



Uttlesford District Council

Chief Executive: John Mitchell

Council

Date: Thursday, 17 December 2015
Time: 19:30
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: All Members of the Council

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 two working days' prior notice.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest.**
To receive apologies and declarations of interest

- 2.1 Minutes of the meeting on 13 October 2015** 5 - 14
To receive the Minutes of the meeting on 13 October 2015

- 2.2 Minutes of the Extraordinary meeting on 24 November 2015** 15 - 18
To receive the Minutes of the Extraordinary meeting on 24 November 2015

- 3 Matters Arising**
To consider matters arising from the minutes

- | | | |
|-----------|---|---------|
| 4 | Review of the Members' Allowances Scheme
To receive the report of the Independent Remuneration Panel on the members' allowances scheme for 2016/17 | 19 - 26 |
| 5 | Chairman's announcements
To receive any announcements from the Chairman | |
| 6 | Reports from the Leader and members of the Executive
To receive a report from Councillor Howell, executive member for Finance and Administration | 27 - 30 |
| 7 | Members' questions to the Leader, members of the Executive and chairmen of committees (up to 15 Minutes)
To receive members questions | |
| 8 | Matters referred from the Executive (standing item)
To consider the 2016-17 Local Council Tax Support Scheme | 31 - 42 |
| 9 | Matters received about joint arrangements and external organisations
Matters concerning joint arrangements and external organisations | |
| 10 | Matters received from committees and working groups (standing item)
To receive any items referred from committees and working groups | |
| 11 | Update on Local Strategic Partnership (standing item)
To receive a presentation from Revd. David Tomlinson and Alan Hawkes on the work of the Children and Families group | |
| 12 | Notice of Motion
To consider a motion on the Kier appeal decision costs submitted by Councillor Lodge | 43 - 44 |
| 13 | Notice of Motion
To consider a motion concerning the local Police service submitted by Councillors Sell and Dean | 45 - 46 |

- 14 Any other items which the Chairman considers to be urgent**
To consider any urgent items

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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COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 13 OCTOBER 2015 at 7.30pm

Present: Councillor S Harris – Chairman
Councillors A Anjum, K Artus, H Asker, G Barker, S Barker, R Chambers, P Davies, P Fairhurst, T Farthing, M Felton, R Freeman, R Gleeson, T Goddard, N Hargreaves, E Hicks, S Howell, D Jones, T Knight, M Lemon, B Light, J Loughlin, A Mills, S Morris, E Parr, J Parry, V Ranger, J Redfern, H Rolfe, H Ryles and L Wells.

Officers in attendance: J Mitchell (Chief Executive), R Dobson (Principal Democratic and Electoral Services Officer), M Perry (Assistant Chief Executive – Legal), A Taylor (Assistant Director Planning and Building Control) and A Webb (Director of Finance and Corporate Services).

C36 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors A Dean, M Foley, J Gordon, J Lodge, E Oliver and G Sell.

C37 PRESENTATION ON LOCAL PLAN

Members received a presentation on the Local Plan. The Assistant Director Planning and Building Control said the presentation would make clear the process, which would enable meaningful engagement for members with their respective parish and town councils, and with ward constituents. The focus was on strategic issues at present, and sites were subject interim assessment at this stage.

The Assistant Director Planning and Building Control asked that members publicise the forthcoming consultation.

C38 MINUTES OF PREVIOUS MEETINGS

The minutes of the meetings held on 28 July and 16 September 2015 were received and signed as a correct record.

C39 MATTERS ARISING

(i) Minute C21 Petition regarding Reeve Road, Stansted Mountfitchet

Councillor S Barker said she had attended a meeting with some of the interested parties, to consider a compromise agreement whereby some of the play equipment should be reinstated. Some of the parties had elected

not to take part in those discussions. Discussions were continuing with officers.

C40 CHAIRMAN'S ANNOUNCEMENTS

The Chairman invited Councillor Artus to speak.

Councillor Artus said he had emailed all members regarding development of sports facilities at Carver Barracks. During his year as Chairman, he and Councillor Knight had championed a sports field at the Barracks to provide more opportunities for community use. Planning permission was however necessary, and with the enthusiastic support of the Lead Member for Sport, members had been asked to donate £100 each from their New Homes Bonus Ward allocation. Goodwill had been unanimous, and the Leader had offered to cover the full cost of the initial stage. This was a success story across party lines, and he thanked all members. In his capacity as last year's Chairman, he had today handed over two cheques raised for his chosen charities, to the British Heart Foundation and to Help for Heroes. He thanked all those who had supported these causes.

C41 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

Councillor Rolfe said there were implications for the Council from the Chancellor's announcement regarding the retention by local councils of business rates income. He said the Council collected £41 million of business rates, and received a business rates support grant of £1.6 million. The Council would not be able to retain the full £41 million, but more details would be available in the Autumn statement on 25 November. In summary, this provision would enable the Council to work closely with businesses in the district, but would not necessarily mean the Council was better off.

The Council's income currently came from four sources: council tax, business rates, the new homes bonus and the use of its assets. The use of assets was an area which was being looked into more closely and a report would be brought to Council on that subject.

Councillor Rolfe said he had spoken to the housing minister regarding the implications of the Housing Bill, as this too had implications for Uttlesford regarding the duty to sell council housing stock, the right to buy and council rents reduction. He had received the clear impression that the government would proceed with the sale of housing association homes. The implication for the Council would be a reduction in its Housing Revenue Account, so funding for new council housing would be reduced. The provisions would affect this district disproportionately to other areas because of the high-value homes. However it was hoped that the discussions with the Housing Minister, Brandon Lewis MP, would mitigate the situation.

Councillor Rolfe congratulated officers on their handling of the recent encampment for six days of gypsies at Swan Meadow car park. This event highlighted the fact that there was no transition facility in Essex for gypsies.

Councillor Rolfe said he was saddened that the Chairman's quiz night had had to be cancelled due to insufficient take-up. He urged members to support a second event, a music evening, which was to take place at the weekend.

Finally, Councillor Rolfe urged members to attend the next members' briefing sessions.

Councillor Howell said he was pleased to submit a finance report, which had been circulated to all members before the meeting. Uttlesford had for the seventh consecutive year achieved an unqualified audit opinion for the 2014/15 accounts; an area identified for attention by the external auditors was the reliance placed by the Council on funding from the new homes bonus, but about which the auditors had been satisfied; the report referred also to the Autumn Statement to be announced on 25 November which was anticipated to be challenging for local authorities; and it referred to the announcement that authorities would keep 100% of business rate income by 2020.

Councillor Howell said he would work closely with officers to keep members informed of the implications from forthcoming announcements.

Councillor Redfern reported on the newly formed Refugees Working Group which despite very little information being available to date, had held a constructive meeting on 25 September. A database for offers of help had been set up, and a request for properties which might be available would be raised at the Landlords' Forum.

Councillor Redfern said the Housing Board would report to members on implications of the Housing Bill, once more detail was available. The second phase of the development at Mead Court was now under way, and it was hoped it would be completed next year. Finally, the housing conference was due to take place tomorrow. All members had been invited and it was important that as many as possible should attend.

