

**COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 26 FEBRUARY 2015 at 7.30pm**

Present: Councillor K Artus – Chairman.  
Councillors H Asker, G Barker, S Barker, C Cant, R Chambers, J Cheetham, P Davies, A Dean, R Eastham, K Eden, M Felton, M Foley, E Hicks, S Howell, D Jones, A Ketteridge, J Ketteridge, T Knight, R Lemon, J Loughlin, K Mackman, J Menell, E Oliver, D Perry, V Ranger, J Redfern, H Rolfe, J Rose, D Sadler, J Salmon, A Walters, and D Watson.

Officers in attendance: J Mitchell (Chief Executive), M Cox (Democratic Services Officer), M Perry (Assistant Chief Executive – Legal), R Harborough (Director of Public Services) and A Webb (Director of Finance Corporate Services).

**C67 MATTERS RECEIVED FROM THE EXECUTIVE**

There were no matters received from the Executive.

**C68 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors J Davey, I Evans, J Freeman, E Godwin, S Harris, D Morson, E Parr, J Parry, J Rich, L Smith and L Wells.

**C69 MINUTES**

The minutes of the meeting held on 18 December 2014 were received and signed by the Chairman as a correct record.

**C70 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that had had raised £97 for Help for Heroes at a recent rock band event. A second liaison meeting had been held at Carver Barracks to discuss the Community Covenant.

**C71 APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE**

Councillor Knight, Chairman of the Independent Persons Appointment Panel reported that after considering the applications and interviewing a strong field of applicants, the Panel had recommended the appointment of two of the candidates.

RESOLVED that Mr D Pearl and Mrs C Wellingbrook-Doswell be appointed as Independent Persons on the Standards Committee until the end of the next council term.

**C72 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Leader reported on a recent meeting with Essex authorities, which had discussed possible devolution of powers from Whitehall. The meeting had put forward the Greater Essex Area Development proposal, which would include representatives from Essex County Council, the two unitary authorities and the 12 districts. All authorities had been asked to lodge an expression of interest before the May election. At the meeting there had been a broad cross political consensus in support of the principle, but the Leader said that further work would need to be undertaken into the details of any proposal and to seek a greater understanding of the potential benefits for Uttlesford.

Councillor Ranger reported on recent discussions around health issues, which fell under his portfolio. He explained that the council was working with the Clinical Commissioning Group to progress future plans for the district, looking in particular towards integrated care services.

Councillor Walters tabled his report on activities under his portfolio. This included updates on the Local Highways Panel, the Wenden Road cycle path, the Uttlesford Cycling Strategy, Highway Rangers and Uttlesford Policing.

Councillor Oliver said that with support of the Uttlesford Highways Panel, ECC had granted an experimental winter closure for a byway in Clavering. However, the 4 x 4 users had pulled out the posts restricting access and it was clear that these measures would need to be more robust if this type of closure was to be successful. Councillor Barker replied that ECC Highways had now addressed this issue.

**C73 MEMBERS' QUESTIONS TO THE LEADER MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRMEN**

Councillor Rose asked Councillor S Barker about the take up of the green bin service and whether this was intended to replace the village skips. It was explained that the skips were requested and paid for by the parish councils. The green bin was a discretionary paid for service, which cost £40 per year. Councillor Eastham asked if there was a discount for residents who paid by direct debit. In reply Councillor Barker said that most customers already paid by direct debit as this gave more certainty for the service going forward. She considered that £40 per year was very good value.

In reply to a question about the progress of the Reynolds Court Sheltered Scheme in Newport, Councillor Redfern said the Planning Committee would consider the application on 11 March 2015 and it was hoped that the work would commence as soon as possible.

Councillor A Ketteridge asked Councillor Chambers to comment on the recent newspaper quote from Councillor Lodge (ECC) that Uttlesford had withdrawn council tax relief from its poorest families. Councillor Chambers explained that the Local Council Tax Support Scheme had been introduced 3 years ago. The Government had suggested that residents of working age who previously received 100% council tax relief should make a contribution of 30%. The council's scheme had subsidised the affected residents so that they only paid 8%. As part of the phased introduction of the Government's scheme this had increased to 12% in the following year. He said that compared to all other Essex authorities, the Uttlesford scheme had given the greatest amount of support to its residents.

Councillor Hicks asked Councillor S Barker if the North Essex Parking Partnership (NEPP) could address the problems with commuter parking at Knights Way, Great Dunmow, as this was preventing the refuse vehicles getting through to the properties in surrounding streets. Councillor Barker replied that a temporary parking restriction might be appropriate, but it was important that the area was looked at as a whole, as a restriction in one area might just push the problem elsewhere. She understood that the Great Dunmow Town Management Group was in the process of developing a scheme, which would be considered by the NEPP at its March meeting.

