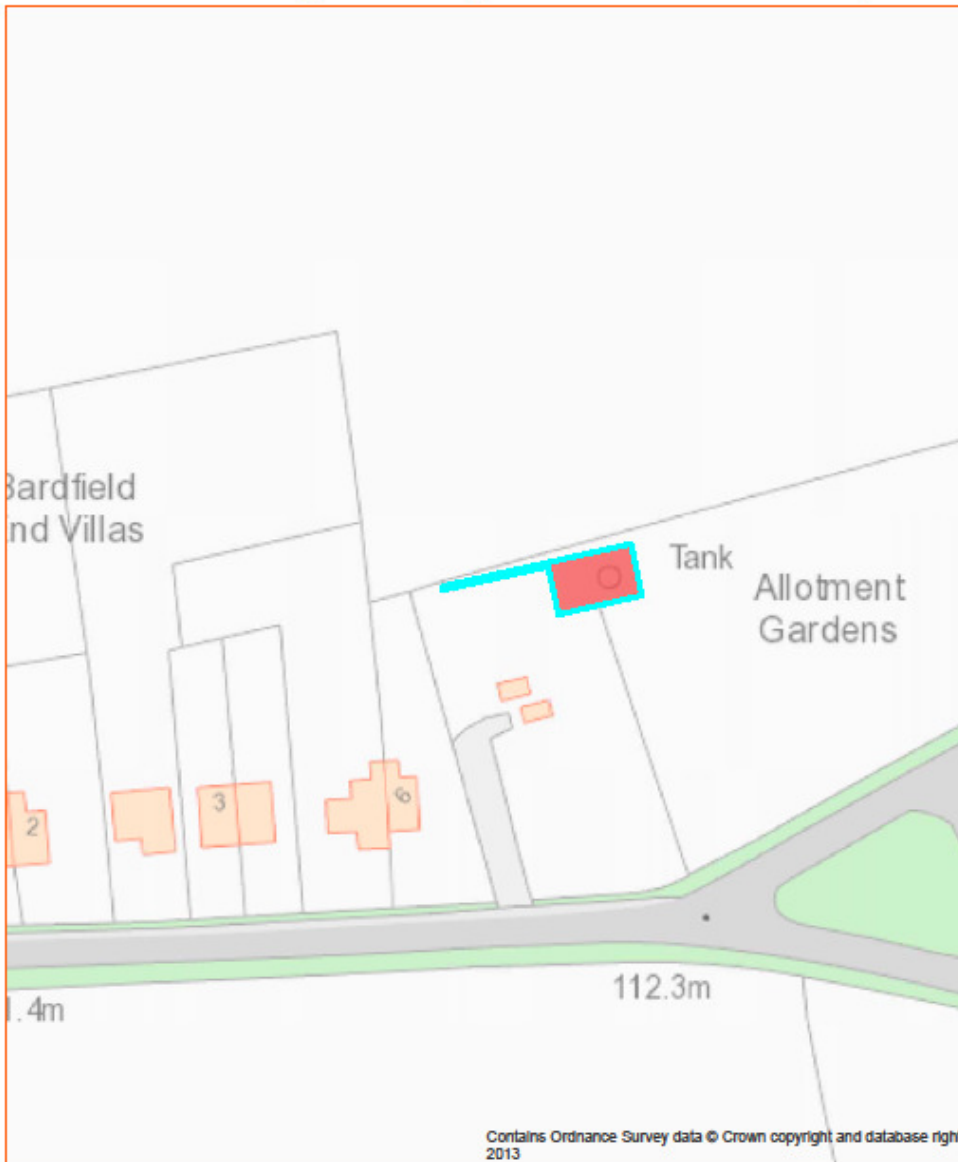
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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.068	681	2
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554552	238430	010090835067	CB11 3JB	Owned
DESCRIPTION				
Open Space				
ADDITIONAL INFORMATION				
Maintained by Grounds Maintenance team				

Asset No.43 Sewage Works, Bardfield End Villas, Thaxted



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Sewage Works	Community Facility	0.011	110	0
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562399	230901	010090835076	CM6 3PU	Owned
DESCRIPTION				
Sewage Works				
ADDITIONAL INFORMATION				

Asset No.44 Greenways, Saffron Walden



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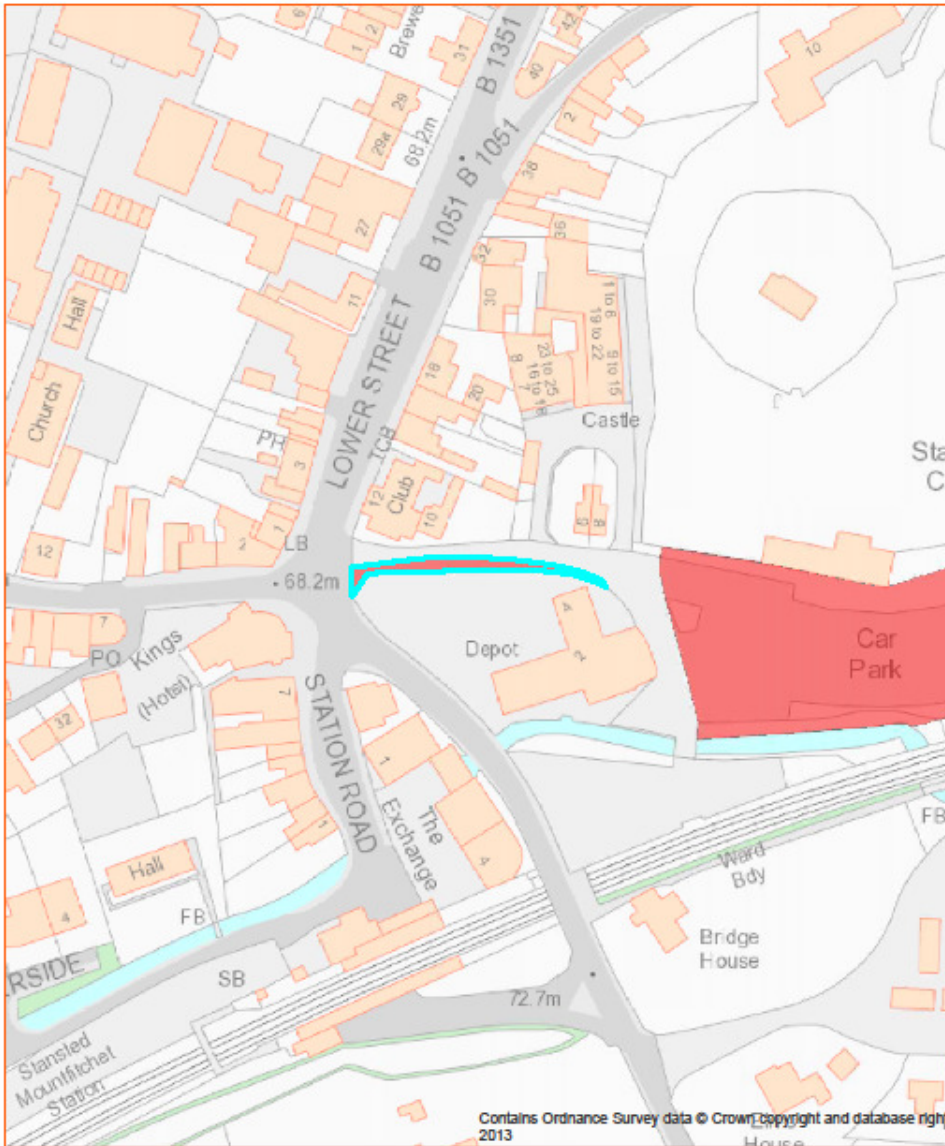


PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.326	3,262	8
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554151	237345	100090651719	CB11 3EZ	Owned
DESCRIPTION				
Open Space				

ADDITIONAL INFORMATION

Maintained by Grounds Maintenance team

Asset No.45 Verge at Lower Street Car Park, Stansted



Date: 11/03/2014

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Verge	0.015	148	0
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
551446	224914	010002184329	CM24 8LP	Owned
DESCRIPTION				
Verge				

ADDITIONAL INFORMATION

Maintained by Grounds Maintenance team

Asset No.46 Allotments, Magdalen Green, Thaxted



Date: 11/03/2014

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 Uttlesford District Council 100018688 (2012)

