

**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 7.30 pm on 4 DECEMBER 2012**

Present: Councillor E Godwin – Chairman.
Councillors G Barker, I Evans, S Harris, D Morson and
E Oliver.

Also present: Councillors R Chambers (Portfolio Holder – Finance),
J Ketteridge (Leader) and A Walters (Portfolio Holder –
Community Safety).

Officers: R Auty (Assistant Director Corporate Services),
R Dobson (Democratic Services Officer), R Harborough
(Director of Public Services), S Joyce (Assistant Chief
Executive-Finance), M Perry (Assistant Chief Executive-
Legal), V Taylor (Business Improvement and
Performance Officer) and A Webb (Director of Corporate
Services).

SC27 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Howell, Rich and Watson.

SC28 MINUTES

The minutes of the meeting held on 4 September 2012 were received and,
subject to the correction of a typographical error regarding the date of the next
meeting, signed as a correct record.

SC29 BUSINESS ARISING

(i) Minute SC16 – Highways Strategic Partnership

Councillor Morson reminded the Chairman that it had been agreed to
invite Highways to return before the Committee. The Chairman agreed
that members would require this matter to be revisited and a scoping
report was to be prepared for the meeting in June 2013.

(ii) Minute SC20 – Highways Panel

Councillor Evans asked for an update on section 106 funding. The
Chairman said this topic should be the subject of a scoping report.

Members noted financial contributions to highways works secured
through S106 agreements and held by Essex County Council would be
considered at the next meeting of the Highways Panel, and that a
report from the Portfolio Holder for Environment was to be brought to

Cabinet on 13 December, covering financial contributions for community facilities and affordable housing held by the district council.

SC30 **FORWARD PLAN**

Councillor Godwin said she had requested Cabinet members to indicate where it would be helpful to conduct scrutiny regarding their portfolios.

Councillor Ketteridge drew attention to the items due to be considered at Cabinet on 13 December, which would include an updated Corporate Plan.

SC31 **SCRUTINY WORK PROGRAMME**

The Chairman said helpful reports had been prepared on the budget setting process, enforcement and car parking. She expressed appreciation for the contributions tonight of officers and Councillors S Barker and Walters in preparing these reports.

SC32 **2013/14 BUDGET SETTING PROCESS**

The Assistant Chief Executive-Finance presented a report providing an overview of the budget setting process and the documentation that would be coming forward for review. The report also suggested issues for the Scrutiny Committee to consider, and reading material which would be likely to be helpful to members.

The Assistant Chief Executive-Finance asked that the Committee should keep separate the formulation of any Opposition budget proposals from the budget setting process.

The Chairman asked how participants in the consultation referred to had been selected.

The Assistant Director Corporate Services said participants were drawn from members of the public responding to a questionnaire in *Uttlesford Life*, and from the Council's Citizens' Panel, which was broadly representative of the demography of the district. The results from both groups were similar.

The Assistant Chief Executive-Finance said there had been 257 responses to the survey, as reported to Cabinet last month. Outcomes indicated the three highest priorities were financial management, addressing crime and disorder, and keeping streets clean. It was for the Scrutiny Committee to consider at its February meeting whether the budget was properly in line with what the public were asking the Council to focus on.

Councillor Morson asked for a summary of the strategy and principles by which the budget had been prepared.

The Assistant Chief Executive-Finance said the annual budget needed to be considered as part of a longer term plan. The first principle was financial prudence in the longer term; the second was to have regard to uncertainty in public finances. Whilst it was possible to make educated guesses, it would not be until 19 December or even January 2013 that the Government's intentions were known. The third principle was to adhere to Cabinet's agreed detailed principles including the possibility of reduced Council Tax next year. Another item in the Cabinet budget strategy report was the forecast surplus due to housing growth, and the key principle here was to ensure it was used wisely for the community.

Councillor Chambers said he wished to ensure spending was sustainable in the medium and long term, so he was continually looking at efficiency savings. There was a one-off capital surplus but he had to be conscious of the changes to the rules set by Government, so he was only putting an estimated £1.4m in the budget.

The Chairman said she was concerned at the uncertainty particularly with regard to reliance upon the New Homes Bonus for finance.

