



Uttlesford District Council

Chief Executive: Dawn French

Scrutiny

Date: Tuesday, 03 May 2016
Time: 19:30
Venue: Committee Room
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors H Asker, G Barker, P Davies, A Dean (Chairman), M Felton, T Goddard, S Harris, B Light, E Oliver, G Sell

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 notice by 12 noon two working days before the meeting.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of previous meeting** 5 - 12
To receive the minutes of the meeting held on 15 March 2016
- 3 Matters Arising**
To consider matters arising from the minutes
- 4 Consideration of any matter referred to the Committee in relation to call in of a decision (standing item)**
To consider matters in relation to call in

- | | | |
|-----------|--|---------|
| 5 | Responses of the Executive to reports of the Committee (standing item) To receive responses from the Executive | |
| 6 | Invited reports from the Executive To receive reports from the Executive | |
| 7 | Cabinet Forward Plan To receive the Cabinet Forward Plan | 13 - 14 |
| 8 | Scrutiny Work Programme May 2016 To consider the Scrutiny work programme | 15 - 16 |
| 9 | Enforcement Review Verbal update | |
| 10 | Local Council Tax Support Scheme (LCTS) To receive information on the LCTS | 17 - 24 |
| 11 | Quiet Lanes scoping report To consider the scoping report for the review | 25 - 26 |
| 12 | Relationship between UDC and ECC To consider the relationship between UDC and ECC | 27 - 36 |
| 13 | Any other items which the Chairman considers to be urgent To consider any items which the Chairman considers to be urgent. | |

MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part 1 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.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

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**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 7.30pm on 15 MARCH 2016**

Present: Councillor A Dean (Chairman)
Councillors G Barker, P Davies, M Felton, T Goddard, S Harris, B Light and E Oliver

Officers in attendance: R Auty (Assistant Director Corporate Services), L Cleaver (Communications Manager), R Harborough (Director of Public Services), A Rees (Democratic and Electoral Services Officer), A Taylor (Assistant Director Planning and Building Control) and A Webb (Director of Finance and Corporate Services).

Also Present: Councillors S Barker (Deputy Leader and Portfolio Holder for Environmental Services) and J Redfern (Portfolio Holder for Housing and Economic Development).

SC36 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Asker and Sell.

SC37 MINUTES OF THE MEETING HELD ON 9 FEBRUARY 2016

The Chairman asked for agreement on two amendments to the minutes, both in relation to minute SC23. The first was to reflect that Alan Storah had spoken on behalf of Saffron Walden Town Council.

He also asked that the following part of the minute was amended; "The Chairman said whilst decisions could not be challenged, it was possible to consider whether it was right to have made those decisions." He asked that the minute was amended to state "the Committee was entitled to look at why a decision was made and whether the same process should be followed in the future." This reflected the transcript of the audio minute.

The Chairman signed the minutes as a correct record subject to those two amendments.

SC38 MATTERS ARISING

(i) Minutes SC33 – Planning Appeals

Councillor Harris said the minutes constituted a toned down version of the comments made by the Chairman. She had based her decision on the report and the discussions at the meeting. The Chairman had effectively called into question the impartiality of the Committee by suggesting the decision was party political, which was not acceptable.

The Chairman said that if his interpretation of the reasons why the decision not to establish a task group had been reached differed from the reasons Members actually had, he apologised.

Councillor G Barker added that a full discussion had not been possible because the Chairman had immediately decided a Task Group should be set up. The Committee should always consider and establish the purpose of a review first.

The Chairman agreed that the Committee should always ensure there was a purpose behind its decisions. Following the meeting he had seen correspondence between officers and Saffron Walden Town Council, which detailed the restrictions as to what could be reviewed.

The Assistant Director Corporate Services clarified the content of the emails. The Town Council had made two requests; firstly to review the Kier appeal, and secondly to review the processes and procedures surrounding appeals more generally. In reply to the Town Council's email, officers had stated that individual decisions could not be re-examined but the general processes and procedures could be reviewed.

Councillor G Barker said there had been considerable criticism of the advice received from Counsel at the previous meeting of the Committee. When the Kier appeal was debated at Full Council this issue was not raised.

Councillor Light questioned the purpose of the discussion taking place and proposed that the Committee drew a line under the topic for the time being and moved onto the next item on the agenda.

SC39

CABINET FORWARD PLAN

The Chairman invited comments from the Committee about the Forward Plan

Councillor G Barker spoke about the land at Newton Grove, Great Dunmow. He said that since the land was no longer required for domestic abuse refuge, the decision on how to use the land should be delayed until a decision had been reached on how to use the Special Purpose Vehicle (SPV). In response, Councillor Redfern said the land was owned by the Housing Revenue Account (HRA) and was ring-fenced for HRA purposes.

Councillor S Barker clarified that the portfolio holder for the Building Control Partnership was Councillor Redfern. Councillor Redfern said that she was also the portfolio holder for the Economic Development Strategy.