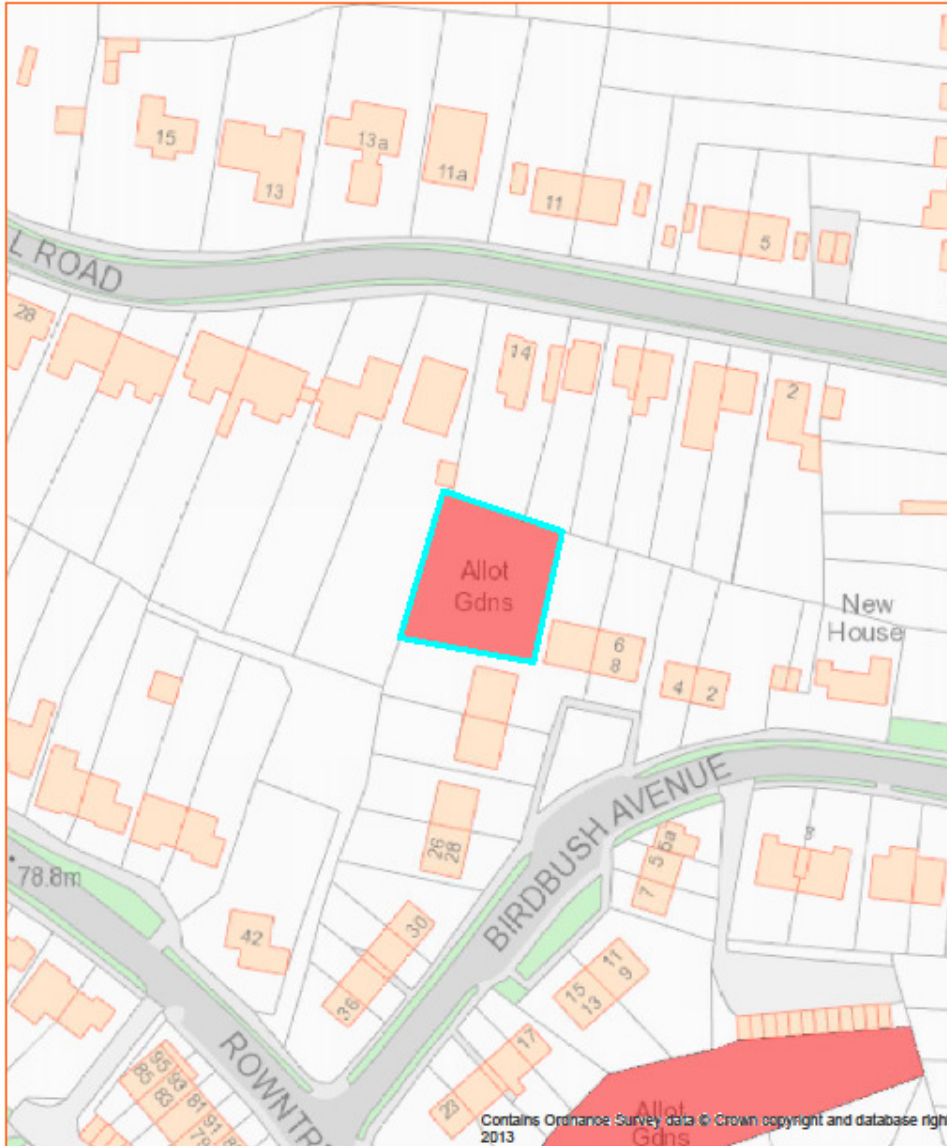


1:1,250

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.18	1,796	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561524	231009	010090835051	CM6 2LG	Owned
DESCRIPTION				
Allotment				

ADDITIONAL INFORMATION

Asset No.47 Allotments, Birdbush Ave Nth, Saffron Walden



Date: 11/03/2014

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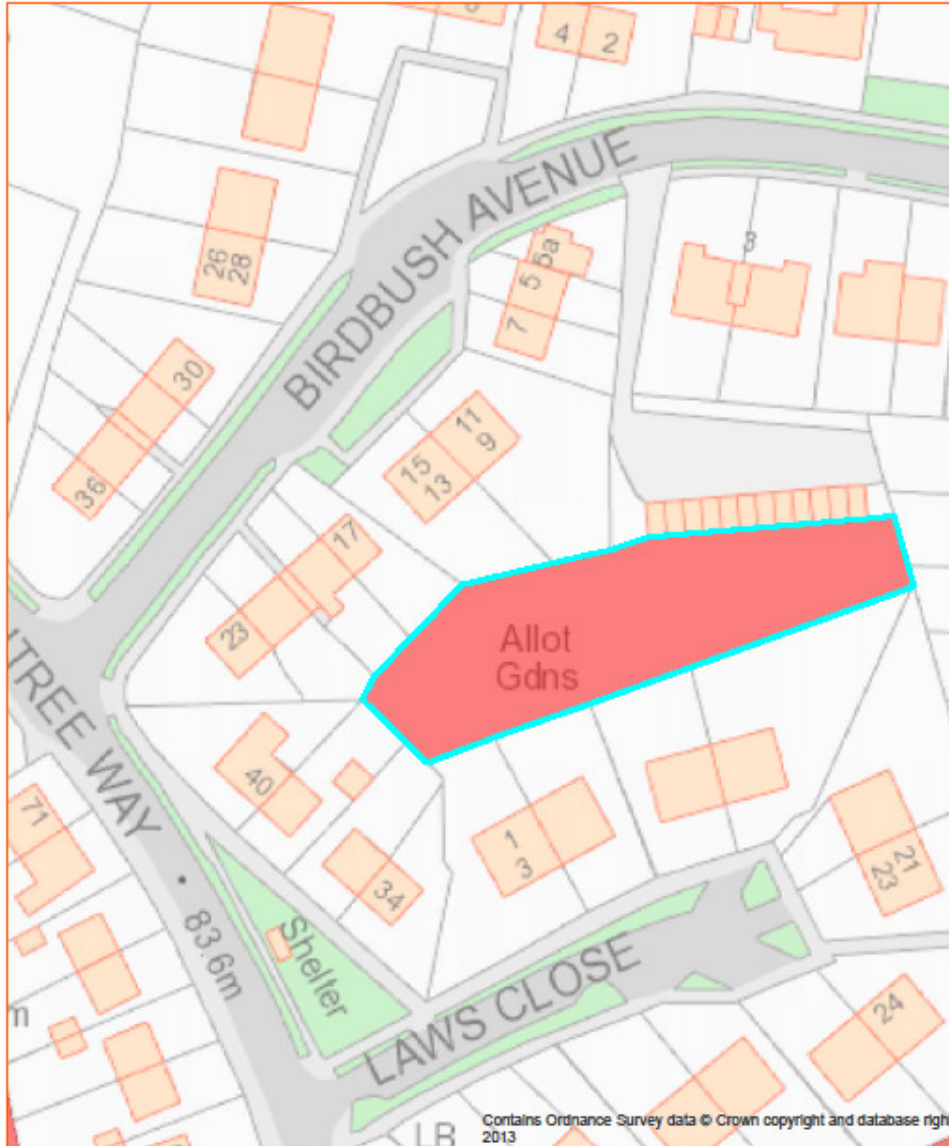


1:1,000

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.066	662	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553756	237461	010090835094	CB11 4DJ	Owned
DESCRIPTION				
Allotment				

ADDITIONAL INFORMATION

Asset No.48 Allotments, Birdbush Ave Sth, Saffron Walden



1:700



Date: 25/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.116	1,160	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553800	237364	010090835095	CB11 4DH	Owned
DESCRIPTION				
Allotment				

ADDITIONAL INFORMATION

Asset No.49 Allotments, Laws Close, Saffron Walden



Date: 25/11/2013

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1:750



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.121	1,212	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553832	237281	010090835065	CB11 4DH	Owned
DESCRIPTION				
Allotment				
ADDITIONAL INFORMATION				

Asset No.50 Allotments, Peaslands Road, Saffron Walden



Date: 25/11/2013

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1:1,250

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.366	3,661	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554602	237710	010090835093	CB11 3ED	Owned
DESCRIPTION				
Allotment				
ADDITIONAL INFORMATION				

