

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN on 12 JANUARY 2017 at 7.00pm**

Present: Councillor H Rolfe (Leader)  
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 J Lodge (Residents for Uttlesford Group Leader).

Officers in attendance: C Cardross-Grant (Housing Renewals and Improvement Officer), R Dobson (Principal Democratic Services Officer), D French (Chief Executive), R Harborough (Director of Public Services), S Pugh (Interim Head of Legal Services) and A Webb (Director of Finance and Corporate Services).

CA79 **APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS**

Apologies for absence were received from Councillors S Barker and Dean.

CA80 **MINUTES**

The minutes of the meeting held on 1 December 2016 were received and signed by the Chairman as an accurate record.

CA81 **EQUALITIES SCHEME**

Councillor Wells presented a report on the Equalities Scheme 2017-2021, which included suggested revised objectives following consultation. The Council had an obligation under the Public Sector Equality Duty to prepare and publish equality objectives at four-yearly intervals. Cabinet was invited to consider whether to adopt the draft scheme appended to the report, or whether to amend it in the light of comments received to the consultation which had recently been carried out. Councillor Wells said a slightly revised version of the scheme was now proposed, as tabled, to include clarification of certain details.

**RESOLVED**

- 1 to adopt the Equalities Scheme 2017-2021 as tabled at the meeting (*appended to the Decision List circulated after the meeting*)
- 2 to commit to reaching Achieving status by April 2018

CA82

## **SCRUTINY ENFORCEMENT REVIEW**

Councillor Howell presented a report on recommendations from the Scrutiny Committee. He explained the recommendations were aimed at achieving outcomes in the key areas of better reporting of caseloads, improved customer service, the introduction of policies for each enforcement area, and review of policies where they existed, improved cross-agency working and better use of forums and general education to achieve enforcement objectives for activities other than planning.

Councillor Rolfe said there was public support for enforcement, especially with regard to litter.

### **RESOLVED**

- 1 to agree that the corporate customer charter be updated
- 2 an overarching corporate enforcement strategy be developed supported by enforcement policies for
  - benefits
  - debt recovery
  - development management including building control
  - environmental health
  - licensing
  - litter, fly-tipping, flyposting, abandoned and untaxed vehicles
  - taxis and private hire operators
- 3 regular reports with a schedule of cases be generated and distributed together with management information for performance review purposes as soon as the database had been addressed.

CA83

## **REGULATION OF INVESTIGATORY POWERS ACT**

Councillor Howell said the Council should have a policy for use of powers governed by the Regulation of Investigatory Powers Act 2000. Whilst the Council had not used investigative powers under the Act since at least 2011, the Council did investigate alleged fraud and benefit abuse. As the Portfolio Holder with responsibility for finance, Councillor Howell said he would not wish to see any change in the Council's good record for investigating such matters and ensuring public money was not abused.

Councillor Howell said a change was made to paragraph 6.4 of the proposed policy which accompanied the report. The revised paragraph 6.4 amended the examples given of when directed surveillance might be used and emphasised that the policy was not intended to discourage proportional use of investigatory methods where this was in the public interest, for instance where ensuring public safety or investigating dishonesty.

Councillor Lodge asked about aspects of the policy appended to the report which were yet to be confirmed, such as the identity of the single point of contact. The Interim Head of Legal Services said the recommendations included giving power to the Chief Executive to designate authorised officers for the purposes of the Act, and all aspects of the policy would be finalised by her, if that recommendation was accepted.

#### RESOLVED

- 1 the policy as appended to the report be adopted
- 2 the Chief Executive is given power to designate authorised officers for the purposes of RIPA
- 3 the Interim Head of Legal Services is designated the Senior Responsible Officer with oversight of the use of RIPA powers.

CA84

#### **PLANNING ADVISORY SERVICE (PAS) REPORT AND DRAFT ACTION PLAN FOR THE LOCAL PLAN**

Councillor Rolfe said this item had been brought to Cabinet for information. The action plan was the result of the work of the Planning policy Working Group (PPWG). All members had received the PAS report. He said Councillor Lodge had raised a point regarding whether there should be consideration of garden cities in the action plan, and at PPWG it had been accepted that this issue would be included as a workstream in the action plan.

Councillor Rolfe said the report was very helpful. Discussion had also taken place on consulting on preferred options as part of the Regulation 18 stage in preparing a plan. Officers would now prepare a process for that to take place.

Councillor Redfern asked whether the duty to co-operate referred to in the report meant joint action would need to be taken by Uttlesford and Braintree councils.

Councillor Rolfe said the duty applied to all the district's borders.

The Director of Public Services said Councillor Redfern was correct. Braintree was the only example of a cross-boundary site, but obviously Uttlesford needed to have an agreed understanding with its other neighbouring authorities regarding interactions. Regarding the northern boundary, this involvement extended to not just South Cambridgeshire, but also to Cambridgeshire County Council and Cambridge City Council.