In response to points made by Councillor Dean about the Economic Development Strategy, Councillor Redfern said the Strategy would set out the Council's economic development plans from 2016-2018 and would be distributed shortly.

Councillor Light said the Committee was unable to scrutinise the Strategy because it was being considered by Cabinet before the next meeting of the

Committee. She felt that it was a key responsibility of the Committee to scrutinise possible decisions of Cabinet, not just decisions which had already been made.

Councillor Harris noted that the Strategy had been on the Forward Plan previously and she didn't believe it was the role of the Scrutiny Committee to scrutinise every decision made by Cabinet. The Chairman agreed that the Committee shouldn't scrutinise every decision.

In response to a question by Councillor G Barker, the Director of Public Services said Cabinet would be agreeing to Strategy which had action points for the next two years.

The Chairman said the report should be circulated to the Committee once it was published. The Committee could decide to look at the Strategy if it was considered necessary.

Discussions moved onto the review into the street naming and numbering policy. The Chairman noted that there were a number of new streets in Stansted which had very similar names. He asked whether ward members could be consulted on street names.

In response, the Assistant Director Planning and Building Control that the review was light touch and brought the Council's policy up to date with current processes and legislation. As the principle process had not been changed, a consultation had not taken place. He then outlined the street naming and numbering process. This involved three possible names being put forwards by the developer, which were then given to the town/parish council to consider. Royal Mail then gave final approval to the street name.

Councillor Light questioned why the domestic abuse refuge was no longer needed. In response Councillor Redfern, explained that the County Council had changed its policy on how it dealt with victims of domestic abuse.

The Forward Plan was noted.

SC40 **SCRUTINY WORK PROGRAMME**

The Work Programme was noted.

SC41 **ENFORCEMENT REVIEW**

The Chairman said the Task Group had been unable to meet since the previous meeting of the Committee. Regrettably this meant the Task Group had not made any progress.

The Assistant Director Corporate Services explained that although the Task Group had not had another meeting, officers had been collating information requested by the Task Group. In addition, he said, ULODA were still keen to

contribute to the review and their absence at the meeting was only because the Task Group had not met again since the previous committee meeting.

SC42

PLANNING OBLIGATIONS

The Director of Public Services presented his report on planning obligations, which he explained was separated into two parts; the ways of funding infrastructure, and the Council's systems for monitoring and enforcing obligations.

The Government had published Planning Policy Guidance which included advice on planning obligations. The Guidance was included as appendix A to the report. Guidance had also been issued regarding the Community Infrastructure Levy (CIL) which was appendix B to the report.

The Director of Public Services said the regulations prevented the pooling of funding for a particular infrastructure scheme from six or more planning obligations. This was not the case with a CIL where a charge could be levied on developments of any size, unless the category of development was exempt. The purposes on which the CIL could be spent was wide ranging, but could not be used to fund affordable housing. The CIL was intended to be used to fund new infrastructure unless it could be demonstrated that pre-existing deficiencies would be made worse by a new development.

Local authorities were required to allocate at least 15% of levy receipts to spend on priorities agreed with the local community. This could rise to a minimum of 25% in an area with an adopted neighbourhood plan. Parish and town councils were not required to spend their neighbourhood funding in accordance with the charging authority's priorities, but they were expected to work together to agree what the priorities were. A section 106 planning obligation could not be used in relation anything which was intended to be funded through the levy.

The Director of Public Services explained that Section 106 agreements, Section 278 agreements and CIL could be used in combination to deliver infrastructure. However, the NPPF required that this did not threaten the viability of sites, or the scale of development.

Enforcement of planning obligations consisted of monitoring certain trigger points contained within the planning obligation. Most trigger points were not a set date, but the completion of a certain aspect of the development such as a certain number of houses. Planning obligations placed the onus on developers to notify the Council that a trigger point was about to be reached.

In response to a question by the Chairman, the Assistant Director Planning and Building Control said that the decision with to use planning obligations or CIL would be considered as part of the local plan process. As the new plan was developed it would become clearer what the infrastructure requirements would be and what would be the most effective way of delivering funding for that infrastructure.

The report was noted.

SC43 **LOCAL COUNCIL TAX SUPPORT (LCTS) 2017/18 – SCOPING REPORT**

The Chairman asked whether members wished to comment on the suggested terms of reference detailed in the report.

In response to a point by Councillor G Barker, the Director of Finance and Corporate Services said material produced when LCTS was last considered will be made available to members. The recommendation was for a written report to be presented at the next meeting of the Committee.

RESOLVED that a written report would be presented to the next meeting of the Committee, with a further report to July's meeting. The report would cover the following points:

- Explanation of what LCTS is and how it came into being
- Timetable for 2017/18 scheme approval
- Comparison of the UDC scheme with others in Essex
- Consultation process

SC44 **RELATIONSHIP BETWEEN UDC AND ECC – SCOPING DISCUSSION**

The Chairman introduced the item and suggested the first aim should be to narrow down the scope of any possible review. When the relationship between the Council and the County Council was initially raised, the main topic of discussion was Highways and it made sense that any review focussed on this. He asked Members to comment on their experiences with Essex Highways.