C42 MEMBERS' QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND CHAIRMEN OF COMMITTEES

Councillor Knight said with regard to the housing conference it was not easy for members to attend events taking place in the day, as many members worked.

Councillor Redfern said she appreciated this point, although such events involved not only members of the council but also representatives from housing associations and other organisations. The housing conference would also be broadcast.

Councillor Loughlin referred to the changes in housing. She asked for assurance that the most vulnerable tenants would be protected.

Councillor Redfern said it was her aim to do so, and that if someone was already

in accommodation and did not wish to exercise a right to buy, they would be protected.

Councillor Loughlin said the number of new houses would be fewer, which would affect the most vulnerable people in the community. She would like to ensure that anyone in this district would have a home if they needed it.

Councillor Redfern said all members on the Housing Board felt passionately the need to do all they could to look after the most vulnerable people in the community. She assured Councillor Loughlin she would continue to do so and said there were some positives which could be explored.

Councillor Rolfe said there were concerns regarding possible unforeseen consequences of the policy, and he would be asking the Assistant Director Housing and Environmental Services to bring a report to members. He trusted the Minister would be receptive to the concerns which he would raise.

Councillor Asker asked a question regarding the absence of any information on the Council's website about travellers, and what to do or who to contact if travellers arrived on a site near residents.

Councillor Rolfe said communication with the public was updated on the website, and via social media.

C43

MATTERS RECEIVED FROM COMMITTEES AND WORKING GROUPS – HONORARY ALDERMEN

Members considered a report recommending the adoption of an additional article in the constitution for the appointment of honorary aldermen.

Councillor Ranger proposed the motion, which had been proposed and seconded at the meeting on 28 July and deferred to the next meeting for adoption.

Councillor Jones said the current proposal only allowed nominations once every four years. It would be preferable to permit them to be made at any appropriate time for reasons such as onset of a terminal illness.

Councillor Redfern proposed an amendment to proposed article 18.1.2, that any person nominated for such title should normally have served for 20 years as a member of the Council, to amend this to "at least 30 years" with provision for exceptions in extraordinary circumstances.

Councillor S Barker supported this amendment.

Councillor Knight said 30 years was too long a time, and there were some people who had given exceptional service in less time than 20 years. She seconded the amendment proposed by Councillor Jones. This was an honour and would not be awarded lightly, and she would support an annual submission of nominations.

Councillor Chambers seconded Councillor Redfern's amendment.

Councillor Loughlin questioned who determined whether service was “exceptional”. To reduce the length of service from 20 years detracted from the awards already given.

Councillor Light spoke in support of Councillor Knight’s suggestion.

Councillor Rolfe supported Councillor Redfern’s amendment, as he said to be awarded the title of Honorary Alderman was very special. To serve 20 years however was quite a common occurrence.

Councillor Goddard said as the term of office was four years, this did not fit with the term of 30 years which had been proposed.

The Assistant Chief Executive Legal said the substantive motion had been proposed and seconded at the last meeting. There was an amendment to the wording of proposed article 18.1.2 to substitute “30” for “20” years, which had been proposed by Councillor Redfern and seconded by Councillor Chambers, on which a vote would be taken.

The amendment was defeated by 21 against, 8 in favour.

A second amendment had been proposed by Councillor Jones and seconded by Councillor Knight. This would be to remove from proposed article 18.1.3 the words “following an ordinary election of councillors”.

Councillor Rolfe said this wording would change the motion substantially.

Councillor S Barker proposed adding the words “or in exceptional circumstances before any annual meeting of the Council.”

Councillor Howell seconded this amendment, which was voted on and approved unanimously. This amendment now having become the substantive motion, the motion was voted upon and approved unanimously.

RESOLVED to adopt as an additional article to the Constitution the following:

18.1.1 The Council may confer the title of Honorary Alderman or Honorary Alderwoman upon persons who have, in the opinion of the Council, rendered eminent services to the Council as past members of that Council, but who are not then members of the Council.

18.1.2 Any person nominated for such title shall normally have served for 20 years as a member of the Council.

18.1.3 Nominations for the title may be made in writing by any existing Member of the Council and shall be made before the annual meeting of the Council following an ordinary election of councillors or in exceptional circumstances before any annual meeting of the Council.

18.1.4 Any nominations received shall be referred to the Chairman of the Council who shall consult with the group leaders and the Chief Executive before deciding whether to put the nomination to Full Council.

18.1.5 In the event that the nominations do go forward to Full Council a majority of 2/3rds of the members voting thereon is required before the title of Honorary Alderman or Honorary Alderwoman can be conferred.

18.1.6 A certificate shall be presented to each Honorary Alderman or Honorary Alderwoman acknowledging their appointment with an appropriate citation.

18.1.7 Honorary Aldermen or Honorary Alderwomen may attend and take part in such civic ceremonies as the council may from time to time decide.

18.1.8 Honorary Aldermen or Honorary Alderwomen shall not be entitled to be addressed as Alderman or Alderwoman and may not take part in any civic ceremonies in that capacity at any time while they are serving as a member of the Council

C44 LOCAL STRATEGIC PARTNERSHIP

The Chief Executive said the Local Strategic Partnership was a statutory function of the Council, and an update on its activity would from now on be a new standing item for the Council agenda. This first report would be on the Community Safety Partnership.

The Chief Executive explained the remit of the Community Safety Partnership, the lead member for which was Councillor Gordon. The chairmanship of the CSP rotated annually, last year having been fulfilled by the Fire Service, and next year to be taken by the Police. The CSP met quarterly. It addressed causes as well as symptoms of criminal behaviour, so had a preventive role. Its aim was to reduce crime and disorder, and to address the consequent effects on health.

The CSP achieved a great deal on a small resource. Its activities included Motorwise, Crucial Crew, Reality Roadshow, Community Speedwatch, CCTV, the Quality Taxi Partnership, the Prevent agenda, Safer Living initiatives, the Community hub and Keepsafe. The CSP was about to undertake a homicide review, and had appointed consultants to do this. There were some major issues ahead, including organised crime, gangs and drugs coming into this district from London. There were issues with cuts to Police funding, and the Police would continue to look to the CSP to help. In conclusion, the Chief Executive said members were welcome to attend the meetings of this group.

C45 LOCAL PLAN CONSULTATION

Councillor S Barker presented a report seeking the agreement of Council to undertake the first of three public consultations on the emerging Local Plan. She thanked officers for the enormous amount of work they had done, particularly the

Assistant Director Planning and Building Control, the Planning Policy Team Leader and the Senior Planning Policy Officer. She asked that all members fully read the plan and consultation, and took the information about consultation dates back to their communities. She proposed the motion that the Local Plan Consultation Document and Sustainability Appraisal be agreed for public consultation for a six week period commencing Thursday 22 October and closing on Friday 4 December 2015.

Councillor Light said there were a number of issues she wished to raise. First the language in the consultation document was “planners’ language”, and not easily accessible to non-planners. Many of the questions were leading, and the document was too long and complex. Residents for Uttlesford would like to review the document.

Councillor S Barker said the language reflected the need to be clear and people who were interested would attend the consultation events.

Councillor Knight said she agreed with Councillor Light and disagreed with Councillor S Barker. Many of her constituents were interested in planning but did not understand “Council speak”. If the Council wanted a response, plain English would encourage a better response.