Asset No.51 Allotments, Petlands, Little Walden



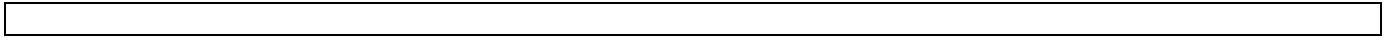
Date: 25/11/2013

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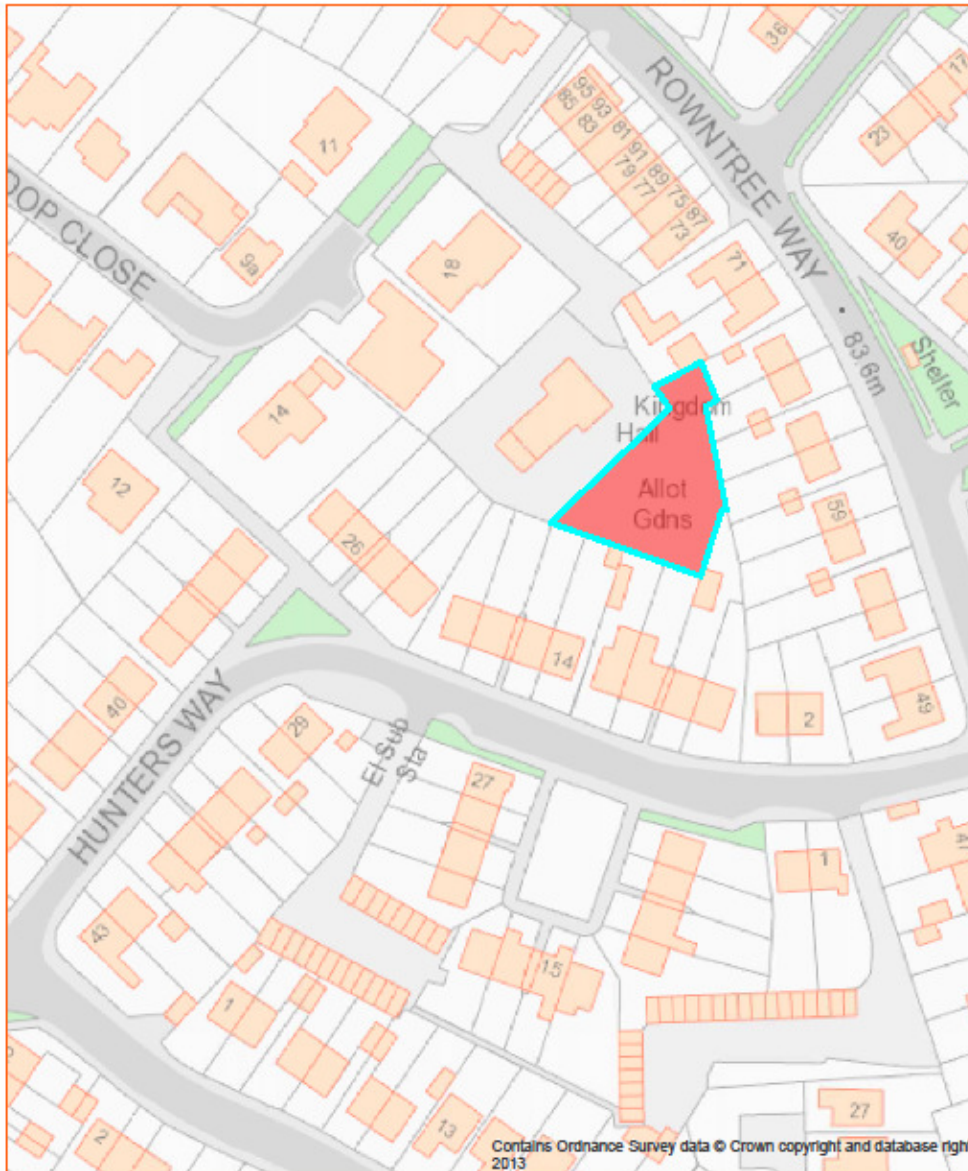
1:1,250



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.088	883	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554619	241701	010090835060	CB10 1XF	Owned
DESCRIPTION				
Allotment				
ADDITIONAL INFORMATION				



Asset No.52 Allotments, Rowntree Way, Saffron Walden



Date: 25/11/2013

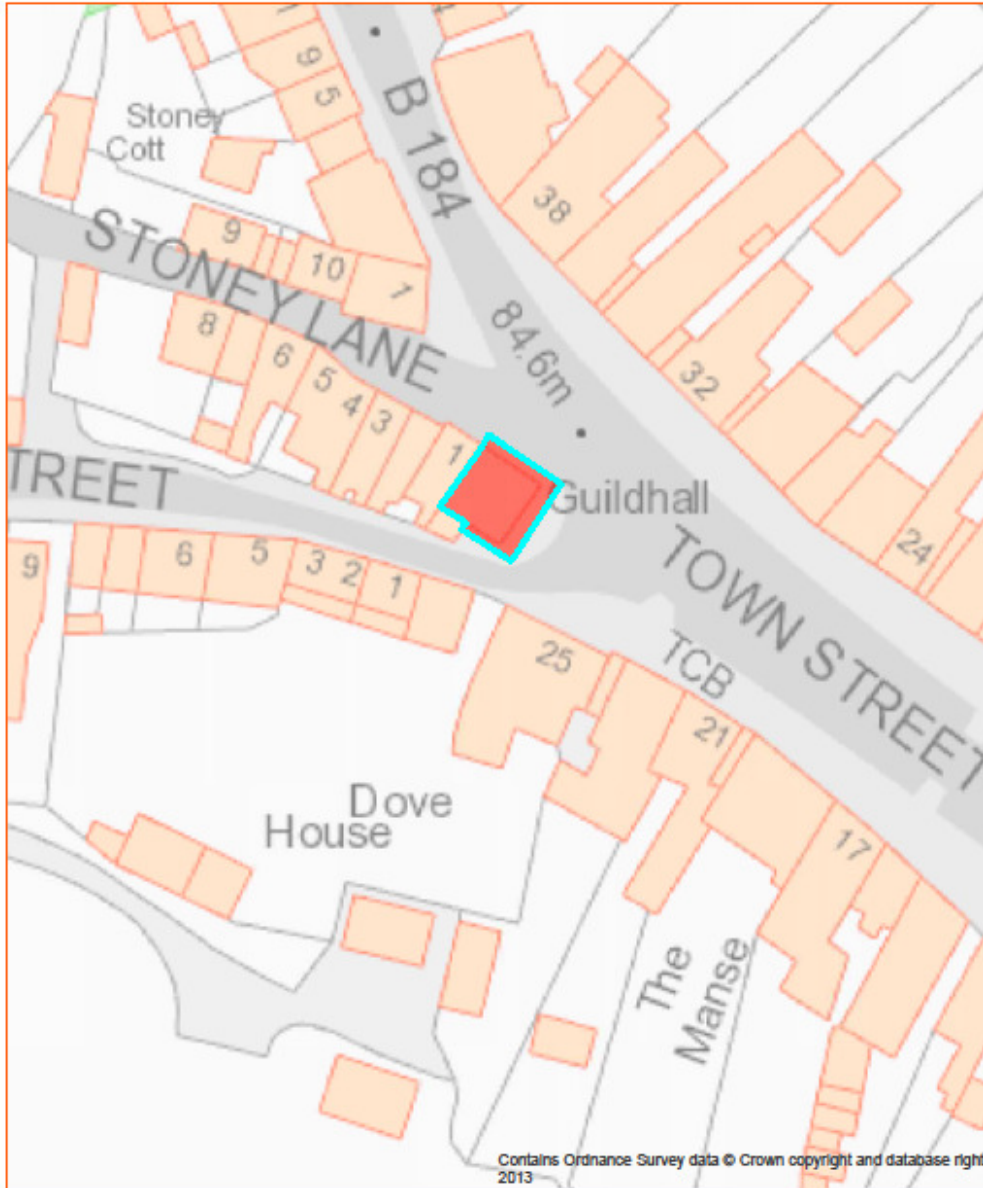
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1:1,000



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.062	624	35
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
553709	237298	010090835106	CB11 4BY	Owned
DESCRIPTION				
Allotment				
ADDITIONAL INFORMATION				
Balance sheet value is for all allotments not just this one				

Asset No.53 The Guildhall, Thaxted



Date: 11/03/2014

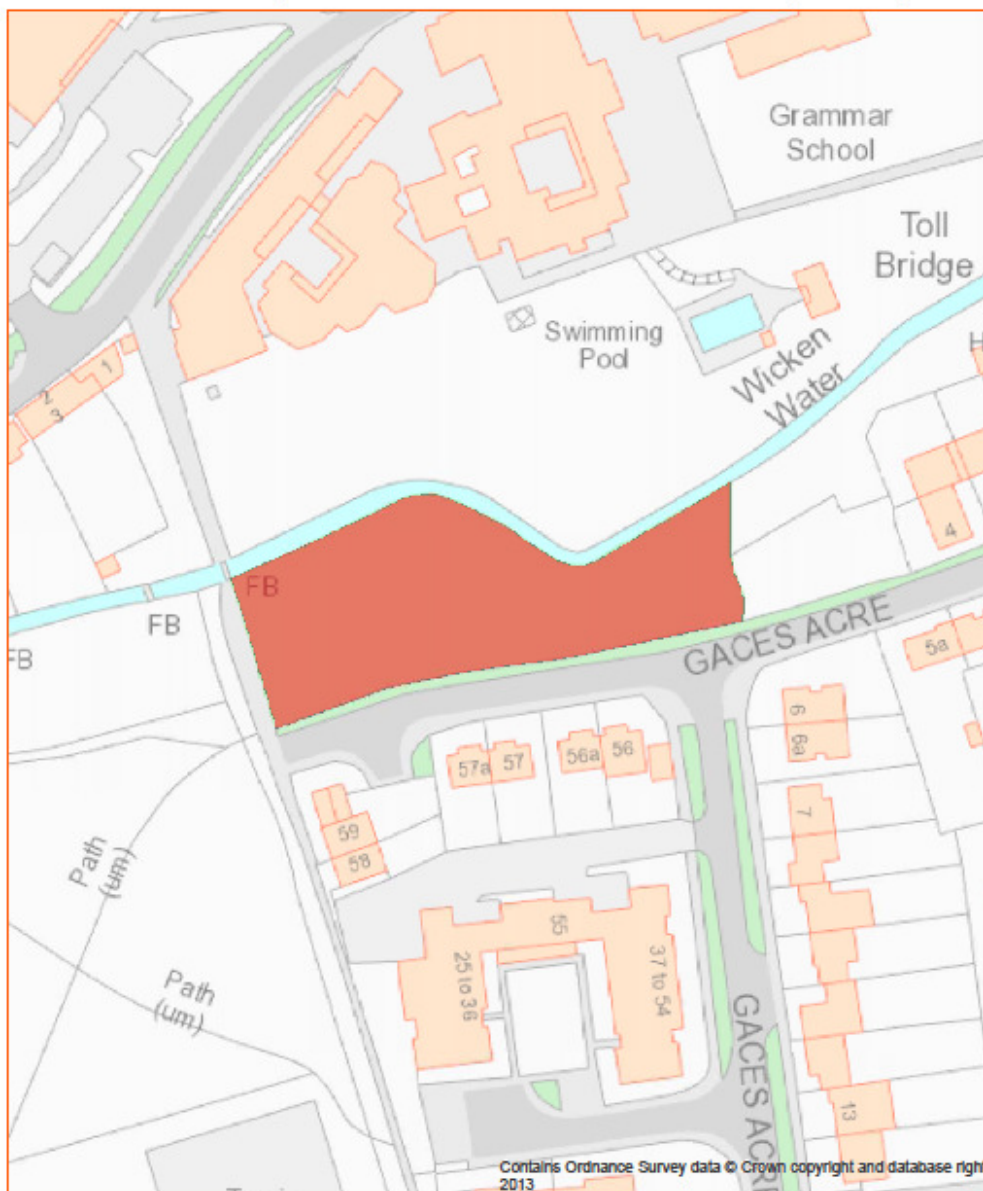
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1:800



