

## List of suggested topics

### Planning

Item	Note	Next Steps
Review the failure of the local plan and establish why planning appeals “with no legal basis of defence” are being turned down by the Inspectors	The previous Local Plan was dealt with by the Scrutiny Committee at its meeting on 10/09/15	Place on hold - wait for the Secretary of State decision on Elsenham
Review strategic planning systems to ascertain future infrastructure needs		Being progressed by PPWG.
Establish systems to ensure appropriate section 106 contributions are made when a new housing development is planned with particular reference to obligations and to outline, detailed and delivery stages.		Ask an officer to present a report on S106 and CILS at a future committee meeting
Section 106 schemes has the Council used this wisely? Should we adopt the Community Infrastructure Levy?		As above – report on S106 & CILS
Analyse the actual financial contribution of developers compared to what UDC is entitled to demand		As above – report on S106 & CILS
Evaluate planning officers' use of the 5 year land supply rule	Planning Advisory Service report noted the Inspector said the council's approach was robust	PPWG is looking at the issue.  In addition, officers have recently amended text included in planning applications to

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		improve clarity..
Identify whether the strategic target % of “affordable housing” is actually being achieved in practice	<p>Potential conflict/overlap with the following CABLE project:</p> <p><u>Delivering more housing</u> The devolution prospectus is looking for an accelerated rate of housing completions. Changes to Right to Buy legislation may have implications for the Council’s HRA business plan and for the delivery and retention of an affordable housing stock. Some councils are looking at entering the private rented housing market as a means of income generation and avoiding RTB issues. What is the best way of co-ordinating our approach to these?</p>	On hold for now. May be resurrected if Housing Act goes through
Affordable housing provision of – how effective has the Council been?	<p>Potential conflict/overlap with the following CABLE project:</p> <p><u>Delivering more housing</u> The devolution prospectus is looking for an accelerated rate of housing completions. Changes to Right to Buy legislation may have implications for the Council’s HRA business plan and for the delivery and retention of an affordable housing stock. Some councils are looking at entering the private rented housing market as a means of income generation and</p>	As above

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	avoiding RTB issues. What is the best way of co-ordinating our approach to these?	
Evaluate the controls in place to ensure that developers are not able to mislead the Council, and the public, with inaccurate statements, figures, and reports etc. that are to their own advantage, especially where large financial gains can be made		Put the following planning items on hold for now, with recognition there are issues that the committee may want to return to in the future
Evaluate the methods used to assess sustainability in planning applications: the KPIs; scoring and weighting system leading to an objective assessment capable of being audited; consistency of a sustainability assessment system applied across all planning applications		On hold – as above
Evaluate the implementation of the Secretary of State's requirement for the cumulative assessment of air quality impact of developments		On hold – as above
Evaluate the effectiveness of the Air Quality Management		The council will be consulting on a new action plan in early 2016.
Building Control function - with a small and ageing workforce what is its future?		There will be a cabinet decision in March. Potential for pre-scrutiny at meeting in Feb

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		(or reserve date in Jan)

## Enforcement

Item	Note	Next Steps
Evaluate the methods and effectiveness of planning enforcement	<p><u>Enforcement – what do the public want and are we set up to respond?</u> No Council in the world ever does enough enforcement, and if it does it is accused of being over-zealous and has to back off. Most of our enforcement is done by the enforcement team which takes guidance from professional staff in other departments. The Council is guided by statute which often limits its power. Are public expectations realistic? How can this be altered? What influence can we have over primary legislation? Are we going about enforcement the right way?</p>	<p>Scoping report to November meeting to agree terms of reference.</p> <p>Suggestions to be included in the review:</p> <ul style="list-style-type: none"> <li>• Organisational chart showing how enforcement works, which departments feed in, how decisions are taken on what to enforce</li> <li>• Which other agencies are responsible for elements of enforcement; what service agreements/protocols are in place to ensure other agencies deliver</li> </ul> <p>Report on Enforcement has now gone to Cabinet, this will be forwarded on to Scrutiny alongside scoping report</p>