Councillor Ranger said it was important to bear in mind that ultimately the Council’s consultation processes would be looked at by the Inspector, and it would be counterproductive to go forward with too simple a consultation process.

Councillor Morris asked what percentage response was usually obtained.

The Assistant Director Planning and Building Control said the level was difficult to predict, but the last few consultations had resulted in very good response levels. The Planning Advisory Services had looked at the consultation questions, and had made no changes as they felt the consultation followed best practice.

Councillor Rolfe said suggestions on changes to wording which might mitigate any confusion could be submitted to officers. However the questionnaire had been considered by the three leaders and by the Planning Policy Working Group, so had been subjected already to scrutiny.

Councillor Rolfe seconded the proposal, which was carried by 22 votes to 8.

RESOLVED that the Local Plan Consultation Document and Sustainability Appraisal be agreed for public consultation for a six week period commencing Thursday 22 October and closing on Friday 4 December 2015.

Councillor Rolfe said the intention was to make this a cross-party process, and in view of the involvement of the groups it was extraordinary to oppose the consultation.

GREATER ESSEX DEVOLUTION

Councillor Rolfe presented a report on the discussions about devolution which had been taking place between the County Council and the various Unitaries, Districts, Boroughs and City Councils that comprised Greater Essex.

A decision was not yet required, and members would be kept informed. The proposals aimed to increase productivity and to take better local control of activities which had until now been carried out by central government. Councillor Rolfe invited questions.

Councillor Parry asked about the mandate of the Leader to pursue such discussions. She expressed concern that the Council should be kept involved and asked for an explanation from the Assistant Chief Executive Legal about the mandate of the Leader to pursue such discussions.

The Assistant Chief Executive Legal said the Leader and the Chief Executive were entitled to enter discussions, and any decision on devolution was reserved to Full Council.

Councillor Redfern reminded members that a workshop on devolution had taken place which was open to all members.

Councillor R Freeman said it was important not to present members with a *fait accompli*.

Councillor Chambers said no decisions had been made and this report was for noting only at this stage.

Councillor Hargreaves said it was disappointing that the report included reference to many positive potential gains but gave what seemed to be unrealistic growth projection of 8%. It was important to look at facts rather than to make assumptions and he requested future reports include factual examples.

Councillor S Barker said she would circulate slides from a presentation she had recently attended given by East of England Local Government Association, which stated more detailed information.

Councillor Rolfe said it was leaders to convince their own councils, and further details would be made available in due course.

Members noted the report on the aims and objectives of devolution and noted the expression of interest registered by all 15 of the Greater Essex Councils in working with the Government to develop a devolution deal, any decision on which would be for Full Council to consider.

APPOINTMENT TO INDEPENDENT REMUNERATION PANEL

Members considered a report on the appointment of a new member of the Independent Remuneration Panel, Mr David Brunwin and a request for approval

of a payment of £250 to a “shadow” member of the Panel, who would take on the full role in April 2016.

Councillor Jones said he did not see the necessity for appointing a candidate before the time when that vacancy arose.

Councillor Rolfe said the role of the Panel was important. Recruitment of both people enabled the shadow member to get up to speed before taking up the full post.

Councillor Rolfe proposed the motion, which was seconded by Councillor Redfern.

The motion was passed by 28 votes to 2.

RESOLVED to note the appointment to the Independent Remuneration Panel and to approve the payment of £250 to the shadow member.

C48

ANY OTHER URGENT ITEMS

Councillor Harris said there would be an extraordinary meeting of the Council on 24 November in order to receive a recommendation for the appointment of the Chief Executive.

Councillor Light said she wished to clarify the intention of the voting on the item relating to the Local Plan. She said her Group was in favour of consultation, and had not voted against consultation itself, but viewed the document as in need of improvement.

The Chairman said the vote was on the resolution, and if this was not the intention of those voting, it was their error.

The meeting ended at 9.15pm.

**EXTRAORDINARY COUNCIL MEETING held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN on 24 NOVEMBER 2015 at 7.30pm**

Present: Councillor S Harris – Chairman
Councillors A Anjum, K Artus, H Asker, S Barker, R Chambers,
J Davey, P Davies, A Dean, P Fairhurst, T Farthing, M Felton, M
Foley, J Freeman, R Freeman, R Gleeson, J Gordon, N
Hargreaves, E Hicks, S Howell, D Jones, T Knight, M Lemon, B
Light, J Lodge, J Loughlin, A Mills, S Morris, E Oliver, J Parry, V
Ranger, J Redfern, H Rolfe, H Ryles, G Sell and L Wells.

Officers in attendance: J Mitchell (Chief Executive), M Perry (Assistant Chief
Executive – Legal), and P Snow (Democratic and Electoral
Services Manager)

Also present: C Rockall – retained as a consultant in the recruitment process

C49 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors G Barker, Goddard and
Parr.

C50 APPOINTMENT OF CHIEF EXECUTIVE AND INTERIM ARRANGMENTS

The Chairman invited the Leader to explain the process leading to the
recommendation to appoint a new Chief Executive.

Councillor Rolfe described the process followed by the cross-party Chief
Executive Appointments Task Group in recruiting to this position. Using the
consultancy services of SOLACE, an external advertising exercise had resulted
in 25 applications being received for the position.

He wished to thank Colin Rockall for acting as mentor and advisor to the task
group. Mr Rockall had extensive experience of recruiting to senior positions and
had been instrumental in liaising with SOLACE throughout.

The 25 applications had been narrowed to twelve then to six. Two candidates
had withdrawn but the remaining four candidates had been subjected to rigorous
testing.

The task group agreed unanimously to recommend that Dawn French should be
appointed to the position of Chief Executive. Dawn French was presently
Commissioning Director (Corporate Support) with Basildon District Council
having worked previously at Chelmsford and Colchester. She had extensive
leadership experience in local government and a successful track record in
delivering large, complex projects resulting in service improvements and some
significant savings.

She had been involved in preparing a new corporate plan focussed on outcomes
so that resources followed identified priorities. She had led the difficult process

to achieve compliance with the enforcement actions at Dales Farm. She had also been involved in projects in China and India. The task group had been impressed by the range and depth of her experience and believed she was the right candidate to take the Council forward.

The Leader recommended the following interim arrangements following John Mitchell's departure:

- Roger Harborough would become the Director of Public Services and interim Head of Paid Service
- Adrian Webb would continue as the Director of Finance and Corporate Services and Section 151 officer
- Michael Perry would become the interim Returning Officer and Electoral Registration Officer

The Leader proposed the motion to appoint Dawn French as Chief Executive, Returning Officer and Electoral Registration Officer from a date to be agreed at a starting salary of £105,000 p.a. He further proposed the adoption of the interim arrangements outlined above. The motion was seconded by Councillor Chambers.

Councillor Lodge said that he had little to add to the Leader's comments and recommendation. The process had been comprehensive and had worked well. He had been impressed by SOLACE's involvement and pleased to report there had been no division on political grounds. He supported the motion.

Councillor Dean endorsed everything that had been said. The process followed had been thorough and robust. Several of the applicants could have been appointed but the right candidate had been chosen.