Councillor Menell said that 106 members of the public plus lawyers and advisors had attended the meeting of the Uttlesford Planning Policy Working Group (UPPWG) on 23 February in order to convince the Members that the proposed Gypsy and Traveller site at 5 Acres Wickham Bonhunt/Arkesden was unsuitable and unsustainable. Residents had left feeling positive, that they had been listened to, only to be disillusioned 24 hours later when informed that new information from the applicant would not be received until 31<sup>st</sup> March, the day after the next planned meeting of the group. It was now likely that a decision wouldn't be taken until June. She said this was sidestepping the issue and disrespecting the residents and she asked for the information to be ready and available for the meeting on 30 March 2015.

Councillor Rolfe replied that the UPPWG had considered the representations received to the Gypsy and Traveller consultation, some officer recommendations had been included in the report but no decisions had been taken. There had been no officer recommendation in respect of the 5 acre site. The Highways Authority and the Environment Agency had raised no objections and the Council was required to give due consideration to the advice of the statutory bodies. The meeting had heard and taken on board the comments and conflicting views from the local community, and as a result further information was being obtained on the issues raised.

There had also been a commitment to visit the proposed sites before a decision was taken and the Government's announcement on a change of definition to Gypsies and Travellers for planning purposes was expected shortly, which might affect the situation going forward. The council was going through a process and a response would be made once all the information was available.

Councillor Knight asked about the collection of council tax from the Gypsy and Traveller sites. It was explained that all the sites in the district were in private ownership and there was no problem with the collection as the charge was made on the land.

Councillor Watson asked Councillor Rolfe if he would congratulate Saffron Walden Town Council on its decision to defend the Kier appeal and also We Are Residents' (WAR) decision to help with funding the appeal in the light of the more optimistic legal advice that had recently been received. The Leader replied that Uttlesford was clear on its own decision on this issue and this position had not changed.

#### **C74 CORPORATE PLAN AND CORPORATE RISK REGISTER**

Councillor Rolfe presented the Corporate Plan and the Corporate Risk Register and drew members attention to the four main themes that contributed to the overall ambition for a high quality and low tax council.

RESOLVED that the Corporate Plan for 2015-20 and Corporate Risk Register be approved.

#### **C75 BUDGET 2015/16**

Councillor Chambers introduced the budget 2015/16. He said this was the culmination of 4 years excellent work. The council's financial situation was stable, there were sufficient reserves to withstand future uncertainties and the council had a solid platform to build on. The district's council tax had been reduced each year with services being retained and increased where possible. Uttlesford was now one of the best run small councils in the country, which was the result of sound financial management. He expressed his thanks to all the officers in the Finance Department for all their hard work and assistance in preparing this budget.

He presented the budget reports, which had been approved by both Scrutiny Committee and Cabinet.

He said that as part of the budget setting process, the Section 151 Officer was required to give formal advice on the robustness of estimates and the adequacy of reserves. This year one new risk had been identified concerning the risk to working balances if the introduction of Universal Credit was delayed. The other ongoing risk areas would continue to be closely monitored and Cabinet would receive regular updates. He drew attention to the Reserves Strategy, which was a new addition to the papers. The council was following advice to maintain the working balance at the current level of around £1.2 m, and to manage other risks through earmarked reserves.

The Medium Term Financial Strategy identified a stable financial position and budget surpluses for at least the next two years. From 2017 much would depend on the future of the New Homes Bonus (NHB) as some sort of reform was expected. The key point was to be in a position to react and reduce the extent to

which the revenue budget was funded from NHB, by maintaining financial discipline and looking for new ways to provide services at lower cost, and to grow income from other sources.

The council's reserves were healthy, sufficient to cope with foreseeable scenarios, and to make meaningful investments in services, but this should avoid ongoing pressure to the Council's bottom line.

The Treasury Management Strategy, which governed the use of bank accounts had been reviewed and endorsed by the council's independent advisers. External borrowing was not expected to be required in the next 5 years and the council would continue to operate a prudent approach to investment.

The Capital Programme for the next five years set out a programme of spending for 2015/16, £3.9m on General Fund schemes and £ 9.8m on housing schemes.

Councillor Redfern then spoke in relation to the HRA budget and the 5 year business Plan. The proposed average rent increase was 2.2%, which was in line with Government recommended guidelines. She explained that there was an opportunity to sell designated temporary accommodation units from the HRA to the General Fund at market value. Draft approval had now been received from the Secretary of State and this capital receipt to the HRA would enable the council to deliver its ambitious programme of new council housing and to upgrade its sheltered accommodation and existing housing stock. The five year forecast showed that total investment in council housing improvements during the next five years would be around £42m.

