

**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 7.30pm on 5 JULY 2016**

Present: Councillor A Dean (Chairman)
Councillors H Asker, G Barker, R Chambers, M Felton, S Harris, B Light, E Oliver and G Sell

Officers in attendance: R Auty (Assistant Director Corporate Services), L Cleaver (Communications Manager), J Farnell (Building Control Team Leader), R Harborough (Director of Public Services), A Knight (Assistant Director Finance), A Rees (Democratic and Electoral Services Officer) and A Webb (Director of Finance and Corporate Services)

Also Present: Councillors S Howell (Portfolio Holder for Finance and Administration), V Ranger and J Redfern (Portfolio Holder for Housing and Economic Development).

SC3 APOLOGIES FOR ASBENCE

Apologies for absence were received from Councillor Davies.

The Committee resolved to determine Item 12 after Matters Arising, followed by Item 9.

SC4 MINUTES OF THE MEETING HELD ON 3 MAY 2016

The minutes were received and signed by the Chairman as a correct record subject to the replacement of "parish councils" with "The Council's planning department" in penultimate paragraph of Minute SC56.

SC5 MATTERS ARISING

(i) Minute SC50 – Matters Arising

The Chairman suggested that if Members found an item of interest on the Forward Plan they conducted initial research. The Committee could then decide whether to pursue the matter further.

The additional financial information about the building control partnership, and the notes of the previous meeting had now been circulated.

SC6 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

The Committee considered the Cabinet Forward Plan and Scrutiny Work Programme. The Chairman said that he had requested that all future versions of the Forward Plan were dated.

In response to questions by Councillor Dean about Aspire, the Director of Finance and Corporate Services explained that Aspire was no longer being considered by Cabinet in July. A workshop was still being planned and would be organised once more progress had been made on Aspire.

The Chairman informed the Committee of one change to the Work Programme, as the Enforcement Review would now be considered in September.

Councillor Harris asked about the timescale of the LGA peer review. In reply, the Director of Finance and Corporate Services said the review would be for a week and would either take place on the week commencing 7 November, or the week commencing 14 November and the report from the LGA would be ready before Christmas. In response to questions by Councillor Sell, the Director of Finance and Corporate Services explained that the review would look at the relationship between officers and members in its entirety.

It was agreed that an updated version of the Work Programme would be circulated.

The Cabinet Forward Plan and the Scrutiny Work Programme were noted.

SC7

ESSEX HIGHWAYS – VERBAL REPORT

The Chairman said that at the meeting on 3 May the Committee looked at the scope of the review. Following this meeting Councillor Ranger had attended a highways briefing. He invited Councillor Ranger to present a verbal report on the briefing.

Councillor Asker entered the meeting.

Councillor Ranger said that the briefing provided an introduction to the ECC Highways team and Ringway Jacobs, who were Essex County Council's preferred contractor. The briefing focussed on the bigger picture and included the total budget, and focussed on larger new schemes. Colchester was featured heavily in the work programme and Uttlesford appeared to be somewhat under the radar.

On the planning application side, Highways had 21 days to respond. Speculative applications were seen as a nuisance to them. All applications in Uttlesford were speculative without the adoption of a new local plan so this may be why Highways were perceived as not fully considering applications in the district.

The way in which works were prioritised was also explained at the briefing. Due to the rural nature of Uttlesford's road network, works were often not a priority. Inspections on roads within the district would be quarterly at best, but annual in most instances.

Councillor Ranger explained the coloured markings around identified areas. If an issue was marked with either red or orange repairs would take place. If the markings were purple the issue was low priority.

Councillor Light said that the pothole repair service offered by Essex Highways was not satisfactory as even potholes which were marked as not going to be repaired were in need of work. The smart cities concept would not apply to Uttlesford.

Councillor Ranger agreed that the smart cities concept would not really apply to Uttlesford, but was not of much concern at the moment as it seemed to be a long way off. Highways had to prioritise the work they completed due to a limited budget. Highways had presented sound reasoning for their risk assessments. There was a possibility that pothole repair would be pushed down to local highways panels, although the budgets for highways panels were also being cut.