Councillor Rolfe said he would be meeting weekly with the leaders of the political groups, and with Councillor S Barker as the relevant portfolio holder, to ensure involvement and transparency in the local plan process. If any member had concerns they should feed these through to these four members.

Councillor Redfern asked that forward planning of member workshops be arranged, to help members to plan around the dates.

The Chief Executive said once the final project plan was in place, including consideration of further Regulation 18 steps, then the route would be clear. The dates for workshops could then be set in place and communicated to members.

Cabinet noted the action plan.

CA85

### **VOLUNTARY SECTOR GRANTS AWARD 2017-18**

Councillor Wells presented a report for information on the allocation of funding to charities and voluntary organisations working in the district. She said that following a review of the way in which the Council made such allocations, Cabinet had decided to restrict the period for awards to two years, and had set up the Voluntary Sector Grants Committee, which had power to decide upon the allocations. At its inaugural meetings the Committee had awarded grants following presentations. The report appended a table showing the awards that it had approved.

Councillor Howell said the presentations he had attended were very impressive. This council committed a larger proportion of its budget than others did. He was delighted the Council continued to fund the Citizens' Advice Bureau (CAB) and Homestart.

Councillor Lodge asked for clarification on the charitable purpose of the Dunmow Maltings Preservation Trust.

Councillor Rolfe said the work of this body was to support the Dunmow Maltings, but that as the organisation did not fit the profile of the other voluntary sector organisations to which the Committee awarded funding, in future it would receive funding from a different pot.

Councillor Lodge asked how the Council's contribution to the CAB compared with that given by other councils.

Councillor Rolfe said he could not compare the award to any given by a similar sized council. Bigger councils gave the CAB more. This council's voluntary support was the best in Essex. Comparative figures would be useful for future information when making allocations.

Councillor Wells said the committee had not based decisions on any specific comparisons, but had looked at how each organisation benefitted Uttlesford.

Cabinet noted the report.

CA86

### **EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED that the public be excluded from the following items of business on the grounds that they involved the likely disclosure of

exempt information as defined in paragraph 1 of Part 1 Schedule 12A of the Local Government Act 1972.

CA87

### **COMPULSORY PURCHASE OF A PROPERTY**

Councillor Redfern presented a report on the proposal to authorise a compulsory purchase of land as detailed in the report. This was a long-term empty property. The condition of the property was causing problems for neighbours, and for the Council. The Council had exhausted its powers of persuasion to bring the property back into use, and now considered that the use of compulsory purchase order powers to be the most suitable way that the land and property could be brought back into occupation.

The Housing Renewals and Improvement Officer said since 2012 the Council had been in communication with the owner of the property. According to anecdotal evidence the property had been empty for seven years by that time, and comprised a nuisance to neighbours. Officers had interacted with the owners many times since then, to offer assistance under the PLACE scheme but the owners had given no sign of progressing any proposals to make the property fit for use. The owners had been informed that enforcement action would be considered in the absence of a constructive response. The Housing Renewals and Improvement Officer said that officers would continue their dialogue with the owners once the Compulsory Purchase Order process had started, and that the Order could be withdrawn at any time during the next 12 months. It was therefore hoped that the improvements could be accomplished by voluntary decision.

Councillor Howell said he sympathised with the position of the Council, as in the ward he had previously represented he had experienced similar issues. Since there was an opportunity to withdraw from the Order if circumstances changed, he would support the proposal.

### **RESOLVED**

- 1 That authority be given for the compulsory purchase of the land referred to in the report.
- 2 That authority be given for an appropriate amount of works to be carried out to the property while it is in the Council's possession to deal with issues of safety and security, to abate environmental nuisances and to prepare the property for marketing. The costs incurred in carrying out these works to be recovered from the resale price.
- 3 That authority be given to dispose of the freehold interest in the property, on the open market, by the most suitable method.

CA88

### **RELEASE OF COVENANT**

Councillor Redfern presented a report on the proposal to authorise a release of covenant on land sold at the rear of a property which restricted its use to "garden land" only.

Councillor Redfern said the purchasers of the land had requested the covenant be released following the grant of planning permission for a dwelling. The Council's valuer would assess the worth of the release of the covenant. The Council would be seeking a financial consideration for releasing the covenant, which result in a capital receipt for the Housing Revenue Account.

Councillor Howell asked what percentage of the value of the land with planning permission the Council would take.

The Director of Public Services said when the Council had sold the land, the transaction would have been on the basis that it was garden land with no development value. The Council would now get it valued as development land and garden land the difference would be the financial consideration.

#### RESOLVED

- 1 That Cabinet approves the release of the covenant on land at the rear of 33 New Road, Elsenham, which restricts its use to 'garden land'
- 2 That Cabinet approves the commencement of negotiations in connection with the release of the restrictive covenant and delegates to the Director of Public Services approval of the terms for the removal.

The meeting ended at 7.45pm.