Councillor Oliver said there had been a number of issues with roads in Clavering and Wicken Bonhunt which had not been resolved. It felt as though there was no means of checking whether requests had been received or what their status was. Councillor Harris agreed with Councillor Oliver's comments. She had often found it necessary to get the county councillor to raise the issue on the community's behalf.

Councillor Goddard spoke about issues in Forest Hall Park. Highways had a two year waiting period before any roads were adopted and as a result there were no signs or road markings which has caused considerable problems throughout the area.

The Chairman requested that all members were written to about their relationship with Essex Highways.

Councillor Light said that Epping Forest District Council had terminated its relationship with the North Essex Parking Partnership (NEPP). She echoed the sentiments expressed by Councillors Goddard, Harris and Oliver. It was important to look at how the relationships between the Council and Highways, as well as the County Council more generally, and establish how it could be improved.

The Director of Public Services drew Members' attention to the Locality Board, which was a joint meeting between the Council and the County Council. The agenda and minutes of previous meetings were available on the Council's website and could help provide context for any possible review into the relationship between the two authorities.

Councillor G Barker asked for a list of services which connected the Council and County Council to be produced. Members agreed that this would help establish which other areas could be reviewed.

In response to comments by Members, the Assistant Director Planning and Building Control said that the County Council waited until a road was adopted. The Planning Committee could not impact upon this. NEPP had a 5 year period before it could make further changes to on-street parking arrangements. The Planning Committee had called in Highways around a year ago to discuss the consultation responses which were received for planning applications. Members may wish to liaise with Councillor Ranger about the meeting. Epping Forest had withdrawn from the off-street element of NEPP. They could not withdraw from the on-street element as it was devolved from the County Council.

Councillor Davies said his experience with Highways differed from that of other members and he had found that any potholes which he reported had been dealt with within a reasonable timeframe. It was possible that there was a communications issue which meant that issues were being raised with the wrong people.

Councillor S Barker asked that county councillors were also included in any correspondence about Highways. She added that the County Council had to prioritise works as it had a limited budget.

Members discussed the actions to be taken from this meeting. It was agreed that all councillors would be emailed about the County Council with the topics discussed at the Locality Board used as a frame. A list of the relationships between the Council and County Council would be produced. Councillor Ranger would be spoken with about the Planning Committee's call-in of Highways. The County Council would be asked about any performance indicators they had surrounding highways.

RESOLVED that

- All councillors would be emailed about experiences with the County Council using the Locality Board to frame the discussion.
- Officers would produce a list of the areas where a relationship between the Council and County Council existed.
- Councillor Ranger would be contacted about the Planning Committee's call-in of Essex Highways.
- The County Council would be asked to supply any performance indicators they had surrounding Essex Highways.

SC45 **SCRUTINY 2015-16 REVIEW**

The Chairman said that he would present the report to Annual Council and asked Members whether they felt the report reflected the work undertaken by the Committee.

The Assistant Director Corporate Services said the Committee had completed a lot of work, especially given that it was their first year as a committee.

The report was noted.

SC46 **EXCLUSION OF THE PUBLIC**

RESOLVED that under section 100I of the Local Government Act 1972 the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1-5 of Schedule 12A of the Act.

SC47 **BUILDING CONTROL PARTNERSHIP**

The Committee considered the Assistant Director Planning and Building Control's report. The Chairman said that at the previous meeting it was agreed that he and Councillor Harris would make enquiries into the proposed partnership. They had met with the Building Control Team Leader and the Administrative Officer (in her role as the Council's UNISON representative). At the meeting the officers commented on the service's operation and gave their views on the proposed partnership.

The Assistant Director Planning and Building Control outlined the rationale of the proposed partnership. The next stage of the process was financial details. Once these had been published the Council would have to decide whether or not it would commit to the Partnership.

Members examined and discussed the five options presented in the report. In response to points by Members, the Assistant Director Planning and Building Control said that statutory functions had to be dealt with by the respective authority, unless a partnership was agreed. The Council could apply to be an Approved Inspector in its own right.

The Chairman concluded the discussions and asked officers to consider the points made by members in the next report to the Committee.

RESOLVED that officers would consider the points raised by Members in the next report to the Committee.

The meeting ended at 9.50pm.