Councillor Chambers concluded with the report on the General Fund 2015/16 and highlighted proposed areas of investment. He stated that the Administration had proposed a 3% cut in the district council tax which would benefit all council taxpayers and continue to be the lowest council tax in Essex.

Members noted an addition to the fees and charges report to include the charges for planning pre-application advice for commercial properties.

Councillor Chambers proposed, and it was duly seconded that the recommendations, as set out on page 29 of the agenda pack, including the amendment to the Fees and Charges report, be approved.

Councillor Artus asked why extra provision had been made in the budget in relation to Business Rates. He was informed that this sum was to cover any costs that might be associated with any future appeals.

Councillor Loughlin questioned whether the £1m in reserves would be sufficient for the on going costs of the local plan preparation bearing in mind the likely need for consultants and additional studies. In reply she was informed that the Local plan would be building on previous studies, the work was ongoing and budgeted for, so the funds set aside should be sufficient.

Councillor Dean said that he welcomed some aspects of the budget proposals. He thought the transfer of temporary housing from the HRA to the General Fund

was a sensible move to enable the programme for council houses to continue. He also welcomed the detailed report on reserves which was long overdue.

He then following proposed the following motion, which was seconded by councillor Foley 'that the council resolves to adopt the following alternative budget proposals

1. *Council Tax*

*It is proposed that in order to protect the Council Tax base it is more progressive to give a Council Tax Rebate rather than a Council Tax cut. The proposal is for a flat rate rebate of £4.25 per household. This means the Council will be, in relative terms, helping to support the occupants of lower band properties more than the occupants of higher band properties and so would be seen to be acting more fairly.*

*The cost in the first year is the same as a 3% cut but is actually a lower cost option to the Council in the long term as the base is protected for any future increases that may be necessary to take account of central Government cuts.*

2. *Recycling*

*It is proposed to invest £60,000 per annum initially for three years in the promotion of increased recycling and the education of new and existing residents to avoid contamination occurring. The money will be allocated to:*

- *Two officers visiting households and neighbourhoods to explain the merits of more effective recycling and reduced contamination*
- *An officer at the transfer station to monitor contamination levels and to ensure the penalties claimed are accurate*
- *Better promotion of recycling across the district, such as through the introduction of 'Welcome Packs' and the consideration of local incentives.*

*This will be funded in year one from the 2015/16 forecast underspend.*

3. *Rangers*

*A sum of £45,000 per annum allocated to the Rangers service to recruit an additional operative to place a greater emphasis on rural areas. This sum is to include the purchase of equipment and supplies. It is also intended that the way the service operates would be renegotiated with Essex County Council.*

*This will be funded in year one from the 2015/16 forecast underspend.*

4. *Welcome Packs*

*It is proposed to develop welcome packs for both new residents and residents who move between Wards. We will work with Town and Parish Councils to include local information. The budget will be £5,000 per annum and will be funded from 2014/15 forecast underspend.*

## 5. *Photovoltaic Panels*

*It is proposed to allocate £400,000 for the installation of photovoltaic panels on council buildings. This will lead to a reduction in energy costs incurred by the council offset in part by the feed-in tariff. The cost of this project will be funded over 2 years from the re-working of existing Reserves.*

## 6. *Capital Initiatives Fund*

*It is proposed to allocate an initial £1,500,000 to a fund to pump prime infrastructure associated with growth in the district. Examples are car parking and pedestrian access, schemes to bring more jobs and public spaces. This fund will be established from the forecast budget underspend in 2015/16 and the reworking of the Strategic Initiatives Fund and other Reserves. Further allocations will be made to the fund from underspends and Reserves in succeeding years to support delivery of the new Local Plan.*

## 7. *Local Plan*

*The budget for Planning Policy will be revised at an early date to incorporate internal and external costs for the production of a new Local Plan. All external expenditure on consultants and studies will be subject to scope and costs being agreed by Members to ensure transparency.*

Councillor Dean explained his proposed amendments. In relation to the first point, for a flat rate council tax rebate of £4.25 per household, He said this had the same effect in budgetary terms as the Administration's proposal for a 3% cut, but in terms of fairness his proposal would give the same amount to everyone and not favour the better off.