Councillor Oliver said that it was clear that Uttlesford was under the radar of Essex Highways. Often there was a lack of information and communication about closures. Councillor Barker explained he had a different experience and had found that works were often rescheduled to fit the concerns of residents.

Councillor Sell noted there was a time limit for the use of funding obtained through Section 106 Obligations. The number of reorganisations within Highways had made it difficult to know who to contact in order to ensure that Section 106 funding was used within the time limit.

The report was noted.

Councillor Ranger left the meeting.

SC8

LCTS 2017/18 SCHEME

The Chairman said the purpose of the report was to allow the Committee to provide advice to Cabinet before they took a decision about the LCTS Scheme. The report was taken as read.

Councillor Barker noted that most of the concepts in the report were the same as before, but asked whether the changes to Housing Benefit and Universal Credit Reforms were imposed by the Government. In response, the Assistant Director Finance said that changes were mandatory for Housing Benefit and Universal Credit but not all the changes had been implemented at this point in time. They were not currently required as part of the LCTS scheme.

Councillor Barker said that this appeared to be a fundamental change to the way in which benefits were calculated. If the changes were in line with statutory guidance then the report should be explicit in stating this.

In response to a question by Councillor Sell about the Parish Grants, the Director of Finance and Corporate Services said that Council could only consult

on the proposals for the next financial year, although it was the administrations intention to phase out the subsidy in its entirety. If the administration was minded to it could include as a note during the consultation.

Councillor Light said that she applauded Councillor Barker's comments. She asked that mitigation for possible impacts was included in the report to Cabinet.

Councillor Chambers spoke in reply to the comments made by Councillors Barker and Light. He noted that Uttlesford was comparatively the most generous authority in Essex and that the Council was doing all it could within the financial constraints it faced.

The Chairman said that he was pleased that most of the report went along with the views expressed by the Committee previously. He suggested that officers liaised with other authorities about necessity of consulting on what was essentially the same scheme every year. If appropriate, the Government could be lobbied so the requirement to carry out annual consultations could be removed.

Councillor Howell responded to points made by Members. Cabinet always tried to take into account the views of Members, although this was not always possible. He was pleased, however, that the report broadly reflected the comments made previously by the Committee.

As the current portfolio holder it was his intention to phase out Parish Grants over a two year period. He appreciated that for some town and parish councils this would require significant budgetary adjustments. It was his understanding that the changes to Housing Benefit and Universal Credit were made by the Government last week. He would look to provide more information when Cabinet considered the report next week.

In a response to a suggestion by the Chairman, the Assistant Director Finance said the Essex Chief Finance Officers group already monitor the LCTS as part of the Essex Sharing Agreement on a quarterly basis and discuss the LCTS scheme at their meetings.

The Chairman said that he supported the main points in the scheme and asked Members whether they would accept the changes to Housing Benefit and Universal Credit outlined in paragraph 25, 26 and 27 of the report.

Councillor Felton said she was not happy with the changes in paragraphs 25, 26 and 27. Councillor Sell added to the comments made by Councillor Felton. He found it difficult to recommend something for approval when there was not enough information to make an informed decision. Councillor Barker echoed the concerns of Councillors Felton and Sell. He asked that Cabinet was provided with more information when it considered the report on 14 July.

Members asked questions of the consultation process. The Director of Finance and Corporate Services said that the way in which the consultation was carried out had been changed and had resulted in around 1,200 responses. This was one of the largest response rate the Council had ever received for a non-

planning matter. The Assistant Director Corporate Services said that the consultation process did not fit in with the Committee's timetable.

RESOLVED that:

- The Committee recommends to Cabinet that it approves that: a consultation process be carried out on the following draft proposals:
 - The 2017/18 LCTS scheme is set on the same basis as the 2016/17 scheme and therefore the contribution rate is frozen for the third consecutive year.
 - Parish Grants for town & parish councils to be reduced by 50% in 2017/18.
- Cabinet is provided with more information about the Housing Benefit and Universal Credit reforms detailed in paragraphs 25, 26 and 27 of the report.

SC9 **ENFORCEMENT REVIEW**

The Chairman informed the Committee that the Enforcement Review would now be considered at the meeting in September instead.