Councillor Chambers said plans had been prepared covering the next 5 to 7 years and whilst there was an element of guesswork, he intended the Council should avoid problems as far as possible by exercising prudence in spending.

The Chairman asked a question about the effect of the changes to rules on parish council precepts.

The Assistant Chief Executive-Finance reassured the Committee that no parish council would be worse off or better off as a result of technical changes regarding calculation of precepts. Whilst the process was quite complicated, he had written to the parish clerks to clarify the process and had arranged two surgery sessions in January. He would meet on a one-to-one basis with the clerks of the six largest town/parish councils. The Assistant Chief Executive-Finance said the changes relating to Localised Council Tax Support would affect the taxbase in each parish, which was used to calculate Band D. The funding announced by the Government was intended to ensure no disadvantage or advantage as a result to any parish council.

The Assistant Chief Executive-Finance explained that he had asked parish councils to defer their budget setting until January, as there was a possibility that the Secretary of State might set a limit on higher precepts. Whilst any parish council could set whatever precept it wished, if it were to exceed such a limit then the district council would have to hold a referendum in that parish.

Members commended officers for the excellent work which had been done in good time in examining this situation.

The Assistant Chief Executive-Finance asked that if Members received enquiries from parish councils regarding their precepts that they refer such enquiries to him.

Councillor Oliver asked how costs for parish councils could be said to be neutral when the district council was passing certain services such as green waste collection (bring facilities) to parish councils.

The Assistant Chief Executive-Finance said this matter was in his view separate to the question of parish precepts being affected by Government funding.

In reply to questions by Councillor G Barker the Leader confirmed that he had approved the process by which funding would be distributed to parishes.

The Assistant Chief Executive-Finance emphasised the value of focusing scrutiny on the more significant elements of the budget.

In reply to a question from Councillor Evans, the Assistant Chief Executive-Finance said the key issues were sustainability of the budget, that is, the Medium Term Financial Plan and maintaining levels of reserves; and regarding the self-financing of the HRA to ensure there was a plan for spending the money.

The Chairman asked about the views of the Council's tenants regarding rent increases and whether tenants supported them.

Councillor Chambers said tenants were involved in considering the housing strategy and rent setting policy.

Councillor Morson said two members of the Tenant Forum were on the Housing Board, and tenants were very aware of the reasons behind the policies the Board had considered.

The Assistant Chief Executive-Finance said he would at the request of Councillor Godwin email a schedule of reserves to members.

Councillor Godwin asked about criteria for capital grants to voluntary sector bodies.

The Leader said this area came within the remit of the Communities and Partnerships Portfolio. He said there was a rolling three year plan to ensure the Council was getting good value for money and that the Council expected recipients to justify how they used such money.

ENFORCEMENT

Councillor Walters presented a report on enforcement. He summarised the contents of the report, saying that essentially parking which related to Stansted Airport should be confined within its boundaries. He referred to the reason behind off-road parking as due to the high costs of airport parking; the fact that some parking, in particular on-street parking, which whilst annoying to those residents whom it affected, was legal and not subject to enforcement.

Councillor Walters referred to valet parking which could give rise to planning issues. He said the scale of parking was seasonal.

Councillor Walters then highlighted the main points from the report, which included methods of enforcement ranging from negotiation, which was the preferred option as it was frequently successful, to a stop notice, which was a high-risk strategy. The enforcement option to be pursued was a joint decision taken by the Assistant Chief Executive-Legal and the Assistant Director-Planning and Building Control.

There were 7 cases outstanding, and in all cases compliance was anticipated. Councillor Walters referred to the reasons for delay in enforcement, stating that essentially there was no "quick fix". It was a question of keeping the pressure up within the law and choosing the right method, and he was confident the Assistant Chief Executive and his department were going about this in the right way.

Uttlesford was earning a reputation of pursuing enforcement so operators knew they had to be compliant. He congratulated the Assistant Chief Executive on his maintaining this pressure.

The Chairman noted the figures given in the report did not reflect the amount of work going on or the extent of the success the Council had had. She commented on problems regarding cross-border enforcement as this had affected her ward of Birchanger in the past.