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<p>Scrutiny of the enforcement process to review its aims, its successes and whether it is achieving what is expected of it by the council and public.</p>	<p><u>Enforcement – what do the public want and are we set up to respond?</u> No Council in the world ever does enough enforcement, and if it does it is accused of being over-zealous and has to back off. Most of our enforcement is done by the enforcement team which takes guidance from professional staff in other departments. The Council is guided by statute which often limits its power. Are public expectations realistic? How can this be altered? What influence can we have over primary legislation? Are we going about enforcement the right way?</p>	<p>As above.</p>
<p>Scrutiny of taxi licensing enforcement to establish whether the council deals with the suspension, revocation and non-renewal of drivers' licenses in an effective but fair manner.</p>	<p><u>Enforcement – what do the public want and are we set up to respond?</u> No Council in the world ever does enough enforcement, and if it does it is accused of being over-zealous and has to back off. Most of our enforcement is done by the enforcement team which takes guidance from professional staff in other departments. The Council is guided by statute which often limits its power. Are public expectations realistic? How can this be altered? What influence can we have over primary legislation? Are</p>	<p>As above. Taxi licensing enforcement can be included in wider review.</p>

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	we going about enforcement the right way?	

### Waste and Recycling

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<p>Review waste collection: since January, 2015, LAs are obliged to collect paper, glass, plastic and metals in separate collections (and also food separately) unless it is not technically, environmentally or economically practicable. UDC claims this is not economically practicable so is ignoring this obligation</p>	<p>Potential conflict/overlap with the following CABLE project:</p> <p><u>Refuse Service – future delivery models</u> Our refuse service operates on a 4 day week with single pass collections. Food is collected weekly and recyclables/non recyclables on alternate weeks. It is a very efficient service. The vehicles are half way through their working life. Thinking about the effect of housing growth on demand for the service how can we improve efficiency? What level of service is appropriate?</p> <p>Trade waste service discussed at Scrutiny Committee 29/04/14</p>	<p>Additional information::</p> <p>The Waste Strategy Working group met on 9 February 2015 to discuss a report about compliance with dry waste regulations in relation to separate collections of dry recyclables.</p> <p>The Director of Public Services informed members that Waste Regulations stated authorities should collect dry recycling separately, unless it could be demonstrated why this would not be technically, economically or environmentally practicable to do so. The Council currently collected dry recycling on a co-mingled basis. An assessment was attached to the report which concluded that the Council's current</p>

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		<p>arrangements were more beneficial to collecting dry recycling separately.</p> <p>Find the Technical, economical, environmental practicability assessment (TEEP) here:  <a href="https://drive.google.com/open?id=0B-tNd9QU7xs0LVVNME9abThfSiA">https://drive.google.com/open?id=0B-tNd9QU7xs0LVVNME9abThfSiA</a></p> <p>Group Report can be found here:  <a href="https://drive.google.com/open?id=0B-tNd9QU7xs0Q2RBajdrNG9aSWM">https://drive.google.com/open?id=0B-tNd9QU7xs0Q2RBajdrNG9aSWM</a></p> <p>It was agreed to recommend to Cabinet that it approves the TEEP Assessment.</p> <p>Cabinet agreed on 17 February 2015, see minutes here:  <a href="https://drive.google.com/open?id=0B-tNd9QU7xs0dTB1ZklSTVpldjg">https://drive.google.com/open?id=0B-tNd9QU7xs0dTB1ZklSTVpldjg</a></p> <p>Working Group satisfied that this issue has been considered by the council.</p>
<p>To review the operations of the recycling and waste collection scheme to assess its success and how it might be enhanced to improve its environmental benefit, be made more cost-effective and meet residents'</p>	<p>Potential conflict/overlap with the following CABLE project:</p> <p><u>Refuse Service – future delivery models</u> Our refuse service operates on a 4 day week with</p>	<p>On hold</p>