Councillor Asker asked whether a trial period of employment would apply in this case. The Chief Executive confirmed the normal terms and conditions would apply involving a six month probationary period. The appointment was subject to the Council's pay policy. Membership of the Essex Local Government Pension Scheme applied and would be transferred in the normal way.

The chairman called for a single vote on all three aspects of the motion. Upon being put to the vote the motion was carried by 35 votes with none against.

The Leader said the vote was a great endorsement of Dawn French who was keen to meet with members and officers.

He then referred to the impending departure of John Mitchell on 11 December 2015. John had been in local government for 37 years and at Uttlesford for the past 14 years. He was first appointed as Head of Planning and Building Services before becoming Chief Executive in 2008.

He had taken office at a time of great challenge and had faced significant changes and pressures, including some enforced redundancies. He had steadied the ship and maintained a good spirit and working atmosphere throughout his time as Chief Executive. He had inherited a busy agenda

including the difficult task of steering the local plan process and dealing with a number of potential partnership arrangements. There had been some significant achievements during his time in office. Above all, Mr Mitchell had left the legacy of a robust financial base.

He wished to give John Mitchell his personal thanks for the wise and impartial counsel he had provided always accompanied by a firm hand on the tiller. He would be much missed and he wished John a happy, lengthy and enjoyable retirement.

In replying to these remarks, John Mitchell said it was logical that this should be his last Council meeting as a new Chief Executive had now been appointed. He had not missed a single Council meeting during his time in office and would never miss going to another one. He was pleased to be able to leave at a time of his own choosing.

He was leaving the Council in better shape than when he had taken over. At that time Uttlesford faced an uncertain future, being named in Parliament as one of the three most at risk councils in the country. The Council had recovered by maintaining sound and disciplined financial management and could face the challenges to come from a strong and confident position.

He wished to thank his colleagues Michael Perry, Roger Harborough and Adrian Webb for their strong support as well as Sue Kempster for carrying out the role of personal assistant so supremely well during the whole of his term of office. Adrian Webb especially had been a tower of strength and had worked tirelessly in the Council's interest. He thanked Colin Rockall for the expertise and support provided during his early years as Chief Executive. He was pleased that Colin had been involved in the recruitment process. Finally, he thanked Peter Snow and the democratic services team for the way they had supported his role as Returning Officer during several demanding elections, especially the combined polls in 2015.

In conclusion John Mitchell wished all members and officers well and said he had enjoyed his time at Uttlesford more than anywhere else he had worked. Uttlesford was a brilliant Council and he urged those he was leaving behind to take care not to break it.

The Chairman then presented John Mitchell with an arrangement of flowers she had made herself. She said the main presentation would be made on a later occasion.

RESOLVED to appoint Dawn French as Chief Executive, Returning Officer and Electoral Registration Officer on a date to be agreed, at a starting salary of £105,000, and to agree the interim arrangements to manage the Council set out in the bullet points above.

The meeting ended at 8.00pm.

Committee: Full Council

Agenda Item

Date: 17 December 2015

4

Title: Report of the Independent Remuneration Panel for 2016/17

Author: Janet Pearson (Chairman), Jackie Anslow and David Brunwin, assisted by Peter Snow and Rebecca Dobson; Stephanie Grace participated in the review as a shadow panel member and will replace Jackie Anslow from April 2016

Item for decision

Summary

1. In making or amending any scheme of allowances, the Council is obliged to have regard to the recommendations of an independent remuneration panel but is not bound by them.
2. The independent remuneration panel has considered various amendments to the scheme of allowances, which are recommended below.

Recommendations

3. The Independent Remuneration Panel recommends the following amendments to the scheme of members' allowances:

Type of allowance	Existing scheme £	Recommended scheme £
Basic allowance	5,000	5,050 (increase of 1%)
Special Responsibility Allowances		As Special Responsibility Allowances are expressed as a multiplier of the Basic Allowance, the recommendation is that all would be adjusted to reflect the proposed 1% increase in the Basic Allowance. The phrase "no change" used in this table below signifies there is no change to the multiplier, but that the 1% increase is to be applied.

Chairman	4,000 (80% of basic allowance) + civic expenses	4,040 (no change other than as a consequence of the proposed increased Basic Allowance) + civic expenses
Vice-Chairman	2,000 (40%)	2,020 (no change other than as a consequence of the proposed increased Basic Allowance)
Leader	12,250 (245%)	12,372.50 (no change)
Deputy Leader	6,500 (130%)	6,565 (no change)
Portfolio Holders	6,000 (120%)	6,060 (no change)
Overview/Scrutiny Committee Chairmen	3,500 (70%)	3,535 (no change)
Planning Committee Chairman	3,750 (75%)	3,787.50 (no change)
Planning Committee members	462 (6 days calculated at the daily rate with reference to the basic allowance)	466.62 (based on the rate originally calculated with reference to ASHE subject to an increase of 1%)
Licensing & Environmental Health Committee Chairman	3,750 (75%)	3,787.50 (no change)
Standards Committee Chairman	2,000 (40%)	2,020 (no change)
Area Forum Chairman	1,000 (20%)	0 (payments to be phased out following abolition of the Area Forums in May 2015 – in practice payments ceased at that time)
Main opposition group leader	1,250 (25%)	3,535 (70% of basic allowance)
Other opposition group leader(s)	750 (15%)	2,020 (40%)
Independent members of Standards Committee	500	505 (no change)
Panel members of Independent Remuneration Panel	500	505 (no change)
Approved duties	As set out in Schedule 3 Part 6 of the Constitution	To include in paragraph 2 of the list of Approved Duties reference to Portfolio Lead Members
All other elements of the scheme to remain unchanged. Only one Special Responsibility Allowance may be claimed.		

Financial Implications

4. The total cost of the members’ allowances scheme in 2014/15 was £302,756; in 2015/16 it was £261,908; and subject to approval, based on the proposals in this report it would be £268,073 for 2016/17. In relation to the year 2015/16 a saving of £25,000 was made, as against the previous year. This saving was due to the reduction in the number of members from 44 to 39, resulting in five fewer payments of the basic allowance of £5000. In the context of this recent significant overall reduction in the cost of the scheme, the Panel is of the view that there continues to be scope to recommend increases to some elements of the scheme, as set out below.

Background Papers

5. None.

Impact

6.

Communication/Consultation	All members were invited to respond to a survey on the members’ allowances scheme and the Panel consulted the leaders of the three political groups.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

7. Since the Panel reported a year ago, there have been a number of significant events and changes for the council: the national and local elections took place, the reduction in the size of the Council has been in operation for more than six months, the Cabinet has reduced in size to five members; eleven members have been appointed as Portfolio Leads; electronic access to

agendas and all other committee information has been introduced. In the context of these changes the Panel has taken the opportunity to look at what aspects of the scheme of members' allowances should be recommended to change. The Panel's recommendations are set out in the above table and its approach is described below. In summary, the Panel is recommending:

- an increase to the basic allowance, which affects all members;
- an increase to opposition group leaders' allowances;
- no changes to any other allowances (except for the impact of the proposed change in basic allowance);
- and a small extension to an aspect of the rules for approved duties, to enable Portfolio Leads to claim necessary expenses in the performance of their duties.