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Guildhall	Community Facility	0.01	95	23
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
561139	230953	200004266702	CM6 2PF	Leased
DESCRIPTION				
Guildhall				
ADDITIONAL INFORMATION				

Asset No.54, Land North of Gaces Acre, Newport



Date: 11/03/2014

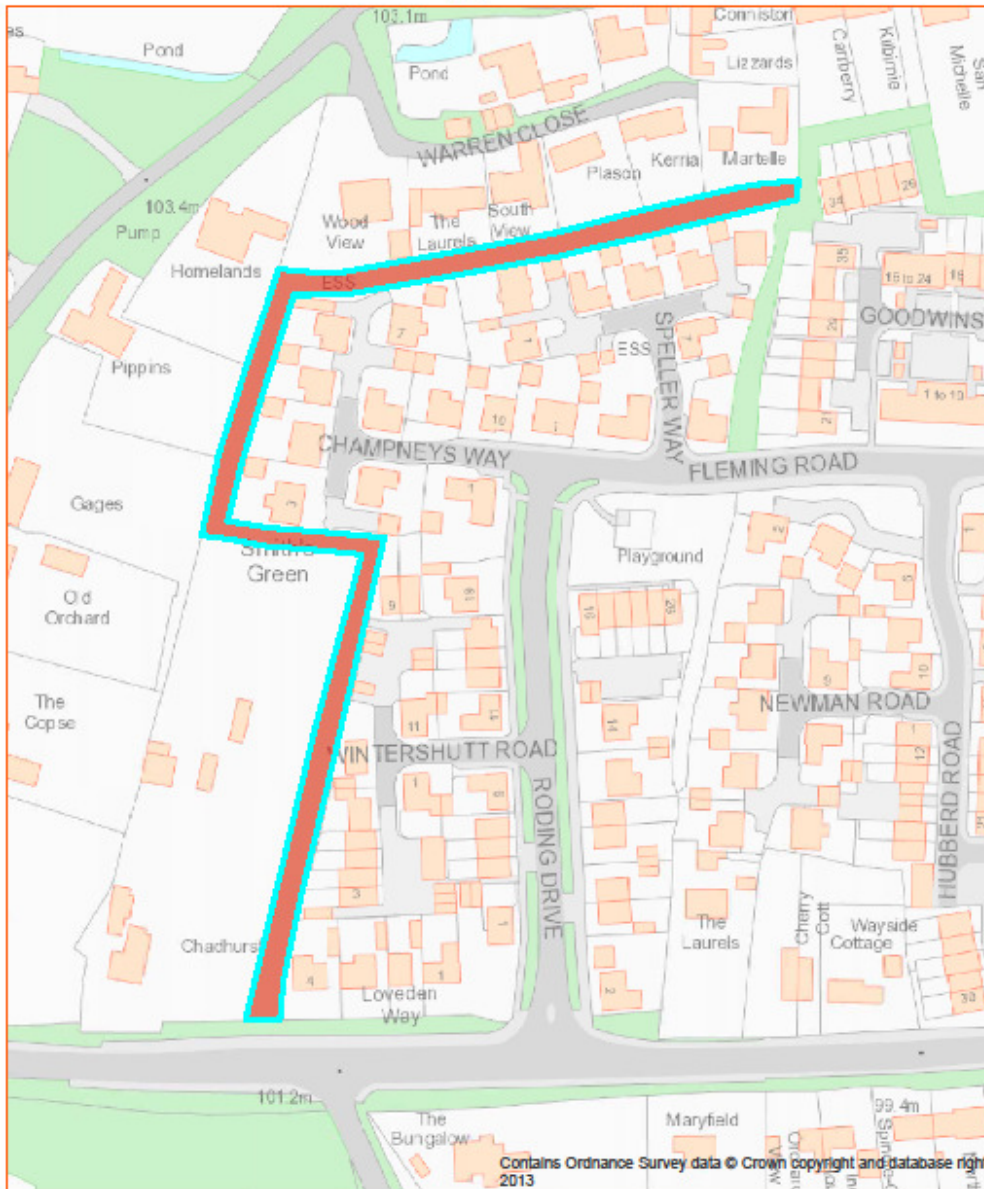
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1:1,000



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Community Asset	0.229	2,289	N/A
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
552002	234323	010090835099	CB11 3RE	Leased
DESCRIPTION				
ADDITIONAL INFORMATION				

Asset No.55 Buffer Strip, Hornbeams, Priors Green



Date: 25/11/2013

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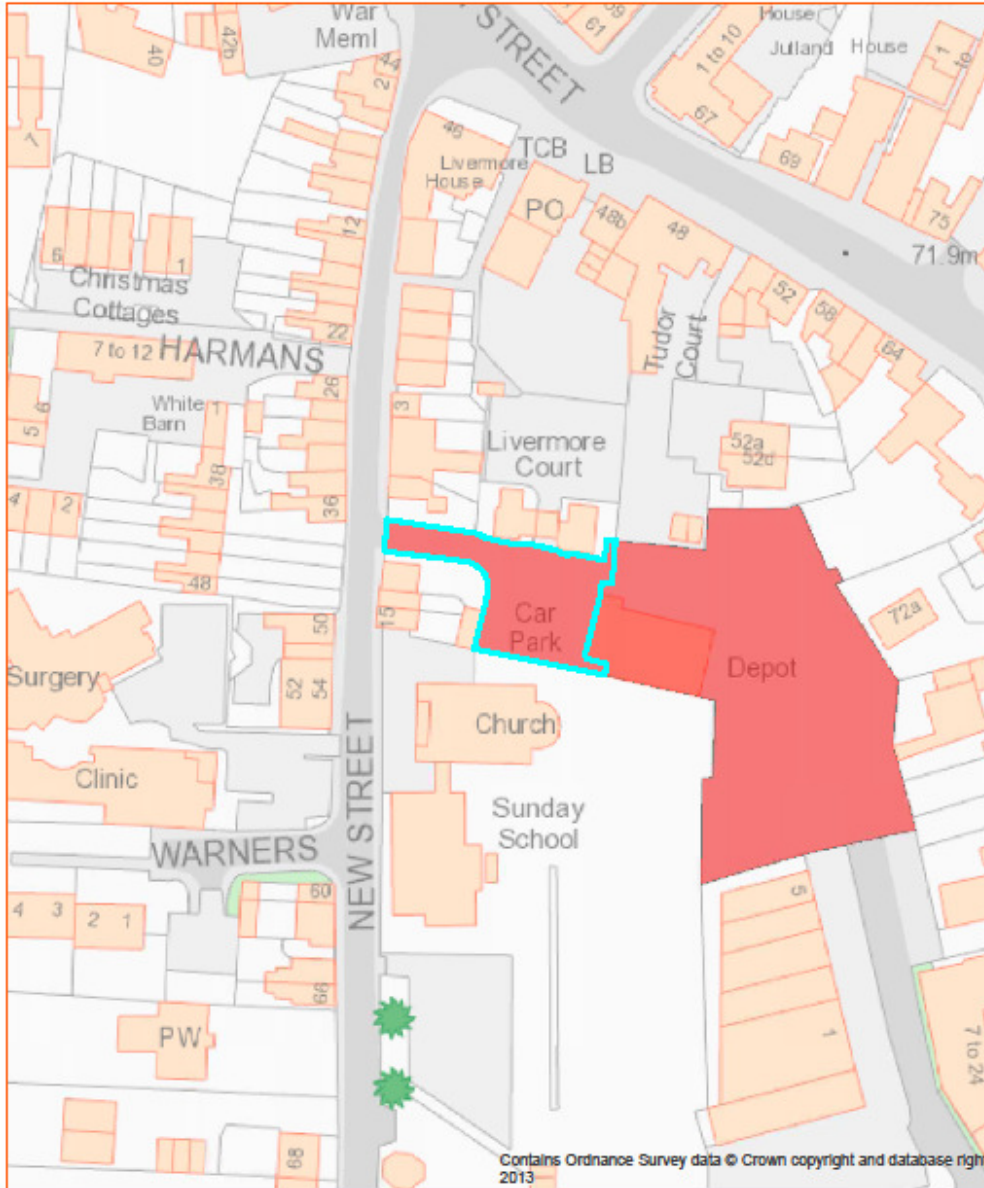
1:1,500