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service expectations.	<p>single pass collections. Food is collected weekly and recyclables/non recyclables on alternate weeks. It is a very efficient service. The vehicles are half way through their working life. Thinking about the effect of housing growth on demand for the service how can we improve efficiency? What level of service is appropriate?</p> <p>Trade waste service discussed at Scrutiny Committee 29/04/14</p>	

#### Finance-related

Item	Note	Next Steps
Establish whether the UDC budget is over-reliant on NHB and what known risks the financial reserves of the Council are based on		<p>The autumn statement is on 25 November 2015.</p> <p>For 17 November Scrutiny meeting, budget report will cover NHB issues</p>
New Homes Bonus- What difference has this made to Uttlesford? Are there any lessons for the future? Impact of ward councillors		As above



having an allocation?		
Council tax arrears- process of collecting- how effective?		On hold

### Essex County Council

Item	Note	Next Steps
Review the effectiveness of co-operation between UDC and ECC Highways in achieving action on highway work and advice on planning applications and planning policy	<p>Highways Strategic Partnership presented to Scrutiny Committee 03/09/13</p> <p>A separate agenda item at the same meeting covered Highways responses to planning consultations</p>	<p>No info received from any other authority that their Scrutiny Committees are looking at, or planning to look at, this issue.</p> <p>Working group suggests a report to discuss Planning relationship with ECC, particularly in regards to Highways and Education.</p> <p>In addition officers will raise this at the next meeting of the Essex Scrutiny Officers Network</p>

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<p>Council's liaison with Essex Highways - many of our problems relate to the state of our roads. (potholes, traffic issues, etc) I am often asked to contact Highways, which I am pleased to do but communication between UDC and Essex may be able to be improved in order to get things done quicker.</p>	<p>Highways Strategic Partnership presented to Scrutiny Committee 03/09/13</p> <p>A separate agenda item at the same meeting covered Highways responses to planning consultations</p>	<p>As above</p>
<p>Review the effectiveness of co-operation between UDC and ECC Highways in achieving action on highway work and advice on planning applications and planning policy.</p>	<p>Highways Strategic Partnership presented to Scrutiny Committee 03/09/13</p> <p>A separate agenda item at the same meeting covered Highways responses to planning consultations</p>	<p>As above</p>
<p>The planning relationship with Essex Highways</p>	<p>Highways Strategic Partnership presented to Scrutiny Committee 03/09/13A separate agenda item at the same meeting covered Highways responses to planning consultations</p>	<p>As above</p>
<p>Review the relationship between UDC and ECC: examine why school places have not been properly planned for, and why Highways fails to take data into account thereby producing wrong assessments</p>		<p>Working group requested further information and the following comments were received from the council's Planning Policy Team Leader:</p> <p>"General point is that the Council is in the role of a co-ordinator and facilitator and has to rely to a large extent on the statutory</p>

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		<p>bodies and providers – we cannot bypass them because they are the responsible bodies. If we want a second opinion then the Council can always commission an external consultant. The Council has taken this approach in relation to transport and is in the process of appointing a transport consultant. For schools we are already working with ECC and we understand that they will be supplying an extensive response to the Issues and Options consultation which should help us with our decision-making going forward.</p> <p>“All infrastructure will need to be addressed through an Infrastructure Delivery Plan (IDP) which will set out what infrastructure is required, when it will be required, who will be responsible for delivering it, and how it will be funded. It should also set out trigger points. More certainty is needed for the short-term plan (5 years). The IDP will be a live document and should be reviewed annually.</p> <p>“Infrastructure planning poses a potential risk to the overall Local Plan timetable because the Council is dependent on third party</p>

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		<p>providers to obtain the reassurances it needs to satisfy an inspector at Examination in Public.”</p> <p>Working group decided report re relationship as detailed earlier in document</p>
Quiet Lanes – expansion of/how effective/desirable?		Support for the potential of looking at this issue sometime in 2016. Scoping Report and background info to be prepared at a future date