Councillor Rolfe replied that the budget was a balance of income, investments, services and reserves and though he welcomed the spirit of the amendment he would not support it for the following reasons:

When council tax was increased it did so proportionately, so it was only fair for the same to happen when it was reduced. This was a system that the residents understood and in any event, it was too late for a rebate to be made and the cost of administration would be prohibitive. The council was committed to recycling, but was developing a plan based around education, and would not necessarily need to spend the sum of money suggested. The welcome pack was a good idea but he felt that town and parish councils should fund this. The solar panels would require a feasibility study as to the current cost/value of the exercise for the council. The council had already established the Strategic Initiatives Fund, which would support growth projects in the district.

Councillor S Barker said that UPPWG at its recent meeting had listed the cost of the studies to be carried out in relation to the Local Plan. This information was available to Members and the public and was a transparent process. She reported that a new recycling contract would commence in May, which would be a good opportunity to review how best to pass on information to

residents. She said ECC was looking at ways to improve promotion across Essex and this could be discussed at the Waste Strategy Panel.

Councillor Howell said the council's budget over the past 4 years had a clear vision and clarity and had met the principles of low cost and high quality. He could see some merit in the Lib Dem amendments but questioned the proposal of a one off rebate at this time. There appeared to be an assumption in the suggested amendments that problems could be solved by spending money. There were more effective approaches, as with recycling, when it was education that was the key and councillors themselves had a responsibility to promote this.

Other Members commented on the suggested amendments. Councillor Mackman said that points 5 and 6 of the amendment proposed a budget allocation of around £2m and he felt that further consultation was required before such a commitment could be made.

In reply Councillor Dean said that it was correct that the rebate would be a one-off as the financial situation for future years was unclear. He agreed that there should first be feasibility studies in relation to his proposals, and the public's views should be sought on the capital fund spending, but he had hoped the suggested amounts could be earmarked within the budget.

The amendment was then put to the vote and was lost by 5 votes to 25.

The motion was then put to the vote and in accordance with the Council Procedural Rules a recorded vote was taken

RESOLVED to approve the following recommendations in relation to the budget 2015/16

### **Robustness of Estimates and Adequacy of Reserves**

RESOLVED TO

- 1 Take account of the advice in the report when determining the 2015/16 General Fund budget and Council Tax.
- 2 Approve the risk assessment relating to the robustness of estimates as detailed in the report.
- 3 Set the minimum safe contingency level for 2015/16 at £1.214 million.
- 4 Adopt the attached Reserves Strategy.
- 5 Agree that no transfers to or from the Working Balance should be built into the 2015/16 budget.

### **Temporary Accommodation**

RESOLVED that Council approves the transfer of the eight designated temporary accommodation units from the HRA to the General Fund at the estimated market value cost of £1,047,000.

### **Medium Term Financial Strategy**

RESOLVED to approve the Medium Term Financial Strategy

### **Treasury Management Strategy**

RESOLVED to approve the following items:

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

### **Capital Programme**

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

### **Housing Revenue Account Budget**

RESOLVED to approve, the HRA Revenue Budget and 5 Year Financial Strategy.

### **General Fund Budget and Council Tax**

RESOLVED to approve:

- 1 The General Fund Budget and Council Tax requirement of £4,653,312 summarised in paragraph 24 and detailed in Appendices A to C.
- 2 The amended criteria with regard to Members Allowances (New Homes Bonus) paragraph 30.
- 3 The schedule of Fees and Charges at Appendix E
- 4 The Council Tax Resolution as set out in Appendix F

**For the motion:** Councillors Artus, Asker, G Barker, S Barker, Chambers, Cheetham, Davies, Eastham, Eden, Felton, Hicks, Howell, Jones, A Ketteridge, J Ketteridge, Knight, Lemon, Menell, Oliver, Perry, Ranger, Redfern, Rolfe, Rose, Sadler, Salmon, Walters, Watson.

**Against the motion:** Councillors Cant, Dean, Foley, Loughlin, Mackman

C62

### **LATE CLAIMS FOR MEMBERS' EXPENSES**

The council considered a proposal to delegate the approval of late claims for Member expenses. The Constitution and Financial Regulations required all late claims to be submitted within one month of the end of the month within which the expense has occurred. However, there were currently some claims outstanding and officers had no authority to approve these. It was suggested that delegated

authority be sought until May 2015 for these claims to be dealt with, but it was stressed that no further late claims would be approved beyond this period.

RESOLVED that authority to approve Councillors' claims for expenses for approved duties made outside the stipulated period set out in Part 6 of the Member Handbook be delegated to the Chief Executive and/or the Director of Finance and Corporate Services, and that this authority shall extend to all claims made in the 12 month period up to the local elections on 7 May 2105, and shall end thereafter.

The meeting ended at 9.45pm.