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.247	2,471	6
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
556781	221304	010090835084	CM6 1FN	Owned
DESCRIPTION				
Buffer Strip				
ADDITIONAL INFORMATION				



Asset No.56 Car Park, New Street, Great Dunmow



Date: 26/11/2013

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1:1,000



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Car Park	Car Park Provision	0.054	542	22
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562838	221709	010090836468	CM6 1YG	Owned
DESCRIPTION				
ADDITIONAL INFORMATION				

Asset No.57 Leisure Centre, Stansted Mountfitchet



Date: 27/11/2013

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1:1,000

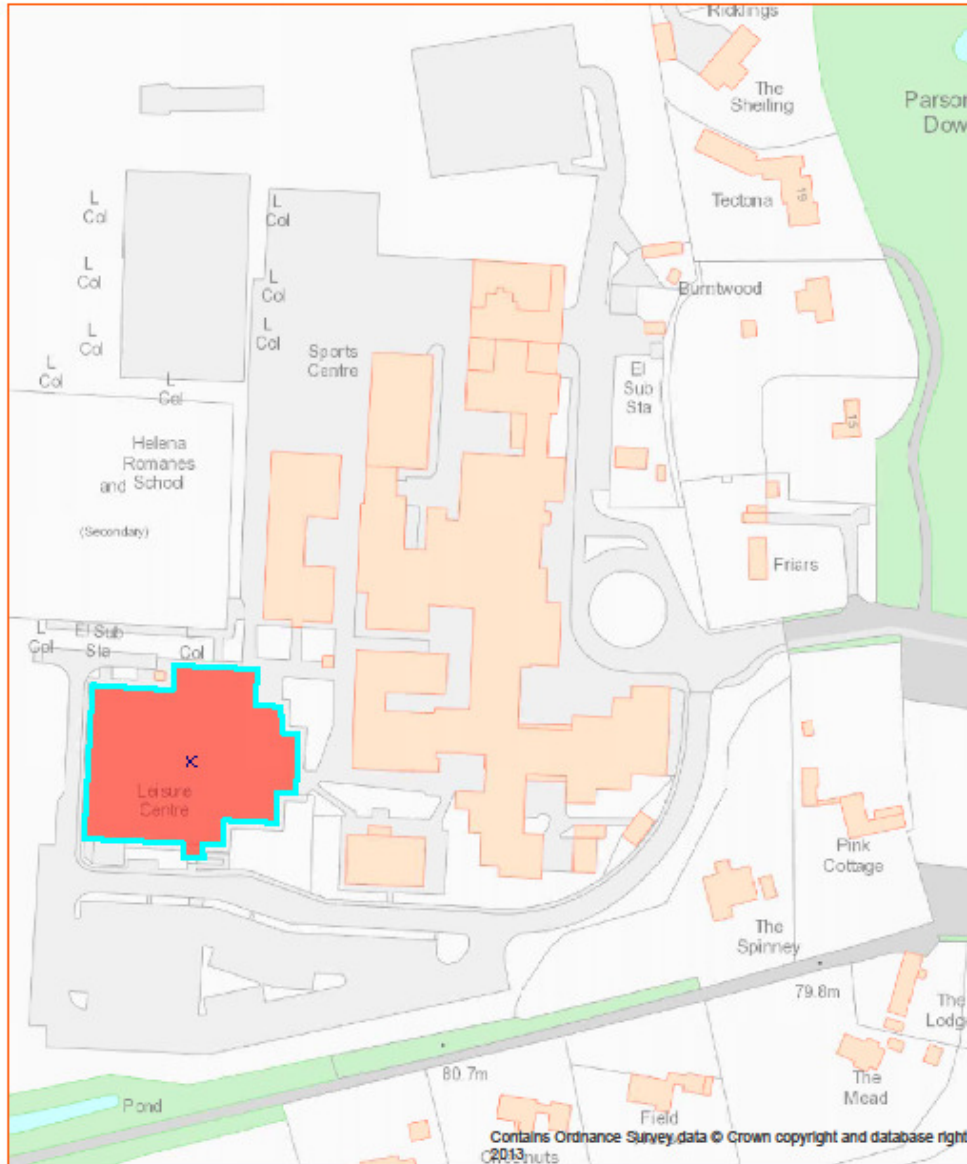


PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Leisure Facility	Leisure Provision	0.115	1,149	1,588
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
551908	223917	010002181172	CM24 8TZ	Owned
DESCRIPTION				
Leisure Centre				

ADDITIONAL INFORMATION

PFI

Asset No.58 Leisure Centre, Great Dunmow



Date: 27/11/2013

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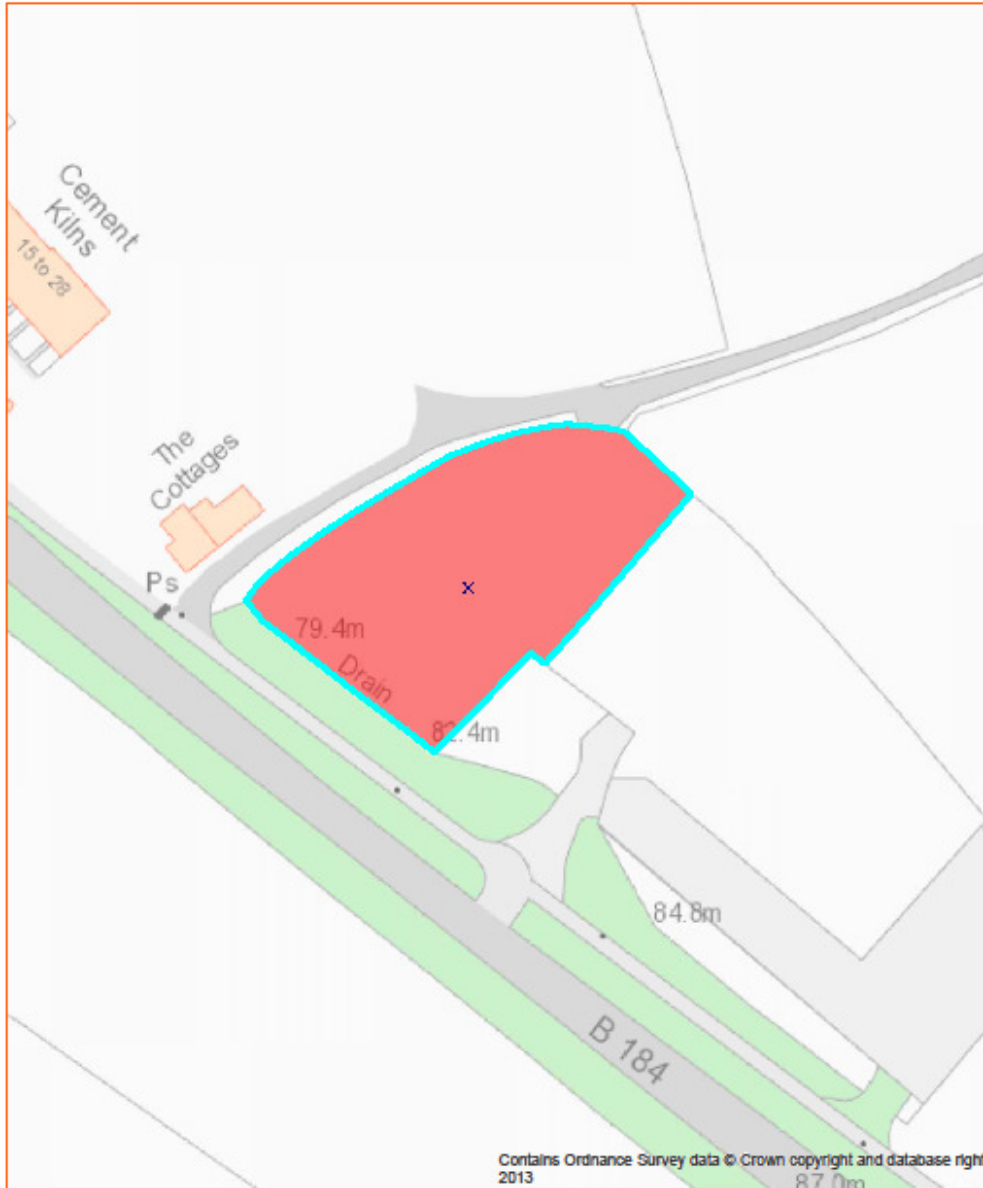
1:1,500



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Leisure Facility	Leisure Provision	0.239	2,395	4,175
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
562052	222959	100091449298	CM6 2AT	Owned
DESCRIPTION				

Leisure Centre
ADDITIONAL INFORMATION
PFI

Asset No.59 Land at Thaxted Road, Saffron Walden



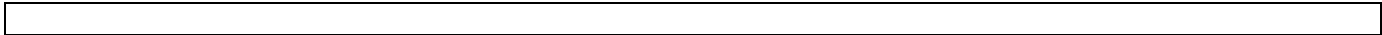
Date: 27/11/2013

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PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Miscellaneous	Development land	0.255	2,553	56
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554977	237356	010090835108	CB10 2UQ	Owned
DESCRIPTION				
Derelict Land				
ADDITIONAL INFORMATION				