UTTLESFORD DISTRICT COUNCIL CABINET FORWARD PLAN

| Item | Meeting | Date | Brief information about the item and details of documents submitted for consideration | Key Decision? | Part 2? | Portfolio Holder | Contact officer from where the documents can be obtained |
|---------------------------|---------|--------|--|---------------|---------|------------------|--|
| SPV | Cabinet | 26 May | To recommend to Council the setting up of a Council Company | N | N | Cllr Howell | Nicola Wittman – Assistant Director ICT and facilities nwittman@uttlesford.gov.uk |
| Asset Management Strategy | Cabinet | 26 May | To approve the revised asset management strategy | N | N | Cllr Howell | Nicola Wittman – Assistant Director ICT and facilities nwittman@uttlesford.gov.uk |
| Procurement Strategy | Cabinet | 26 May | To approve the revised procurement strategy | N | N | Cllr Howell | Angela Knight – Assistant Director Finance aknight@uttlesford.gov.uk |
| Cabinet Working Groups | Cabinet | 26 May | To confirm the Cabinet working groups for 2016/17 and appoint Councillors to these groups. | N | N | Cllr Rolfe | Maggie Cox – Democratic Services Officer mcox@uttlesford.gov.uk |
| Outside bodies | Cabinet | 26 May | To appointment representatives on outside bodies for 2016/17 | N | N | Cllr Rolfe | Maggie Cox – Democratic Services Officer mcox@uttlesford.gov.uk |

| Item | Meeting | Date | Brief information about the item and details of documents submitted for consideration | Key Decision? | Part 2? | Portfolio Holder | Contact officer from where the documents can be obtained |
|--|---------|--------|--|---------------|---------|------------------|--|
| Faircroft House | Cabinet | 26 May | To approve the allocation of SIF funding to Faircroft House | Y | N | Cllr Rolfe | Dawn French- Chief Executive dfrench@uttlesford.gov.uk |
| Statement of community Involvement | Cabinet | 26 May | Referred from PPWG - to approve the revised version of the statement of Community Involvement | N | N | Cllr Barker | Roger Harborough – Director of Public Services rharborough@uttlesford.gov.uk |
| Street naming and numbering | Cabinet | 26 May | Referred from previous meeting Policy for renaming of roads for the benefit of the emergency services | N | N | Cllr Barker | Roger Harborough – Director of Public Services rharborough@uttlesford.gov.uk |
| Consultation of a proposal for a revised Airspace change process | Cabinet | 26 May | Referred from STAAP on 10 May - to approve the response to the consultation | N | N | Cllr Barker | Roger Harborough – Director of Public Services rharborough@uttlesford.gov.uk |

Work Programme 2016/17

| Date | 03 May 2016 | 05 July 2016 | 06 September 2016 |
|-----------------------|---|---|--|
| Standard agenda items | Consideration of any decisions called in | Consideration of any decisions called in | Consideration of any decisions called in |
| | Responses of the Executive to reports of the Committee | Responses of the Executive to reports of the Committee | Responses of the Executive to reports of the Committee |
| | Invited Reports from the Executive | Invited Reports from the Executive | Invited Reports from the Executive |
| | Cabinet Forward Plan | Cabinet Forward Plan | Cabinet Forward Plan |
| | Scrutiny Work Programme | Scrutiny Work Programme | Scrutiny Work Programme |
| Agenda items | <u>Enforcement Review:</u> Update from Task and Finish Group | <u>Review of Cabinet system</u> Report from CWG Chairman | <u>Review of Cabinet system</u> - update |
| | <u>LCTS 2017/18</u> Report from officer | <u>Enforcement Review:</u> Final report | |
| | <u>Quiet Lanes</u> Scoping report | <u>Quiet Lanes</u> Update | |
| | <u>Relationship between UDC & ECC:</u> Scoping report | <u>LCTS 2017/18 Scheme</u> Final Report | |
| | | <u>Building Control Partnership</u> Final Report | |

Committee: Scrutiny

Agenda Item

Date: 3 May 2016

10

Title: Local Council Tax Support – Scheme Overview

Author: Angela Knight
Assistant Director - Finance

Information only

Summary

1. The new local council tax support (LCTS) scheme was introduced in April 2013 to replace council tax benefit (CTB) by central government.
2. The CTB was administered by the council and the council claimed back the expenditure incurred on discounts allowed to non-working and low income residents from the Department of Work and Pensions (DWP) via the subsidy grant. This meant that there were no financial implications for the council relating to council tax discounts applied.
3. The LCTS scheme was introduced by central government primarily to incentivise claimants to return to work. The scheme was delegated to Local Authorities (LA's) and the initial funding was allocated via the Revenue Support Grant. LA's were given discretion to set their own scheme criteria and the contribution rate residents would have to pay.