SC10 **QUIET LANES**

The Chairman said that there would be more opportunity to discuss quiet lanes in September. He thanked the Communications Manager for producing an interesting and useful report. He noted that a quiet lane had been designated in Felsted and asked that the parish council were contacted about its effectiveness.

Councillor Felton said she would contact Felsted Parish Council about the scheme.

The Communications Manager explained that the Felsted scheme had been implemented in 2004. In 2015 Essex Highways had asked parish councils to put forward suggestions for quiet lanes and Littlebury Parish Council had suggested two roads. These were considered by the Highways Panel but were not considered a priority and as a result were not funded. From speaking to Rissa Long, who was the Highways Liaison Officer at Essex Highways, it appeared that parish councils were not that keen on quiet lanes, mainly due to the increased levels of signage required. Quiet lane schemes could still be submitted to the Highways Panel for consideration.

Councillor Sell suggested that previously there may not have been a great deal of understanding about what a quiet lane was.

The Chairman asked whether the report could be circulated to parish councils to find out whether they would be interested in pursuing this further. Members agreed with this approach.

Councillors Asker and Oliver both said Quiet Lanes were not a priority. Councillor Oliver added that most parish councils would be more concerned about green lanes.

The Assistant Director Corporate Services said that the report was brought before the Committee at its request. So far only Rissa Long at Essex Highways had been contacted about the Quiet Lanes scheme.

The Chairman said that in addition to writing to parish councils a note could be included in the Members' Bulletin.

The report was noted.

SC11

GRANTS

The Assistant Director Corporate Services presented his report, which he explained had come before the Committee for comment. This report was the first part of a review into grants and was primarily concerned with ensuring that the governance arrangements surrounding grants were tightened.

In response to questions, the Assistant Director Corporate Services said that although the formal delegation would be to the Director of Finance and Corporate Services, this would be further delegated to other officers.

Councillor Harris said that she had been told about software which allowed Members to see which grants were available. In response to this, the Director of Finance and Corporate Services said that he believed Councillor Harris was referring to IDOX's grant finder software. This required an officer to search on behalf of applicants.

The Director of Finance and Corporate Services explained that internal audit would be looking at the grants process. Then in response to a point by Councillor Barker, the Assistant Director Corporate Services said there were already upper limits for individual grants. These were set out in the report. He added that any future reports on grants would come before the Committee before they were sent to Cabinet.

In response to questions by Councillor Light, the Assistant Director Corporate Services said that changing the administration of Voluntary Support Grants to a two year rolling period enabled the Council to more effectively budget for the grants it administered. Charities would be given more time to apply for funding. The Director of Finance and Corporate Services added that by operating on a two year programme rather than a three year programme the Council gave itself more flexibility to respond to the changing needs of the district.

The report was noted.

SC12 **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 paragraph 3 of Schedule 12A of the Act.

SC13 **BUILDING CONTROL PARTNERSHIP**

Members considered the report on the proposed partnership between authorities in Essex for a shared building control service. The Director of Public Services then highlighted the parts of the report which considered the points raised by the Committee when they previously considered the proposal. He said that the issue of joining the shared service had been approached in the context this potential proposal being the first of a series of such shared services. This would enable the council to reduce its management, professional and other internal costs such as IT and accommodation to meet the challenges identified in its MTFS.

Members discussed the financial implications of entering into a shared service and the viability of the other options presented. They then questioned officers about the current performance of the Council's Building Control Department and challenges faced by the Department in the future.

Members said that the current arrangement appeared to be working well and the lack of resilience did not appear to be as great of an issue as suggested in the report. There was a lack of evidence in the business case for the proposed partnership. There was also a need to look at the other options in greater detail.

The Director of Finance and Corporate Services explained that Cabinet could not refer the decision to Full Council in the first instance. The Committee could call-in the decision if they felt it necessary. The Committee could then either refer the matter back to Cabinet, or refer it to Full Council.

RESOLVED that the Committee recommends to Cabinet that the Council does not proceed with the Building Control Partnership.

The meeting finished at 10.05pm.