Asset No.60 Allotments, Radwinter Road, Saffron Walden



Date: 27/11/2013

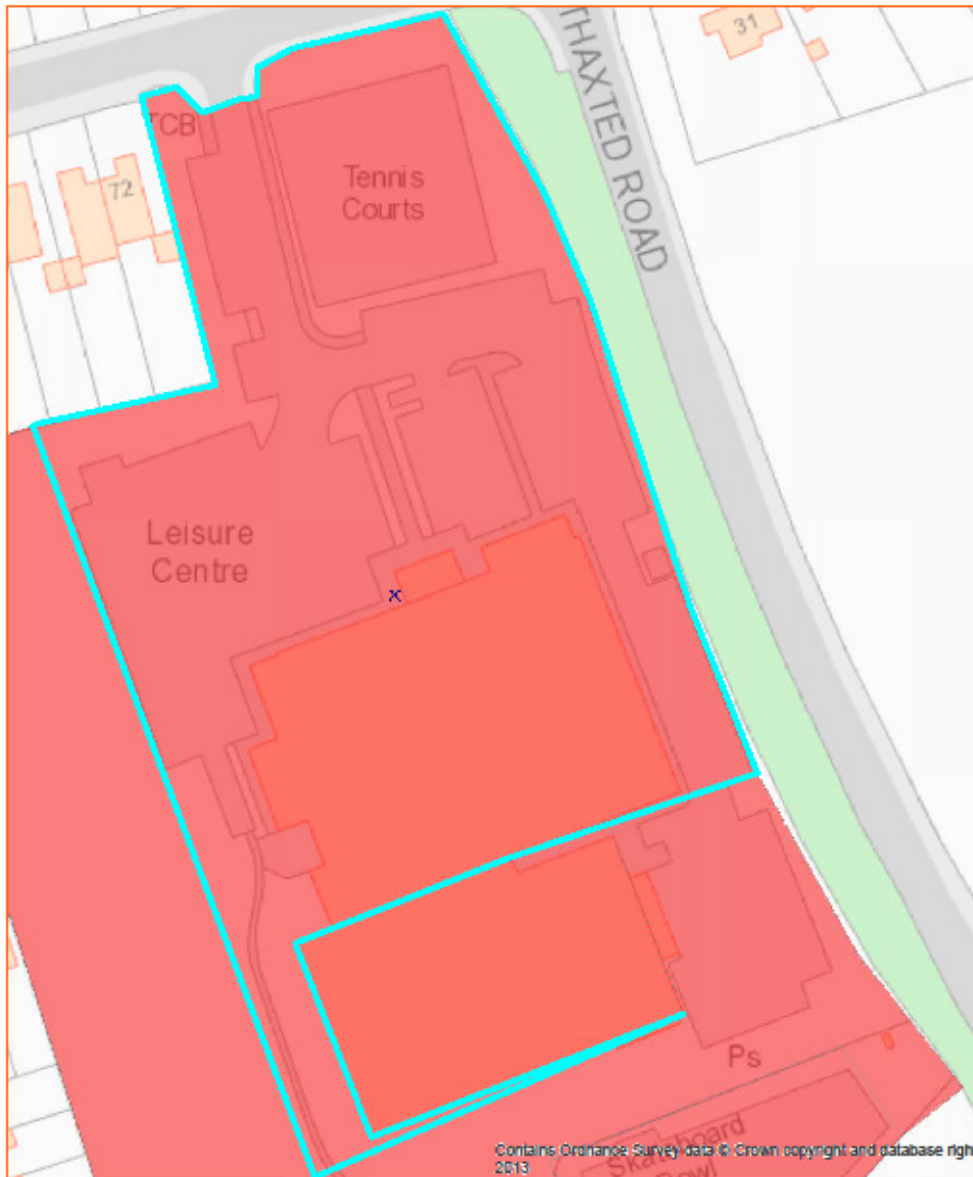
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1:1,000

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Allotments	Allotment Land	0.292	3,047	See note on page 63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554756	238457	010090836218	CB11 3JB	Owned
DESCRIPTION				
Allotment				
ADDITIONAL INFORMATION				

Asset No. 61 Leisure Centre, Saffron Walden



Date: 24/01/2014

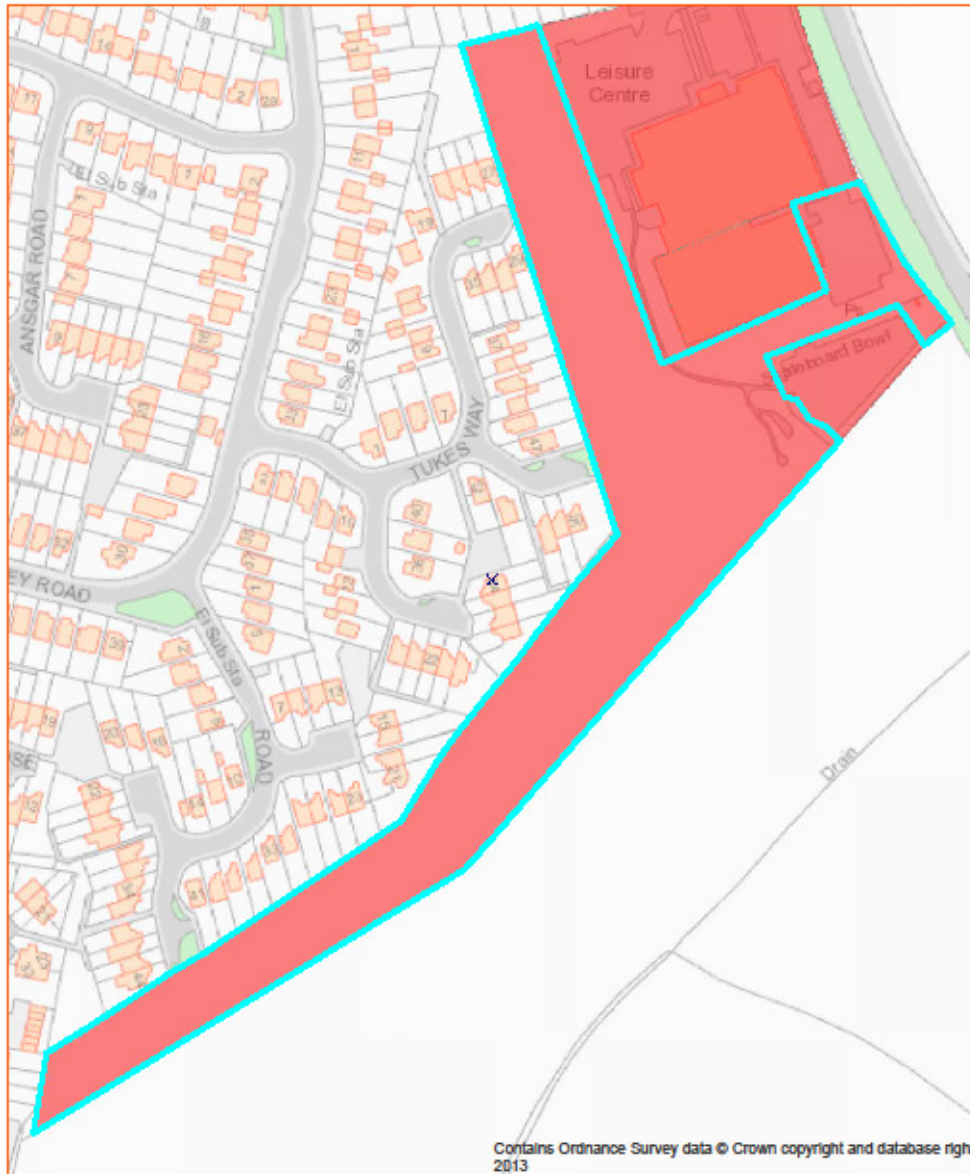
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1:900

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Leisure Facility	Leisure Provision	1.15	11,495	4,881
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554677	237571	100091412641	CB11 3EG	Owned
DESCRIPTION				
Leisure Centre				
ADDITIONAL INFORMATION				