Recommendations

4. None

Background Papers

5. Cabinet Reports
[21 June 2012](#)
[20 November 2012](#)
[24 October 2013](#)
[17 September 2014](#)
[18 June 2015](#)

Impact

| | |
|----------------------------|--------------------------|
| Communication/Consultation | No specific implications |
| Community Safety | No specific implications |
| Equalities | No specific implications |
| Finance | No specific implications |
| Health and Safety | No specific implications |
| Human Rights | No specific implications |
| Legal implications | No specific implications |
| Sustainability | No specific implications |
| Ward-specific impacts | No specific implications |
| Workforce/Workplace | No specific implications |

Introduction

6. The Uttlesford LCTS Scheme was prepared within the framework of an Essex Wide scheme that sought to achieve cost neutrality, the cut in government funding was to be offset by making reductions in the amount of support certain households received.
7. All Essex LA's adopted the following common principles when designing their own schemes;
 - That all billing Authorities will adopt a support scheme based largely on the existing Council Tax Benefit Regulations 2006. This will essentially be means tested
 - As defined by Central Government, all pensioners will be protected under the national framework defined by Department of Communities and Local Government (DCLG)
 - Protection for vulnerable working age groups will be in line with the existing Council Tax Benefit system with specific protection given to families and to persons with disabilities
 - Each of the LA's schemes will incentivise people to return to work
 - The schemes will be cost neutral, with the level of support being directly in line with the level of grant allocated by Central Government
 - The schemes will, as far as possible, allow for expected growth in demand
 - As far as possible the new support scheme will be easy to claim and administer
8. Uttlesford's original scheme was introduced in April 2013; the initial scheme was designed to restrict the maximum support to 91.5%. By setting the minimum contribution at 8.5% the council was able to apply for the transitional grant from central government to help support the implementation of the new scheme.
9. The initial scheme also included the following criteria;
 - Pensioners are protected
 - Vulnerable people (disabled, carers, blind and long term illness) are protected
 - Non-vulnerable working age households will see a reduction in the support they receive and therefore will be required to pay more council tax
 - The calculations for support will be restricted to a maximum of 91.5% of the Council Tax liability
 - Child benefit and child maintenance will continue to be disregarded in the assessment of a household's income
 - Capital cut off to be retained at £16,000

- £25 per week of wages earned to be disregarded from the income assessment
 - A minimum award of £2
 - Second adult rebate scheme will not be treated as a class of eligible claimants
 - Reduction in the period of backdating from 6 months to 3 months
10. In addition a £10,000 hardship fund was set up in 2013/14 to support residents in severe financial difficulty and this was then increased to £15,000.
11. To achieve the agreed principles of cost neutrality for major preceptors and parishes a discretionary grant was allocated to cover the financial implications of the reduced tax base.
12. It is a requirement of the scheme that an annual consultation regarding the scheme is carried out with residents; this was conducted in the summer of 2013. A revised scheme was proposed and approved by Cabinet in October 2014 and endorsed by Full Council.
13. The new scheme consisted of an increase in the minimum contribution from non-working age people claiming support from 8.5% to 12.5%. Further changes were introduced to increase the tax base and reduce the financial pressures incurred by the loss of government funding. The changes included an increased charge on empty homes and second homes. The 2014/15 scheme changed a number of the original criteria as detailed below;
- Withdrawal of the 10% discount on second homes
 - Reduce the Empty Homes class A (major repairs) discount from 100% for up to 12 months to 50%
 - Reduce the Empty Homes class C (vacant dwellings) discount from 100% for up to 6 months to 50%
 - Introduction of an Empty Homes premium of 50% for dwellings unfurnished and empty for more than 2 years
14. Discretionary funding support for major preceptors and parishes continued at the same level.
15. The LCTS scheme and the councils discretionary grants have remained unchanged for both 2015/16 and 2016/17.

16. The council has seen a year on year reduction on the number of claimants since the introduction of the LCTS scheme in 2013/14;

| Year | No of properties claiming | % Reduction |
|---------|---------------------------|-------------|
| 2013/14 | 2,549 | |
| 2014/15 | 2,398 | 5.9% |
| 2015/16 | 2,230 | 6.9% |
| 2016/17 | 2,013 | 9.75% |

17. The Uttlesford scheme can be compared to other LA schemes as shown in the table below;

| | 2013/14 % Contribution | 2014/15 % Contribution | 2015/16 % Contribution | 2016/17 % Contribution |
|-----------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Basildon | 15 | 25 | 25 | 25 |
| Braintree | 20 | 20 | 20 | 20 |
| Brentwood | 20 | 20 | 20 | 20 |
| Castle Point | 30 | 30 | 30 | 30 |
| Chelmsford | 20 | 23 | 23 | 23 |
| Colchester | 20 | 20 | 20 | 20 |
| Epping Forest | 20 | 20 | 20 | 25 |
| Harlow | 24 | 24 | 24 | 26 |
| Maldon | 20 | 20 | 20 | 20 |
| Rochford | 20 | 20 | 20 | 20 |
| Southend-on-Sea | 25 | 25 | 25 | 25 |
| Tendring | 15 | 15 | 20 | 20 |
| Thurrock | 25 | 25 | 25 | 25 |
| Uttlesford | 8.5 | 12.5 | 12.5 | 12.5 |

Financial overview of the LCTS Scheme

18. As part of the delegation of the scheme, central government gave district councils funding of the equivalent sum they had paid out in discounts for 2012/13. A reduction of 10% of this figure was applied based on the principles of non-vulnerable working age claimants being assessed on a lesser amount of council tax liability (e.g. 91.5%). This sum of £3,583,000 was included in the Revenue Support Grant (RSG) and was shown separately in the 2013/14 breakdown of allocated funding. In future years this sum was not shown separately and the RSG funding has reduced significantly, currently for 2016/17 we are only receiving a total of £684,000, 2017/18 will be the final year the council receives any RSG and this will be £251,000.