Councillor Evans praised what was a very comprehensive report. She said residents' associations in Stansted had reported to her their concerns regarding nuisance parking particularly in Forest Hall Park and along Maitland Road. She asked whether Stansted Airport provided a telephone number to report such issues.

The Leader said it was difficult to address concerns about on-street parking as the remedy was to set up parking restrictions, and this solution was often also unsatisfactory to residents.

Members noted there had previously been a telephone line provided by Stansted Airport for reporting incidents related to airport parking but that if it

was still in use it was not well publicised. The high cost of airport parking was considered to be the main factor contributing to the problem.

Councillor G Barker commended new drop-off and collection arrangements at Stansted Airport as being very convenient.

Councillor Oliver expressed appreciation for the new way in which reports were being brought to the Scrutiny Committee, in that full reports were presented in accordance with terms of reference agreed in a scoping report. The ideal was, as Councillor Walters had shown, a succinct verbal summary of a comprehensive report, with the opportunity then being provided for members to have their questions answered.

Councillor Walters said credit was due to the Assistant Chief Executive-Legal for his major contribution to the report.

Councillor Morson commented on the protracted nature of enforcement proceedings in certain cases, and asked whether this aspect could be mitigated in any way.

The Assistant Chief Executive-Legal said it was not possible to omit any stage of the proceedings. Negotiations were usually preferable in cases where operators did not own the land from which they operated, because landowners would not wish a notice to be served on their land therefore a successful outcome was more likely. Injunctions allowed for a period of compliance during which no further action could be taken.

SC34

CAR PARKING CHARGES

The Committee considered a report presented by the Director of Public Services on behalf of Councillor S Barker, who due to another commitment could not attend the meeting.

The Director of Public Services reminded Members of the terms of reference, which were to investigate whether there had been an increase in complaints; to understand the patterns of use of car parks in the district; to establish if there had been variations in usage; and to determine if there had been a drop in income.

The Director of Public Services said there had been no complaints from car park users about the current parking charges. However representations had been received, to which Cabinet had responded recently with a decision to permit free parking in certain car parks between Christmas and New Year.

The Director of Public Services took Members through the detail of the report regarding the effect of the increase in ticket prices in April 2012 on ticket income from the various car parks; he referred to the pattern of use for the

three months following the increase in tariffs, which had shown some variation by car park.

In terms of the number of tickets sold, there was a question as to the reliability of the data supplied by the North Essex Parking Partnership, as there was an anomaly between the decreased number of tickets sold and the increase in income for the same period. Monitoring of use would continue.

It was noted there had been an impact on use of the car park at The Common when the Olympic Torch had come through Saffron Walden, and also during the Freedom Parade, although this could not account for all the variation in use of Saffron Walden's car parks, but the income from car parks was generally in line with budget strategy which was a good indication that usage was holding well. By contrast to many other local authorities, Uttlesford had not seen car park income decline.

In response to a question from Councillor Evans regarding the possibility of an extension of concessions for the car parks in Stansted to help local businesses, Councillor Ketteridge said the reason for this concession this year was that statistics showed car parks were at their maximum capacity before Christmas but that usage following Christmas declined significantly. There was therefore the opportunity to try to bring people in. Car parking fees in Uttlesford were relatively inexpensive when compared to those in other authorities.

The Chairman said the issue of car parking was vital, and the Committee would be setting up a sub group to look into this matter. It was noted that the setting up of a sub group would need to comply with Article 11 of the Constitution (task groups).

SC35

FEEDBACK ON TRAINING SESSION

The Business Improvement and Performance Officer invited Members to report on the recent training session and to complete a questionnaire.

Members commented that the training had been helpful in bringing more focus to meetings and in developing themes.

The Chairman said she intended to meet the Chairman of the Performance and Audit Committee in order to discuss areas where there might be an overlap.

Members felt the practice of holding a pre-meeting briefing was helpful although the timing at 7pm was difficult for those who worked full-time.

The Chairman suggesting the start time for pre-meetings should be reviewed after the next meeting. She said she was interested in developing a 12 month working programme, and that she had contacted portfolio holders to suggest

potential areas for scrutiny reviews. She said the intention was the agenda for scrutiny should remain flexible and she would be prepared to revisit any area which Members felt appropriate and to set up task groups where this would be helpful.

The meeting ended at 9.10pm.