Asset No. 62 Land at Peaslands Road, Saffron Walden



Date: 24/01/2014

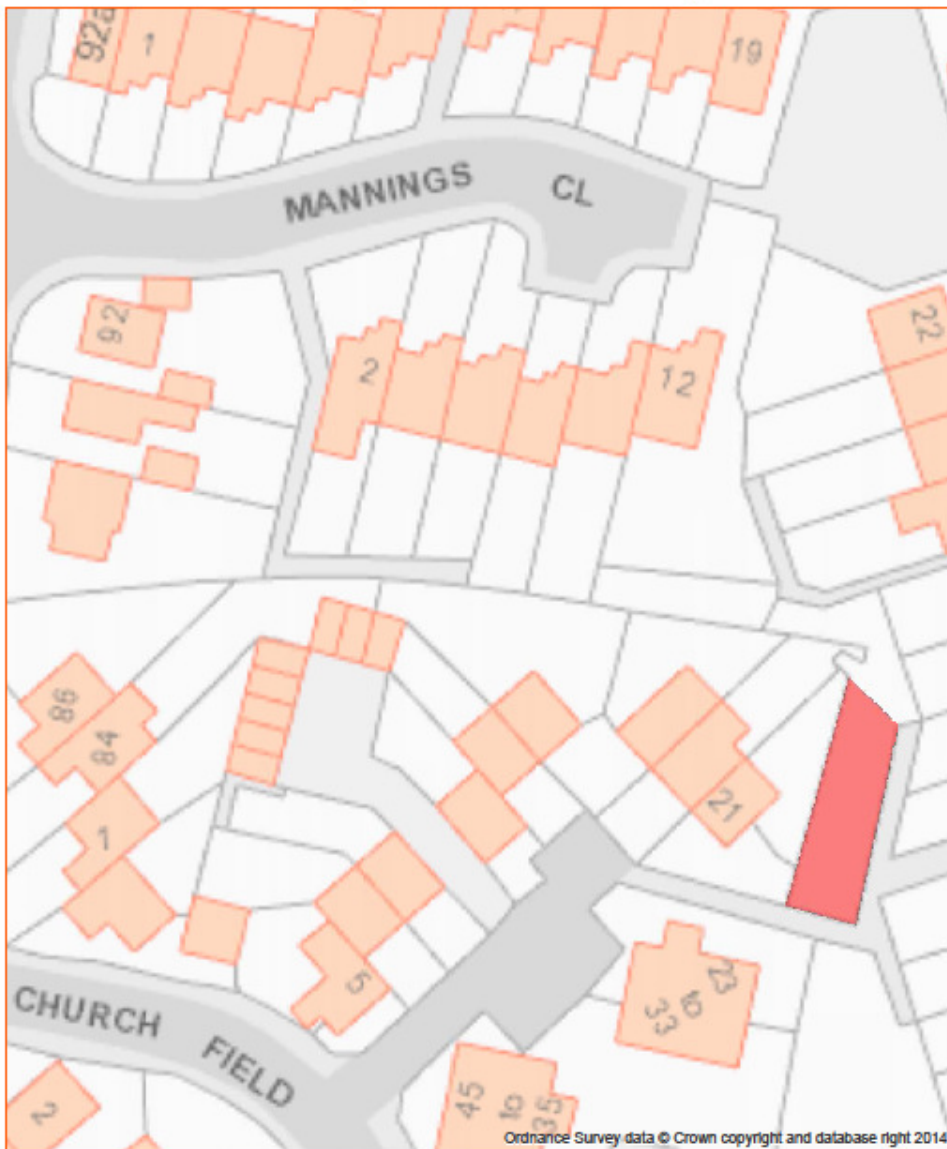
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1:2,000



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	2.068	35,678	63
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554628	237398	100091413039	CB11 3ES	Owned
DESCRIPTION				
Land to the West of Lord Butler Leisure Centre				
ADDITIONAL INFORMATION				
Leased to Saffron Walden Town Council				

Asset No.63 Land adj to 21 Churchfield, Saffron Walden



Date: 12/03/2015

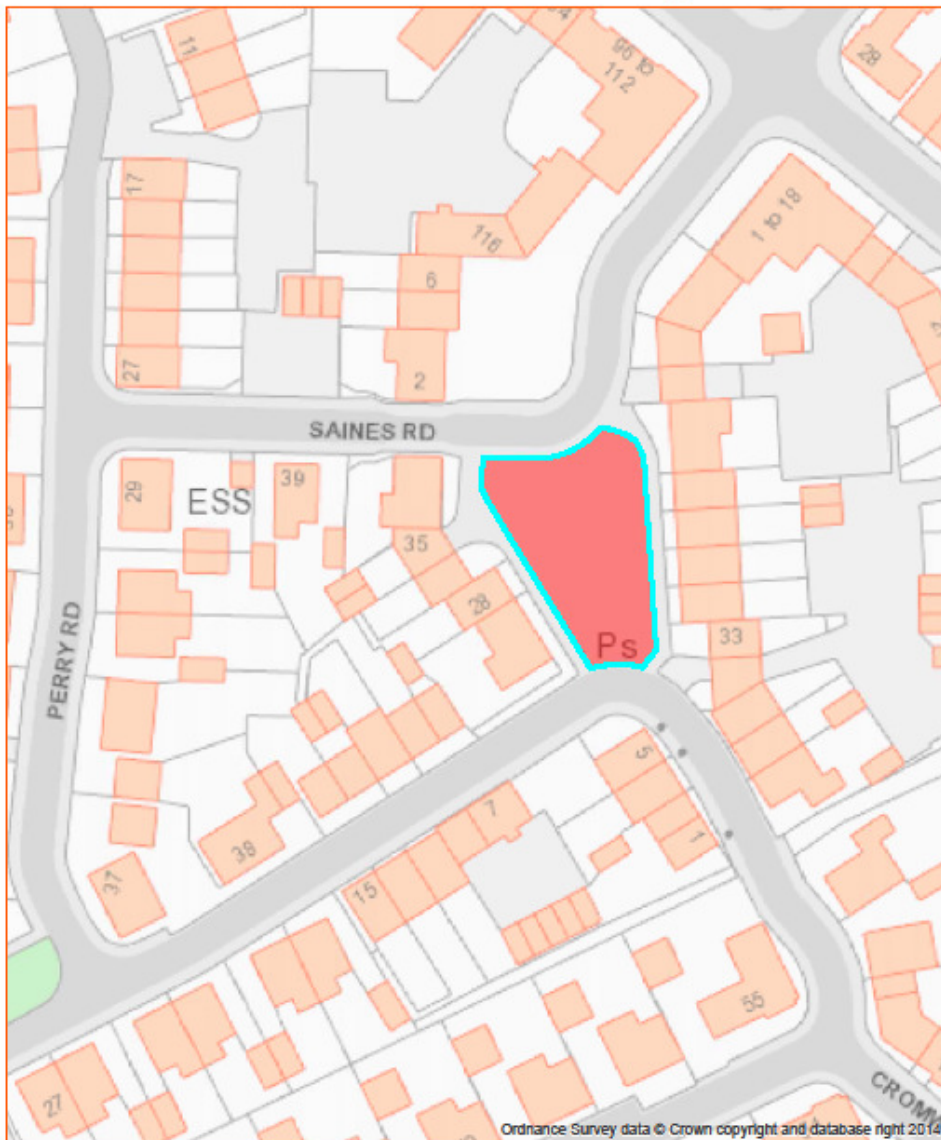
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1:500

PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.013	130	9
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
554450	237262	100090650251	CB11 3ET	Owned
DESCRIPTION				
Garden Land				
ADDITIONAL INFORMATION				

Asset No.64 Land at Oakwod Park, Flich Green



Date: 12/03/2015

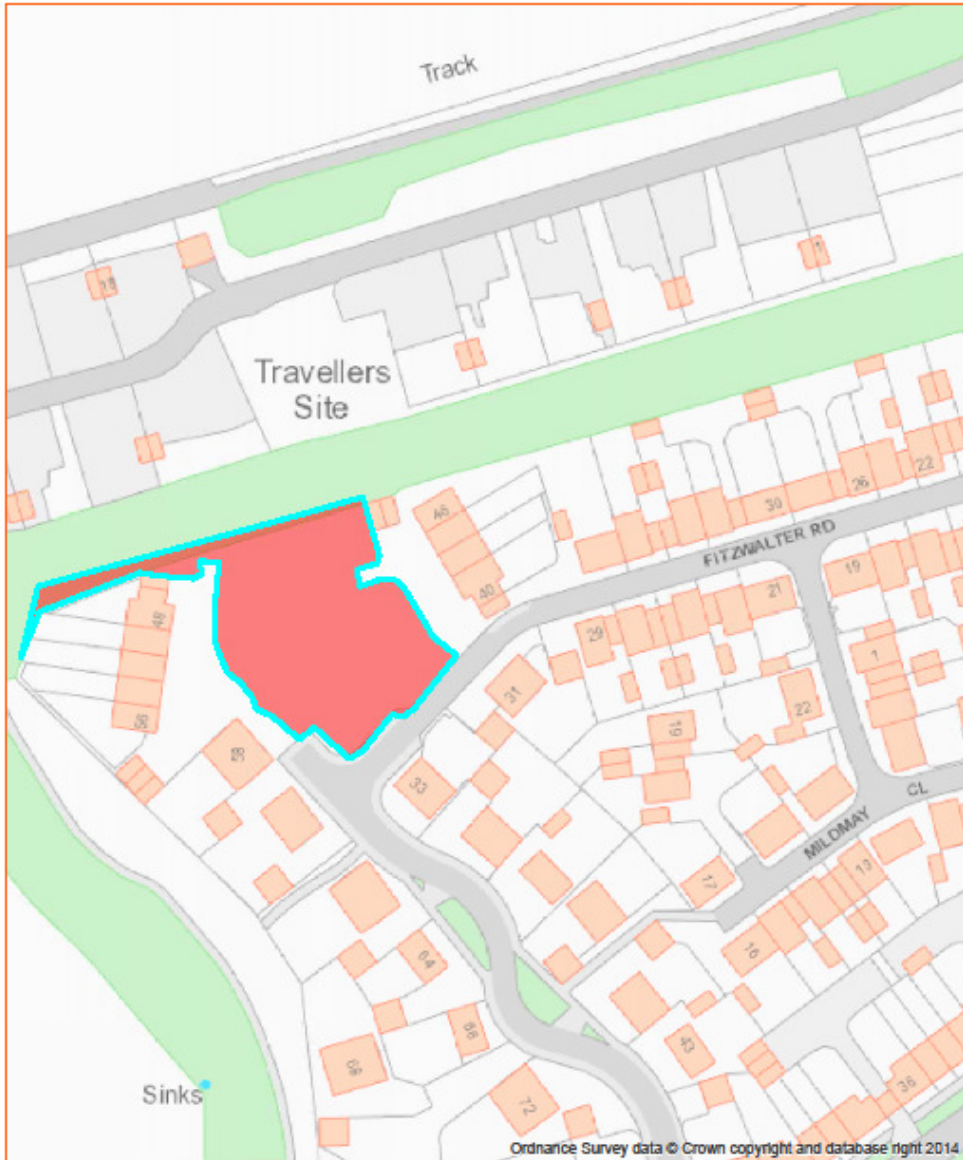
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1:750