8. The **basic allowance** at Uttlesford has not changed since 2011/12. The Panel recommend an increase of 1% to bring it up from £5,000 to £5,050 to reflect an increase of rates in other indices. The allowance has in the past been calculated with reference to the Annual Survey of Hours and Earnings (ASHE), and the Panel continue to prefer this source of information, as it is specific to this district and reflects local pay rates. The more commonly used index to which authorities link changes in the basic allowance, is the local government staff pay award (LGPA). Whilst the Panel continues to see the ASHE rate as a more accurate indicator of local pay rates for this district than either the LGPA or comparative data, it does not propose to link the basic allowance to ASHE. The reason for this approach is that ASHE is sensitive to local economic factors and therefore fluctuates very often, resulting in revised data becoming available every six months. This makes it impractical to link increases in ASHE to the basic allowance. Whilst the Panel wish to continue to have regard to ASHE, and will keep under review the most appropriate index to use, the Panel also note that many authorities choose instead to link changes in their member allowances to the local government staff pay award. The LGPA, which came into effect from 1 April 2014 to 31 March 2016, represents an increase in staff pay of 2.2%. As there has been no increase in the basic allowance for four years, and taking into account the two year term of the LGPS settlement, the Panel decided to recommend an increase of 1% in the basic allowance. This corresponds to the cap on public sector pay and therefore seems an appropriate measure for change.
9. The decision to increase the basic allowance by 1% has repercussions for the other allowances paid, as the majority are expressed as multipliers of the basic allowance. The above table sets out the revised amounts of the **special responsibility allowances** based on this increase.
10. The Panel recommends a change to only one category of special responsibility allowances, the allowances payable to **leaders of the opposition groups**. These allowances were identified in the Panel's report last year as requiring review. Comparative data shows that allowances paid to opposition group leaders at other authorities are in all cases substantially

higher than at Uttlesford. Whilst responses from group leaders to survey questions about their role were taken into account, the Panel was guided primarily in making its recommendation by the information showing that group leader allowances at Uttlesford lagged significantly below those payable at other authorities. The Panel recommend an increase for the main opposition group leader from 25% to 70%, and for the leader of any other opposition group an increase from 15% to 40%. The Panel consider this is a reasonable approach given that these particular allowances were significantly lower than those payable at other authorities, and that its recommendations would bring the allowances up to a comparable level with such authorities. Further, the Panel noted that there is no such role as “group leader” acknowledged in the constitution, but that Uttlesford as a council recognises the role played by the political groups and the need to enable opposition groups to organise themselves to oppose the administration. These factors are noted also in the guidance on making a scheme of allowances. Group leaders do have significant responsibilities and invest a great deal of time in ensuring their groups play a full part in enabling the Council to function. The Panel considers the roles of main and other opposition group leaders are equivalent in time investment and responsibility to, respectively, the chairman of an overview or scrutiny committee, and to the chairman of standards, and are recommending setting allowances accordingly.

11. The Panel examined whether a new allowance should be proposed in order to recognise the work of **Portfolio Lead Members**. This option had been referred to the Panel by the Leader for consideration. The Panel took account of responses to the member survey where comments were made about the Portfolio Lead role (whether or not from a member occupying that role), and from consultation during interviews with the group leaders. The Panel aimed to understand how these roles were defined, how they were working in practice, and how they were intended to develop. The Panel decided not to recommend introducing a new allowance for the position of Portfolio Lead Members. The reason for this decision was primarily because the Panel considered the role still to be evolving, with, as yet, no clear set of responsibilities or evidence of any outcomes from the work being undertaken. The Panel also considered it would be undesirable to pay special responsibility allowances to almost the entire administration group. The issue of allowances for portfolio lead members would therefore be the subject of further consideration in a future review. Nevertheless, given that duties are being undertaken by Portfolio Leads, performance of which may entail travelling or subsistence costs, the Panel recommends including reference to Portfolio Leads at paragraph 2 of the list of Approved Duties for which expenses may be claimed. The reason for this recommendation is that under the current allowance scheme, Portfolio Leads are not able to claim travelling expenses for most activities associated with this role, such as attending meetings or other events necessary for the performance of their duties. The Panel supported an amendment to enable Portfolio Leads to claim expenses associated with their role.
12. The Panel considered the role of the **leader, deputy leader and executive members** following the reduction in size of the Cabinet from seven to five

members. However the Panel decided that an increase in the special responsibility allowance for these roles could not be justified given the fact that the collective decision making culture of the executive has remained unaltered since the last review.

13. The Panel reviewed the potential need to recognise the extra responsibility involved in attending hearings as a **panel member of the Licensing and Environmental Health Committee**. The suggestion to do so was made in a member's response to the survey. The Panel's initial view was that it would be difficult to devise a payment formula that would be fair and equitable to all members of the Committee, but considered this area would justify further examination. The Panel agreed to review this question with the benefit of further evidence next year.
14. The Panel felt it was appropriate to continue making a payment in recognition of the extra time and responsibility involved in **Planning Committee** membership, but that it was not necessary to change the formula.
15. The sources of evidence the Panel relied upon included the member survey, to which there were disappointingly only 12 responses. Comments on certain aspects of the scheme were made, and although these comments did not result in a recommendation for any change, the Panel's reasons for not making recommendations in response to those comments are set out below.
16. Responses included reference to the introduction of electronic access to committee information via iPads in place of paper documents which was reported to have caused some members additional costs in printing papers. The panel do not consider there to be any justification for an increase in the basic allowance in respect of the move to electronic document access. The Panel's reasons for this approach are: the basic allowance is meant to cover the costs of printing and stationery; all members have been given iPads and have been given training on how to use them, and further IT support is available on request; a protocol has been implemented for the provision of some paper copy documents in certain circumstances.
17. Another comment received in the survey was that the reduction in the Council size has increased ward duties. The reduction in Council size was agreed by full council and members would have known in advance the size and extent of their ward. However, the Panel recognises the reduction in membership is likely to have had some impact on the representational workload of members and helps to justify a modest increase in basic allowance.
18. The Panel also considered a suggestion in the survey to change the expenses system to include all such costs within member allowances, to reduce administration for both councillors and officers. The Panel received information from officers that the time involved in checking, authorising and administering payments of expenses is not extensive or onerous. However, officers were aware that there is a range of practice as to whether members submit claims or not. The Panel note that the scheme exists to enable

members to submit claims quite properly. Whilst there are rules, members may be assured that guidance will always be available if needed. Officers will advise any member who wishes to find out more about how to submit claims within the rules of the scheme. Expenses must necessarily be disassociated from basic allowance because they reflect costs directly incurred in the performance of approved duties as opposed to the basic allowance which recognises the average assessed time commitment of all councillors.

Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions
That member allowances do not continue to be set at a realistic level reflecting duties undertaken and may jeopardise recruitment of elected members.	2 – allowances paid to elected members do not reflect the time commitment and level of responsibility demanded	3 – the Council may be less well governed if allowances are not set at a realistic level and future recruitment of members may be affected	Adoption of a suitable level of allowances taking account relevant levels of responsibility

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.