### Other

Item	Note	Next Steps
Review the procedure for ensuring safety of officers and members involved with 'contentious' applications at the Licensing		Working Group decided not appropriate for scrutiny

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and Planning Committees		
Analyse why objections are ignored after public consultations	Source information from Planning Policy Team Leader	<p>Comments received as follows:</p> <p>“Consultation responses are all published on the Consultation Portal. The comments received are all put together into a Report of Representations which sets out who has responded and what the issues raised were. If the same issues were raised by more than one consultee then these are grouped. Officers then prepare responses to the issues raised, and undertake further technical work or modify the draft documents as necessary. This is set out in a further report to the Planning Policy Working Group as soon as it is complete. How long this process takes is dependent upon the number of responses raised and the complexity of the issues.</p> <p>“Finally, the Council is required to prepare a Consultation Statement under Regulation 22 of the Local Planning Regulations 2012, setting out for the Planning Inspector at Examination a record of the main issues raised and how these have been taken into account.</p>

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		<p>“This is addressed in the Statement of Community Involvement and the Engagement Strategy.”</p> <p>Working Group requested standing item on Scrutiny agenda for Cabinet members to provide update on Local Plan and other matters.</p>
<p>Initial investigation into the council's capacity for helping to address the international refugee crisis and what organisations or individuals would work with the council to give aid for people in need of shelter and support.</p>	<p>The matter may be settled at the extraordinary council meeting on Wednesday, 16 September</p>	<p>This is already being addressed. A Working Group has been established</p>
<p>Community Engagement – how should the Council communicate with the community? Does Uttlesford Life serves a useful purpose? What affect does existing community engagement have upon UDC policy making? Is there a case for decentralisation of decision making?</p>	<p>Potential conflict/overlap with the task and finish group chaired by Cllr Paul Davies set out through the Constitution Working Group</p>	<p>Await findings of Constitution Working Group sub-group</p>
<p>Review of the Cabinet system? Is there a case for a return to the committee system?</p>		<p>The following information requested by Working Group:</p>

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		<p>The Constitution Working Group carried out a review of the effectiveness of the Cabinet system in July 2014 and presented a report to Full Council on 21 October 2014.</p> <p>The group concluded that there was no need to change anything now and the newly elected council in May 2015 may wish to examine the system of governance in operation at a later date.</p> <p>However the review found that some members felt disconnected from the decision making process so therefore it was concluded that better scrutiny is key to enhanced member engagement with the cabinet system.</p> <p>This didn't mean that Scrutiny Committee is not working properly, it is merely felt that wider opportunity to scrutinise Council policy well before a decision is made would be valuable, by bringing forward reports at a much earlier stage. This would require considerable cultural shift across the organisation from officers to members at all levels, see further details outlined in the report at <a href="https://drive.google.com/open?id=0B-">https://drive.google.com/open?id=0B-</a></p>

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		<p data-bbox="1420 264 1872 293"><a href="https://drive.google.com/open?id=0B-tNd9QU7xs0ZjRXWVhnTXpHMHc">tNd9QU7xs0ZjRXWVhnTXpHMHc</a></p> <p data-bbox="1420 328 1908 437">Full Council Minutes can be found: <a href="https://drive.google.com/open?id=0B-tNd9QU7xs0a0ZxTWhIMjJTbDg">https://drive.google.com/open?id=0B-tNd9QU7xs0a0ZxTWhIMjJTbDg</a></p> <p data-bbox="1420 539 1962 606">Chairman to write to Constitution Working Group</p>
Review the relationship between UDC and NEPP	Suggested by Cllr Dean at Working Group meeting	Added to list for committee consideration
Devolution	Suggested by Cllr Light at Working Group meeting	Working Group recommends this can be dealt with through new standing agenda item