19. The impact of the LCTS scheme is accounted for within the collection fund using the same criteria as for council tax. In 2013/14 the council allocated a discretionary grant to fund the expected decrease in the tax base for major preceptors at £212,000 and for parishes at £194,000.

20. 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 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.
21. Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.
22. 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.
23. As the scheme has developed the impact on the major preceptors has been absorbed within the collection fund and the council has not been required to fund this grant.
24. The council has paid the discretionary grant to the parishes annually since 2013/14; this has been a reducing figure in line with the reduction of claimants, the grant for 2016/17 is £171,000.

25. The forecast financial impact of the LCTS scheme for the council in 2016/17 is £283,000 as detailed in the table below;

| 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 | -684 | -588 | -96 |
| Subtotal – LCTS scheme | 2,521 | 2,166 | 355 |
| Additional income generated by changes to internal policy | -400 | -343 | -57 |
| Major preceptors income sharing agreement – 16% passed back to district council | 0 | 155 | -155 |
| Subtotal – net effect of the LCTS & discounts changes | 2,121 | 1,978 | 143 |
| 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 | 2,307 | 2,024 | 283 |

26. The council will be required to consult on the scheme and any proposals to amend the current scheme in the summer of 2016, the possible proposals are;

1. No change
2. Increase the discount on empty homes – would increase the cost of the scheme
3. Increase the contribution rate. For every 2.5% increase there is a reduction in cost to the council of £15,000
4. Reduce the discretionary grant given to Parish Councils

27. The timetable for the consultation and approval of proposals for the Scheme for 2017/18 is shown below;

- Draft scheme to Scrutiny - 5th July
- Draft scheme to Cabinet - 14th July
- Consultation period - 1st August – 30th September
- Consultation responses and final scheme proposals to Cabinet - 30th November
- Final scheme presented for approval by Full Council – 8th December

Scoping Report for Scrutiny Committee Review

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| Review Topic | Quiet Lanes | | | |
| Scoping Report to go to meeting on | 3 May 2016 | | | |
| Review to take place at meeting on | 5 July 2016 | | | |
| Review format required at meeting <i>(tick as appropriate)</i> | Written report (to be supplied at least five working days before the meeting) | √ | Presentation | |
| Portfolio Holder | N/A – Quiet Lanes is an Essex County Council responsibility | | | |
| Lead Officer | Roger Harborough | | | |
| Stakeholders | Uttlesford residents, road users, Essex County Council | | | |

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| Suggested Terms of Reference | <ul style="list-style-type: none"> • Understanding of the background to the Quiet Lanes initiative, through CPRE campaigning and inclusion in the Transport Act 2000 and The Quiet Lanes and Home Zones (England) Regulations 2006 • Understanding of the criteria for designating a road a Quiet Lane • The role of the district council and town/parish councils in what is a county council function • Analysis of current application of Quiet Lanes in the district • Consideration of the appropriateness of expanding the Quiet Lanes initiative in the district |
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| Suggested Purpose and/or Objective of the Review | <p>To gain an understanding of the potential benefits and disadvantages, if any, of more rural roads in the district being designated Quiet Lanes.</p> <p>To encourage town and parish councils, if appropriate, to identify potential Quiet Lane proposals for development and assessment through the Highways Panel</p> |
| Methodology/Approach | Written report to the July meeting giving background information to the scheme, its current application in the district and an officer view of the issues |
| Attendees Required | TBC |

Committee: Scrutiny

Agenda Item

Date: 3 May 2016

12

Title: Relationship between Uttlesford District Council and Essex County Council

Author: Richard Auty, Assistant Director Corporate Services Item for decision

Summary

1. This report provides information on the numerous relationships that exist between Uttlesford District Council and Essex County Council.

Recommendations

2. The committee decides whether it wishes to undertake a review of the district council's relationship with the county council and, if so, to decide which aspect of that relationship it wishes to focus on and how it wishes to carry out that review.