Full Council – 17 December 2015

Finance Portfolio - Update

This update concentrates solely on the Finance area of my portfolio and in particular on the announcements made on 25 November in the Autumn Statement. It gave some insight into the future direction of Government funding. However, as expected it did not contain the detail necessary to enable the Council to form a firm opinion on the funding available for the forthcoming four years.

The overall cut being applied to the Local Government Departmental Expenditure Limit (DEL) is 46% in cash terms (equivalent to 56% in real terms), but when business rates is added in at the retention target the cut is roughly equal to 21% cash or 31% real.

Once council tax is added in as well the Treasury is forecasting that local government spending will be higher in cash terms in 2019-20 than it is in the current financial year (albeit only by £0.2bn). This prediction is based on the assumption that council tax is increased by the maximum in every authority and there is 0.75% p.a. underlying growth.

The impact on district councils looks to be particularly severe and they are likely to be the main losers from the announcements made so far, unless there is some mitigation in coming settlements. Overall, there is a shift in funding from our tier of local government towards social care and upper tier authorities.

New Homes Bonus

There are proposals to reduce the funding for New Homes Bonus by £800m, which is a cut of about two-thirds. The current allocation of NHB is about £1.2bn. The Government is going to be consulting on reform, and we will get further detail in a consultation alongside the Settlement in December. As this council has had significant benefit from NHB over the last few years it is likely that we will be one of the hardest hit by the changes. We will of course respond to the consultation when it is published.

At the moment we are assuming that the cuts to NHB will start in 2017-18 though this is not certain. It is suggested that the savings arising from the reduction in NHB will be used to fund social care.

It is currently not clear how a reformed NHB might work. For instance, paragraph 1.242 of the announcement states that the Government is considering “reducing the length of payments from 6 years to 4 years”. Whilst this might imply a reduction of only one-third, it may be that the allocation for each new dwelling is reduced (or “sharpened”), thus enabling the Government to achieve the £800m reduction in the total amount.

According to commentary on the changes published by the Chartered Institute of Public Finance and Accountancy, *'The NHB change sees shire districts losing 39% over the period with fire losing 32% and others closely matched in the 25% to 28% range. The largest cut is 51% (Uttlesford in Essex).'*

What this looks like in terms of funding from 2015/16 to 2020/21 **could** be a freeze in 2016/17 and a two thirds reduction in current NHB from 2017/18:

£,000	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	714	714				
	534	534	534			
	794	794	794	794		
	835	835	835	835	835	
	721	721	721	721	721	721
		690	690	690	690	690
			622	622	622	622
				989	989	989
					1,295	1,295
						1,308
Current	3,598	4,288	4,196	4,651	5,152	5,625
Possible	3,598	3,598	1,199	1,199	1,199	1,199
Deficit	0	690	2,997	3,452	3,953	4,426

Business Rates

The proposal that councils can retain 100% business rates was previously announced and this was confirmed in the Autumn Statement and there will be a consultation next year. There was an indication of some of the services that could be transferred over to local government in return for 100% retention. The main one of these for Uttlesford is expected to be the potential for funding of Housing Benefit for pensioners to be transferred to the Council. On balance it seems reasonable to assume we will not be significantly better off under the new Business Rates retentionscheme.

Reserves

The possible proposals to tax reserves or force authorities to use their reserves have not materialised. Instead authorities are being “encouraged” to use their reserves to manage change.

Next steps

1. The local government finance settlement provisional announcement will be made around the 16th to 18th December and that will set out funding for 2016/17. This will also start the consultation on changes to NHB. It may also have more information around the consultation on Business Rates retention.
2. A member briefing will be held on the evening of 11 January 2016 which I would invite you all to attend.
3. The budget strategy for 2016/17 will be presented to Cabinet on 12 January 2016.

Committee: Council referred from Cabinet

Agenda Item

Date: 17 December 2015

8

Title: 2016/17 Local Council Tax Support Scheme

Portfolio Holder: Councillor Simon Howell

Key decision: **No**

Summary

1. There is a requirement to annually review the Local Council Tax Support (LCTS) Scheme, and propose changes to the scheme for the following financial year. The decisions made, even if no change is proposed, must then be consulted upon before a decision is taken at Full Council in December on the final scheme for the following financial year.
2. As can be seen from the table in paragraph 8 Uttlesford has the lowest percentage contribution requirement of any authority in Essex. This demonstrates the council has used its resources to support the scheme and it has been the council's policy to phase in increases in contribution over an extended period. Furthermore it has been the council's policy to make a full contribution to protected claimants.
3. In 2013/14 when the original scheme was introduced the contribution rate was set at 8.5% and this increased in 2014/15 to 12.5%. This rate was frozen in 2015/16.
4. Following a report to Cabinet in June 2015 a consultation was undertaken on the following basis
 - The 2016/17 LCTS scheme is set on the same basis as the 2015/16 scheme and therefore the contribution rate is frozen for the second consecutive year.
 - Provide discretionary subsidy for town & parish councils for 2016/17 in accordance with the principles set out in paragraph 29.
 - The 2016/17 Council Tax discounts are set at the same rate as the 2015/16 discounts as set out in paragraphs 30 – 33.
5. Details of the consultation can be found at paragraph 36. There was strong support for continuing the current scheme parameters as consulted upon for 2016/17.
6. In November 2015 Scrutiny Committee reviewed the consultation outcomes and noted the views of the public.

Recommendations

7. The Cabinet is requested to approve, for recommendation to Full Council, the Local Council Tax Support scheme as recommended in June and as set out in this report.

Financial Implications

8. Detailed in the report (paragraph 39).

Background Papers

9. None.

Impact

Communication/Consultation	Proposals were subject to public consultation and discussions with major preceptors
Community Safety	None.
Equalities	An equalities impact assessment will be completed.
Health and Safety	None.
Human Rights/Legal Implications	Compliance with relevant legislation.
Sustainability	The objective is to achieve a financially sustainable set of arrangements.
Ward-specific impacts	None.
Workforce/Workplace	Ongoing demands on the Revenues & Benefits, Housing and Customer Service teams

Local Council Tax Support (LCTS)

10. LCTS replaced Council Tax Benefit (CTB) from 1 April 2013. The Council has adopted a scheme for 2015/16 which has the following key elements:

- a) Pensioners on low income protected from adverse changes (as required by Government)
- b) Disabled people, carers and blind people on a low income receive discretionary protection from adverse changes
- c) Working age people previously on full CTB pay no more than 12.5% of the council tax bill
- d) £25 per week of earned wages income disregarded from assessment (to provide a work incentive)
- e) Child Benefit and Child Maintenance disregarded from assessment (to minimise exacerbation of child poverty, or accusations of same)

- f) Hardship Policy to enable additional support for genuine extreme hardship cases
- g) Discretionary subsidy from UDC budget to ensure cost neutrality for County, Police and Fire (because the cost of the 'generous' UDC scheme is greater than the Government funding provided)
- h) Funding of parish councils to ensure no effects on parish council tax Band D calculation (caused by LCTS discounts reducing the taxbase).