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.055		
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
566236	220629	010002185780	CM6 3GE	Owned
DESCRIPTION				
Open Space				
ADDITIONAL INFORMATION				
Acquired as part of S106 Agreement during 2014/15 will be valued as at 31/3/15				

Asset No.65 Land at Fitzwalter Road, Little Dunmow



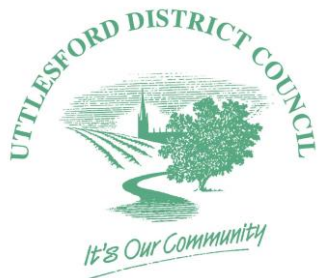
Date: 12/03/2015

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1:1,050



PROPERTY TYPE	REASON ASSET HELD	AREA HECTARES	AREA M ²	BALANCE SHEET VALUE AS AT 31.3.2014 £'000
Amenity Land	Open Space	0.166		
EASTING	NORTHING	UPRN	POSTCODE	UDC OWNED OR LEASED
566305	221120	010002185629	CM6 3FH	Owned
DESCRIPTION				
Open Space				
ADDITIONAL INFORMATION				
Acquired as part of S106 Agreement during 2014/15 will be valued as at 31/3/15				



Uttlesford District Council

Fast-track equality impact assessment (EqIA) tool

What is this tool for?


This tool will help you to assess the impact of existing or new strategies, policies, projects, contracts or decisions on residents and staff. It will help you to deliver excellent services, by making sure that they reflect the needs of all members of the community and workforce.

What should be equality impact assessed?

You only need to equality impact assess strategies, policies, projects, contracts or decisions that are **relevant** to equality. If you are not sure whether your activity is relevant to equality take the 'relevance test' on Page 9.


How do I use the tool?

This tool is easy to use and you do not need expert knowledge to complete it. It asks you to make judgments based on evidence.



The tool uses a system of red flags  to give you an indication of whether or not your responses are identifying potential issues. Getting a red flag does not necessarily indicate a problem, but it does mean that your assessment is highlighting issues or gaps in data that may require further investigation or action.

If there is insufficient space to answer a question, please use a separate sheet.

General information		
1	Name of strategy, policy, project, contract or decision.	Asset Management Plan 2016/17
2	What is the overall purpose of the strategy, policy, project, contract or decision?	To set out the ambitions and goals for the Council's asset management
3	Who may be affected by the strategy, policy, project, contract or decision?	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Staff <input checked="" type="checkbox"/> Service users
4	Responsible department and Head of Division.	Department: Corporate Services Head of Division: Adrian Webb
5	Are other departments or partners involved in delivery of the strategy, policy, project, contract or decision?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (please state): All departments
Gathering performance data		
6	Do you (or do you intend to) collect this monitoring data in relation to any of the following <u>diverse groups</u> ?	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Disability <input checked="" type="checkbox"/> Sex <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Gender Reassignment <input checked="" type="checkbox"/> Sexual Orientation <input checked="" type="checkbox"/> Religion & Belief <input checked="" type="checkbox"/> Pregnancy and Maternity <input checked="" type="checkbox"/> Marriage and Civil Partnerships <input checked="" type="checkbox"/> Rural Isolation

7	How do you (or how do you intend to) monitor the impact of the strategy, policy, project, contract or decision?	<input type="checkbox"/> Y Performance indicators or targets <input type="checkbox"/> N User satisfaction <input type="checkbox"/> N Uptake <input type="checkbox"/> N Consultation or involvement <input type="checkbox"/> N Workforce monitoring data <input type="checkbox"/> N Complaints <input type="checkbox"/> N External verification <input type="checkbox"/> N Eligibility criteria <input type="checkbox"/> N Other (please state): <input type="checkbox"/> None 
---	---	---

Analysing performance data

8	Consider the impact the strategy, policy, project, contract or decision has already achieved, measured by the monitoring data you collect. Is the same impact being achieved for diverse groups as is being achieved across the population or workforce as a whole?	<input type="checkbox"/> Yes * <input type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input type="checkbox"/> Y Not applicable  <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>
---	---	---

9	<p>Is uptake of any services, benefits or opportunities associated with the strategy, policy, project, contract or decision generally representative of <u>diverse groups</u>?</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40px; text-align: center;"><input type="checkbox"/></td> <td>Yes *</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>No*</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Insufficient </td> </tr> <tr> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> <td>Not applicable </td> </tr> </table> <p style="margin-top: 20px;"><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>	<input type="checkbox"/>	Yes *	<input type="checkbox"/>	No*	<input type="checkbox"/>	Insufficient	<input type="checkbox" value="Y"/>	Not applicable
<input type="checkbox"/>	Yes *									
<input type="checkbox"/>	No*									
<input type="checkbox"/>	Insufficient									
<input type="checkbox" value="Y"/>	Not applicable									


Checking delivery arrangements

10	<p>You now need to check the accessibility of your delivery arrangements against the requirements below. Click on the hyperlinks for more detailed guidance about the minimum criteria you should meet.</p> <p><i>If assessing a proposed strategy, policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.</i></p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 15%; text-align: center;">Yes</th> <th style="width: 15%; text-align: center;">No </th> <th style="width: 10%; text-align: center;">N/A</th> </tr> </thead> <tbody> <tr> <td>The premises for delivery are accessible to all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Consultation mechanisms are inclusive of all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> </tr> <tr> <td>Participation mechanisms are inclusive of all.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox" value="Y"/></td> </tr> </tbody> </table> <p>If you answered 'No' to any of the questions above please explain why giving details of any legal justification.</p> <p>Some council sites are not intended to be accessible by the general public e.g. depot sites, workshops.</p>		Yes	No	N/A	The premises for delivery are accessible to all.	<input type="checkbox"/>	<input type="checkbox" value="Y"/>	<input type="checkbox"/>	Consultation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>	Participation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>
	Yes	No	N/A															
The premises for delivery are accessible to all.	<input type="checkbox"/>	<input type="checkbox" value="Y"/>	<input type="checkbox"/>															
Consultation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>															
Participation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>															

Checking information and communication arrangements

11 You now need to check the accessibility of your information and communication arrangements against the requirements below. Click on the hyperlink for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.

	Yes	No 	N/A
Customer contact mechanisms are accessible to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>
Electronic, web-based and paper information is accessible to all.	<input type="checkbox" value="Y"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicity campaigns are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>
Images and text in documentation are representative and inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="Y"/>


If you answered 'No' to any of the questions above please explain why, giving details of any legal justification.


Future Impact

12 Think about what your strategy, policy, project, contract or decision is aiming to achieve over the long term and the ways in which it will seek to do this. This is your opportunity to take a step back and consider the practical implementation of your strategy, policy, project, contract or decision in the future. As well as checking that people from diverse groups will not be inadvertently excluded from or disadvantaged by any proposed activities, it is also an opportunity to think about how you can maximize your impact, reach as many people as possible and really make a difference to the lives of everyone in Uttlesford regardless of their background or circumstances.

Is it likely to inadvertently exclude or disadvantage any diverse groups?


No




Yes * 

Insufficient evidence 

*Please state any potential issues Identified.

OVERVIEW
80,000 residents
Demographic make up according to diverse groups.

Improvement actions	
13	<p>If your assessment has highlighted any potential issues or red flags, can these be easily addressed?</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No*  <input type="checkbox"/> Y Not applicable </p> <p><i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i></p>

Making a judgement – conclusions and next steps	
14	<p>Following this fast-track assessment, please confirm the following:</p> <p> <input checked="" type="checkbox"/> Y There are no inequalities identified that cannot be easily addressed or legally justified  No further action required. Complete this form and implement any actions you identified in Q13 above </p> <p> <input type="checkbox"/> There is insufficient evidence to make a robust judgement.  Additional evidence gathering required (go to Q17 on Page 7 below). </p> <p> <input type="checkbox"/> Inequalities have been identified which cannot be easily addressed.  Action planning required (go to Q18 on Page 8 below). </p>
15	<p>If you have any additional comments to make, please include here.</p> <p><input type="checkbox"/> None</p>

Completion	
16	<p>Name and job title (Assessment lead officer)</p> <p>Adrian Webb Director of Finance and Corporate Services</p>
	<p>Name/s of any assisting officers and people consulted during assessment:</p> <p>Date: 18 May 2016 Date of next review: 17 May 2017</p> <p><i>For new strategies, policies, projects, contracts or decisions this should be one year from implementation.</i></p>