Financial Implications

3. None.

Background Papers

4. None

Impact

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| Communication/Consultation | Communication between the two councils will be necessary to conduct this review |
| Community Safety | None |
| Equalities | None |
| Health and Safety | None |
| Human Rights/Legal Implications | None |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | Depending on the decision as to which aspect of the relationship is taken forward to review, there will be an impact on some officers' time (see risk analysis below) |

Situation

5. The relationship between Uttlesford District Council and Essex County Council was added to the Scrutiny Committee's work programme following the exercise to ask all councillors for suggestions of topics for the committee to consider.
6. Members' concerns centred on Essex Highways, particularly in regard to road maintenance, traffic issues, planning applications and planning policy. One member also questioned education planning in the district.
7. At the Scrutiny Committee meeting of March 2016 an initial discussion took place about this topic. The discussion was wider than the relationship with Essex Highways and members requested a list of relationships between the two authorities, which is attached as Appendix A to this report. It lists service areas within the district council and the main links each of these services has to Essex County Council. The majority of services provided by Uttlesford District Council have some link to Essex County Council.
8. The Scrutiny Committee has previously looked at Highways issues. On 4 September 2012 the committee received a presentation from the Highways Strategic Partnership. The minutes of that meeting can be found here:
9. [Minutes of Scrutiny Committee meeting 4 September 2012](#)
10. At its meeting on 3 September 2013 the Scrutiny Committee received a further presentation from the Highways Strategic Partnership. A separate agenda item at the same meeting covered Highways responses to planning consultations. The reports and minutes can be found here:
11. [Scrutiny Committee meeting 3 September 2013](#)
12. Members are requested to confirm whether there is a particular aspect of the relationship between the two councils considered appropriate for review and if so, the methodology and expected outcome of that review.

Risk analysis

| Risk | Likelihood | Impact | Mitigating actions |
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| Planning department time is taken away from Local Plan preparation in order to meet requests for information from the committee | 3 | 3 | Scrutiny Committee is requested to take a proportionate approach to any requirements for information that require direct involvement from the Planning department |

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.

ITEM 12 - APPENDIX

| Uttlesford District Council service | Link with Essex County Council |
|---|--|
| Revenues (Council Tax, Business Rates and Recoveries) | Council Tax sharing agreement Business Rates pool Pan-Essex Revenues and Benefits Group |
| Benefits administration | Pan-Essex Revenues and Benefits Group |
| Finance (including Procurement) | Essex Finance Officers' Group Collection Fund Network (set up by UDC, ECC are members) South East Treasury Management Group (membership includes UDC and ECC) Essex Procurement Officers' Group |
| Facilities | ECC Registrars rent space for birth and death registration service Joint working to promote weddings at UDC offices |
| ICT | Essex Online Partnership – IT steering group aimed at delivering efficiencies. Has a number of sub groups which UDC and ECC attend |
| Printroom & Mailroom | |
| Asset Management | Essex Property Asset Management Group (EPAM) – looks at optimising use of public sector assets |

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| | One Public Estate – regional version of EPAM covering the East of England |
| Communications | Essex Communications officer group Joint working on county-wide promotional campaigns |
| Website | ECC and UDC members of the Essex Online Partnership group which looks at websites and digital service provision |
| HR and Payroll | Professional HR advice and support for UDC provided by the Essex HR Partnership |
| Saffron Walden Museum | Archaeology (Place Services) – historic environment record and monitoring of planning conditions. Ultimately, archaeological excavations are deposited with the museum for its collections. Research Report on Castle geophysical survey – results analysed in ECC Place Services Management of special roadside verges. Coordinating with Essex ighways on cutting/maintenance of special roadside verges (verge surveys carried out by museum Natural Sciences Officer) Records Office. Professional link concerning archives and collections; occasional links for research and display purposes |
| Customer Services | UDC customer service facility in Dunmow located at ECC library General information directly provided on some ECC services, eg adopted roads, footpath diversions General signposting to ECC delivered services eg potholes, street lights etc |

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| Performance Management | UDC and ECC members of Essex Policy and Performance Network |
| Leisure PFI | |
| Grants Administration | |
| Day Centres | |
| Housing Management (managing tenants and houses) | <p>Links to Social Care teams, for example with safeguarding issues</p> <p>Occupational Therapist assessments for council tenants to assist with independent living (funding for home improvements provided in part by DFGs)</p> <p>Think Family Platform – on average 26 agencies including ECC and UDC, sharing information and producing directory of services to help families in the district</p> <p>Stay Safe - officer safeguarding forum including ECC and UDC</p> <p>Housing Links Project – ECC-led project to improve links between council housing teams and social care, membership includes UDC</p> |
| Homelessness | Links to Social Care teams, for example with safeguarding issues |
| Housing Options | Links to Social Care teams, for example with safeguarding issues |
| Sheltered Housing and Lifeline | <p>Links to Supporting People team. We are commissioned by this team to provide support to enable older or vulnerable people to live independently.</p> <p>Links to Social Care teams for example with safeguarding issues</p> |

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| Health Improvement | <p>Links to Better Care Fund which distributes funding for Disabled Facilities Grants (DFGs)</p> <p>Memorandum of Understanding between ECC, UDC, Harlow and Epping Forest to use Public Health Grant for recruitment of Public Health Practitioner to support improvement in public health across the three districts.</p> <p>Links with Public Health specialists at ECC</p> |
| Tenant Participation | |
| Housing Development | <p>Consultation with ECC around care provision in new sheltered schemes/independent living schemes.</p> <p>Pooled funding for selected schemes.</p> |
| Property Services | |
| Environmental Health | <p>Links to Better Care Fund which distributes funding for Disabled Facilities Grants</p> <p>Occupational Therapist assessments for private sector residents to assist with independent living (funding for home improvements provided in part by DFGs)</p> <p>Trading Standards – liaise with ECC on registered food premises, liaise with and help publicise information, eg food allergy campaigns</p> <p>Public Health England – ECC has appointed representative for West Essex (Harlow, Uttlesford and Epping)</p> |