2015/16 Contribution Rates across Essex

11. The council has the lowest percentage liability cap within Essex as is shown below

	% Liability Cap 2013/14	% Liability Cap 2014/15	% Liability Cap 2015/16
Basildon	15	25	25
Braintree	20	20	20
Brentwood	20	20	20
Castle Point	30	30	30
Chelmsford	20	23	23
Colchester	20	20	20
Epping Forest	20	20	20
Harlow	24	24	24
Maldon	20	20	20
Rochford	20	20	20
Southend-on-Sea	25	25	25
Tendring	15	15	20
Thurrock	25	25	25
Uttlesford	8.5	12.5	12.5

Caseload

12. What the table below shows is the significant drop in the number of Working Age claimants (30% between 2012/13 and 2015/16). Whilst this is positive and welcomed it does mean any future changes to the scheme are directly impacting a much smaller group of people which means for them bigger changes than previously encountered. In addition, as the group is smaller the monies raised from increasing the contribution rate has also decreased.

	2012/13	2013/14	2014/15	2015/16

	Baseline Caseload	Caseload	Caseload	Caseload
Pensioner and Disabled Claimants	2,540	2,586	2,541	2,497
Working Age Claimants	1,321	1,132	957	920
Total	3,861	3,718	3,498	3,417

- The small drop in pensioner and disabled claimants may be a consequence of the change in retirement age from 65 to 67

Costs

13. Under the old CTB scheme the council was refunded the full cost. When LCTS commenced the government only gave councils 90% of the cost with the expectation that the cost of the lost 10% would be passed onto the taxpayer. The core funding of UDC's share has been paid through the Revenue Support Grant (RSG) which has been reducing for the last few years as it is being replaced by New Homes Bonus and Business Rates Retention. By 2020/21 the RSG will have gone completely and with it the direct funding from the old CTB scheme unless Central Government continue to fund pensioners.
14. The cost of the 2014/15 scheme for UDC was £59,000 and this increases to a forecast £120,000 for 2015/16. Whilst the LCTS scheme was frozen the reducing RSG led to the overall increase in cost.
15. With the RSG forecast to decrease by a further 20% in 2016/17 it will add an additional £89,000 to the cost of administering the current scheme, even after the reduced caseload is taken into account. This means the total cost for 2016/17 is forecast to be £209,000
16. This figure would be reduced if the contribution rate was increased for Working Age group claimants.

Increasing the Contribution Rate

17. If the cap is increased the scheme would generate more income. However as the Working Age group is reducing in size the amount of additional income per percentage point is also decreasing.
18. When the LCTS scheme for Uttlesford was established it was anticipated that collection from the taxpayers may be a challenge and therefore the expected collection rate was set at 75%. Collection has not proven to be a major issue with the current rate being in excess of 90%. For this report we have assumed a collection rate of 90%.
19. The table on the following page sets out the additional income achievable by increasing the liability cap from 12.5% and the additional money that would have to be paid by the claimant each year and each week.

	Income benefit to billing authority and major preceptors	Effect on claimant

Contribution Rate	Additional Council Tax Income £	Additional Income with 90% Collection Rate £	Average Additional Cost per claim per year £	Average Additional Cost per claim per week £
15.00%	21,225	19,103	23.07	0.44
17.50%	39,267	35,340	42.68	0.82
20.00%	56,857	51,171	61.80	1.19
22.50%	74,008	66,607	80.44	1.55
25.00%	90,730	81,657	98.62	1.90
27.50%	107,034	96,330	116.34	2.24
30.00%	122,930	110,637	133.62	2.57

20. What the table above demonstrates is that an increase of contribution rate to 15% would generate an additional council tax potential income of £21,225 of which £19,103 would be collected and shared between the preceptors. The impact on a Working Age claimant who receives the maximum amount of LCTS would be an additional 44p per week to pay adding up to £23.07 for a full year.

Income Sharing Agreement

21. An Essex wide income sharing agreement was entered into with all billing authorities and the major preceptors at the time of implementation of the new LCTS scheme. The main principles of the agreement are to ensure a joint approach to maximising income collection (please refer to points 31 and 32 of this report) and reduce fraud and ensure compliance. In monitoring and working proactively on fraud this ensures that our Taxbase is maintained at the maximum level generating extra revenue for both the major preceptors and billing authorities.

Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.

The increased income generated specifically from these activities and internal decisions by UDC each year is monitored and the preceptors have agreed to share their element of the extra income with the Local Authorities.

A further post is being funded through this agreement from 2015/16 for a period of three years to work directly on all areas of fraud and compliance within Council Tax. The income generated directly from this work will also be shared as per the agreement.

Funding for Town/Parish Councils

22. A key feature of the LCTS scheme is that the LCTS discounts reduce the taxbase, and therefore affect council tax calculations, including the headline Band D figure.

23. The Government intends that billing authorities distribute a share of their LCTS funding to town & parish councils to compensate for the reduction in their taxbase. This should avoid excessive increases in parish Band D figures. Whether and how this is done, is a discretionary matter for each authority.

24. For 2013/14 UDC decided that the most appropriate course of action was to distribute funds to town & parish councils in such a way as to ensure that they are neither advantaged or disadvantaged by the LCTS taxbase adjustments. The effect is that the parish Band D figure is not affected by these adjustments, and any increase or decrease in the Band D figure was solely because of changes in the town/parish council's budget.

25. An example of this principle is below.

2015/16		2016/17 without UDC funding	2016/17 with UDC funding	
Parish precept	£12,000	£12,000	Parish income requirement	£12,000 (no change)
			UDC funding	£14,000 (£2,000 increase)
			Parish precept	£9,000 (£11,000 (£2,000 increase))
Taxbase	400	300 (smaller figure due to LCTS discounts)	Taxbase	300
Parish Band D figure	£30.00	£40.00	Parish Band D figure	£30.00
		33% increase		£36.67
				No change
				22% increase

26. Calculations show that the total UDC funding required to achieve neutrality in each town/parish for 2015/16 was £171,000 and this is the figure that has been used for calculating the cost of the 2016/17 scheme.

27. Although an entirely discretionary payment, it is fairly clear that to discontinue some form of parish council subsidy would lead to large parish band D increases. It is not yet known whether there will be a council tax referendum limit for town and parish councils in 2016/17. If there is a referendum limit then discontinuation of the UDC subsidy would cause financial difficulties for some town & parish councils.

28. Payments made to individual town and parish councils in each of the last 3 financial years are as set out below

	Grant Paid (£)	Grant Paid (£)	Grant Paid (£)
	2013/14	2014/15	2015/16
Arkesden	99	86	114
Ashdon	771	588	635
Aythorpe Roding	119	75	64
Barnston	1,822	1,665	1,289
Berden	360	308	291
Birchanger	1,187	1,076	1,064
Broxted	1,124	917	868
Chickney	0	0	0
Chrishall	725	571	576
Clavering	654	630	544
Debden	622	638	602
Elmdon & Wendens Lofts	503	523	463
Elsenham	3,165	2,952	3,106
Farnham	482	458	352
Felsted	4,165	3,948	3,557
Flitch Green	1,070	1,121	921
Great Canfield	96	57	27
Great Chesterford	2,339	2,354	2,126
Great Dunmow	47,545	44,501	42,680
Great Easton & Tilty	1,158	1,056	965
Great Hallingbury	447	524	454
Hadstock	393	393	402
Hatfield Broad Oak	2,383	1,852	1,701
Hatfield Heath	1,831	1,683	1,479
Hempstead	481	470	411
Henham	1,171	888	724
High Easter	292	255	256
High Roding	0	0	0
Langley	283	247	196
Leaden Roding	604	629	486
Lindsell	0	0	0
Little Bardfield	183	185	190
Little Canfield	640	663	636
Little Chesterford	64	46	40
Little Dunmow	773	894	802
Little Easton	997	896	800
Little Hallingbury	1,719	1,685	1,615
Littlebury	1,234	1,348	1,074
Manuden	321	276	290
	Grant Paid (£)	Grant Paid (£)	Grant Paid (£)
	2013/14	2014/15	2015/16
Margaret Roding	441	330	352

Newport	4,796	4,348	3,679
Quendon & Rickling	1,187	1,138	988
Radwinter	783	654	678
Saffron Walden	69,823	64,546	61,882
Sampfords, The	498	508	478
Sewards End	217	169	161
Stansted	13,271	13,569	12,178
Stebbing	2,070	1,817	1,729
Strethall	0	0	0
Takeley	7,931	7,968	7,546
Thaxted	8,876	8,062	7,630
Ugley	319	305	234
Wendens Ambo	577	473	404
White Roding	191	201	183
Wicken Bonhunt	98	119	110
Widdington	468	427	416
Wimbish	571	474	457
Total	193,939	181,566	170,905

29. The proposal that a discretionary parish subsidy scheme continues for 2016/17. The consultation was undertaken on the following basis:

- a) UDC will provide discretionary funding to town and parish councils in 2016/17 to mitigate the effect of LCTS discount taxbase reductions on the Band D Council Tax calculation.
- b) The total UDC parish subsidy pot to be distributed using the formula of [2012/13 Parish Band D x 2016/17 Parish LCTS taxbase reduction] – thus avoiding UDC subsidising any precept increases made in 2013/14, 2014/15 or 2015/16. The payment then to be adjusted pro rata to ensure that the total funding pot is not exceeded.

Council Tax Discounts

30. From 1 April 2013, billing authorities (including UDC) have had a greater discretion over the level of council tax discounts given to owners of second homes and empty homes.
31. In 2014/15 the Council reviewed Council Tax discounts with the underpinning objective to increase Council Tax income to mitigate and offset LCTS costs and reductions in government funding.
32. Following the consultation the table below shows the changes that were made to the scheme as from 1 April 2014 and which continued to operate through 2015/16.

	Discounts given 2013/14	Changes introduced as from 1 April 2014
Second homes	10%	Remove discount
Empty Homes Class A (major repairs)	100% for up to 12 months	Reduce discount to 50% for up to 12 months
Empty Homes Class C (vacant)	100% for up to 6 months	Reduce discount to 50% for up to 6 months
Empty Homes Premium (empty & unfurnished for more than 2 years)	None	Add premium of 50%

33. The effect of these changes on the 2016/17 budget are to provide an additional £400,000 of Council Tax income of which the UDC share is £57,000

LCTS Administration, hardship and recovery funding

34. As part of the scheme the major preceptors (County, Fire and Police) provide funding of £34,000 per annum to employ an officer to ensure the efficient administration of the LCTS scheme. The officer also works with those people affected by the scheme so as to ensure they make their payments and thereby avoid costly recovery action being taken.

35. Essex County Council contributes £7,000 per annum towards the running of the hardship scheme which has a £15,000 annual budget (£8,000 UDC element).

Consultation

36. The consultation period ran from 27 July to 30 September and 1,089 responses were received. This is one of the largest responses for any non-planning consultation that the council has undertaken in recent years.

37. The following consultative methods were used, in all cases the same questions were asked:

- Dedicated pull-out four page survey distributed with *Uttlesford Life*. A reply paid envelope was also included so as to make it as easy as possible for residents to respond. Additional paper copies were also distributed to the Council's main contact points at the Great Dunmow Library, Thaxted CIC and the CSC in Saffron Walden.
- Open public consultation. The survey was promoted on the Council's website from 27 July to 30 September via an interactive form using the Snap 11 consultation platform.
- General promotion was carried out with a press release and exposure via the Council's social media channels and prominent placement on the homepage of the Council's website.

By the close of the consultation period, 1042 paper responses had been received and a further 47 online submission were registered. This represents a significant increase in overall submissions on each of the previous years when the consultation was not so widely distributed. It should be remembered that not all respondents chose to answer all of the questions and that in a number of cases residents opted to submit statements and comments in support of the 'No' option even though they had answered 'Yes' to a particular section of the consultation.

38. The consultation full report is attached as Appendix One. In summary the respondents supported the 2016/17 proposed LCTS scheme.

Putting it all together

39. The table on the following page brings together all the costs and income arising from the recommendations in the report. It shows that the forecasted position for UDC in 2016/17 is a net cost of £209,000.

All figures £000	TOTAL forecast 2016/17	County, Police and Fire share forecast 2016/17	UDC share forecast 2016/17
LCTS discounts	3,205	2,754	451
Government LCTS funding at 20% reduction	(1,883)	(1,613)	(270)
Subtotal – LCTS scheme	1,322	1,141	181
Additional income generated by changes to internal policy	(400)	(343)	(57)
Major preceptors income sharing agreement – 16% passed back to district council	0	55	(55)
Subtotal – net effect of the LCTS & discounts changes	922	853	69
UDC discretionary funding of town/parish councils	171	0	171
Major preceptor funding of LCTS administration & recovery costs	0	34	(34)
LCTS hardship scheme	15	7	8
ECC funding of hardship administration	0	5	(5)
TOTAL NET COST	1,108	899	209

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Assumptions about costs and income levels are incorrect	3 (a high degree of variability and estimation is involved)	3 (use of reserves may differ from the level envisaged)	Monitor trends closely and review scheme each year to make necessary adjustments. Maintain adequate contingency reserves.

- 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.

Motion proposed by John Lodge, Leader of R4U – Council Meeting 17th December 2015

The Council has a duty to support the valid decisions of its Quasi-Judicial Planning Committee. The Planning Committee refused an application by Kier Homes for 300 dwellings off Thaxted Road in Saffron Walden and the applicant appealed to the Planning Inspector. A decision was taken then by UDC not to defend the Planning Committee's decision at the subsequent hearing of the Planning Inspectorate on the basis that there were no grounds for refusal. At the hearing, Saffron Walden Town Council successfully defended the decision of the Planning Committee. The cost to SWTC was £47,000 and the motion is that UDC reimburses SWTC from the reserves set aside to cover such appeals.

Motion to Full Council 17/12/15

THE PUBLIC'S SAFETY MUST COME FIRST

Following the announcement of the Police and Crime Commissioner for Essex of the need for changes to Essex policing:

This Council opposes :

- a proposed cut to Police Community Support Officers from 27 to 20 in Braintree and Uttlesford Saffron Walden Police
- the withdrawal from dealing with “low level crime”, including pavement parking and low level anti-social behaviour

Supports:

- the retention of a police station in Saffron Walden which is fit for purpose.

and to write to the Police and Crime Commissioner, the Chief Constable and Essex Police and Crime Panel accordingly.”

Proposed by Cllr Geoffrey Sell

Seconded by Cllr Alan Dean