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| <p>Street Services (domestic waste & recycling collection, trade waste collection, grounds maintenance, street cleansing)</p> | <p>ECC disposes of non-recyclable waste collected by UDC</p> <p>ECC recycles food waste and garden waste collected by UDC</p> <p>ECC disposes of fly-tipped materials cleared by UDC</p> <p>Essex Waste Partnership – UDC represented on officer and member working groups</p> <p>Essex Recycling Forum – UDC represented on this officer group</p> <p>Joint waste prevention work, eg discounted home compost bins, cloth nappy campaign etc</p> <p>ECC pays recycling credits and compost credits to UDC for every tonne of waste recycled/composted</p> <p>Inter Authority Agreement between ECC, all 12 districts/boroughs and Southend – through this UDC receives annual payment from ECC to support food waste recycling</p> <p>UDC white goods collection taken to recycling centre in Saffron Walden</p> |
| <p>Highways Rangers</p> | <p>This service is funded by ECC and managed by UDC</p> |
| <p>Development Management</p> | <p>Consultation with Economic Growth & Development on highway issues related to planning applications.</p> <p>Consultation with Economic Growth & Development on education matters and contribution to County Infrastructure</p> <p>Service Level agreement with Place Services for delivery of archaeology and</p> |

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| | <p>ecology matters related to planning applications.</p> <p>Liaison with Planning and Environmental on waste and mineral applications submitted to ECC.</p> <p>Liaison with Essex Highways relating matters around public ways etc.</p> <p>Consultations with Flood & Waste Management on major applications on matters related to sustainable drainage.</p> |
| Planning Policy (including Economic Development) | <p>Joint working on existing infrastructure capacity and additional requirements to support development strategy and site allocations (eg transport, schools and libraries)</p> <p>Contract with ECC Place Services for Sustainability Appraisals</p> <p>Engagement with Superfast Essex unit for delivery of high speed fibre broadband network.</p> <p>Working with Invest Essex to attract inward investment</p> |
| Building Control | |
| Enforcement | <p>Essex County Travellers Unit regarding unauthorised encampments within the district</p> <p>ECC Ecologists – specialist information including where there are concerns about protected species habitats being destroyed</p> <p>ECC Enforcement is there are reports of unauthorised waste sites</p> <p>Footpaths – if UDC Enforcement is aware of works being carried out on a</p> |

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| | <p>public footpath or bridleway, or damage to signage</p> <p>Archaeology – if conditions on planning permissions have not been discharged and works have commenced</p> <p>Business Services – relating to the licensing of the sale of fireworks</p> <p>Drainage – relating to blocking of ditches adjacent to highways</p> |
| Parking | ECC responsibility for on street parking delegated to North Essex Parking Partnership, of which UDC is a member |
| Democratic and Electoral Services | <p>Locality Board and Highways Panel meetings are minuted</p> <p>UDC runs the ECC election in the district</p> <p>Association of Democratic Services Officers – both councils are represented</p> |
| Legal Services (including Land Charges) | <p>Public Law Partnership – membership includes UDC and ECC. Collaboration on procurement and trade with each other on legal services</p> <p>Land Charges links with Essex Highways agents re searches relating to highways land</p> |
| Licensing | |
| Internal Audit | Essex Audit and Counter Fraud Group |
| Emergency Planning | Mutual collaboration, joint training and officer group. ECC has a statutory duty to be first responder although Emergency Planning staff are now employed by Essex Fire and Rescue |

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| <p>Local Strategic Partnership</p> | <p>Representatives from ECC Passenger Services and Adult Community Learning sit on the Economy, Employment, Skills, Environment and Transport Group</p> <p>ECC Early Years Team sits on the Children and Families Group</p> <p>ECC Adult Social Care representative sits on Health and Wellbeing Group</p> <p>Safer Essex – strategic overview of county, includes UDC and ECC representatives</p> <p>Essex Community Safety Network – community safety officers across Essex, including UDC and ECC</p> |
| <p>Policy Development</p> | <p>The Locality Board is the formal strategic link between ECC and UDC. Meetings are chaired alternately by UDC Leader and ECC Cabinet Member.</p> <p>Essex Leaders and Chief Executives Group</p> <p>Essex Chief Executives Group</p> <p>Strategic programmes including Essex Devolution workstreams, and the Essex Integrated Growth Strategy</p> <p>Both authorities have membership of the Integrated Growth Forum</p> <p>All Essex authorities involved in joint coordination of bidding for Local Growth Fund allocations through the South East LEP including creation of a project pipeline</p> |