



# Uttlesford District Council

Chief Executive: Dawn French

## Scrutiny

**Date:** Tuesday, 20 June 2017  
**Time:** 19:30  
**Venue:** Committee Room  
**Address:** Council Offices, London Road, Saffron Walden, CB11 4ER

**Members:** Councillors H Asker, G Barker, R Chambers, P Davies, A Dean (Chairman), M Felton, S Harris, G LeCount, M Lemon, B Light, E Oliver

**Substitutes:** Councillors A Gerard, A Mills, G Sell, L Wells

### 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 the meeting held on 11 April 2017** 5 - 8
- 3 Responses of the Executive to reports of the Committee (standing item)**  
To consider any responses of the Executive to reports of the Committee.

- |           |   |         |
|-----------|---|---------|
| <b>4</b>  | <b>Consideration of any matter referred to the Committee in relation to call in of a decision</b><br>To consider any matter referred for call in.   |         |
| <b>5</b>  | <b>Invited reports from the Executive</b><br>To consider any invited reports from the Executive.  |         |
| <b>6</b>  | <b>Cabinet Forward Plan - updated on 12 June 2017</b><br>To receive the Cabinet Forward Plan.   | 9 - 18  |
| <b>7</b>  | <b>Scrutiny Committee Work Programme</b>  | 19 - 22 |
| <b>8</b>  | <b>LCTS Scheme</b><br>To consider the report reviewing the Local Council Tax Support Scheme.  | 23 - 32 |
| <b>9</b>  | <b>Budget and LCTS consultation methodology report</b><br>To receive the report summarising the methodology used to conduct the annual budget and Local Council Tax Support Scheme consultations. | 33 - 44 |
| <b>10</b> | <b>The Uttlesford Local Plan Process</b><br>To consider the report and its recommendations regarding the Scrutiny Committee's role in the Local Plan process.                                     | 45 - 50 |
| <b>11</b> | <b>Any other items which the Chairman considers to be urgent</b><br>To consider any items which the Chairman considers to be urgent.  |         |

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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.

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**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 7.30pm on 11 April 2017**

Present: Councillor A Dean (Chairman)  
Councillors G Barker, R Chambers, M Felton, G LeCount , B Light  
and E Oliver.

Officers in attendance: R Auty (Assistant Director -Corporate Services), P  
Evans (Leisure and Performance Manager), B Ferguson,  
(Democratic Services Officer), V Taylor (Business Improvement  
and Performance Officer) and A Webb (Director of Finance and  
Corporate Services).

Also present: Louise Byrne (Chair of the Tenant Regulatory Panel)

**SC56 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies were received from Councillors Asker, Davies and Harris.

**SC57 MINUTES**

The minutes of the meeting held on 7 February 2017 were received and signed  
by the Chairman as a correct record.

**SC58 RESPONSE OF THE EXECUTIVE TO REPORTS OF THE COMMITTEE**

The Chairman said no official response had been received from the executive  
regarding reports submitted by the Scrutiny Committee. However, a complaint  
had been received at Cabinet from Uttlesford Licensed Operator and Drivers  
Association (ULODA), stating that nothing had been done with regards to  
relaunching forums for Taxi Drivers/Operators as recommended by the Scrutiny  
Committee. Councillor Chambers explained that based on previous experience  
relaunching a forum for the sector was not the most appropriate way. Officers  
have revised and updated the Taxi Chat magazine, to improve engagement  
with drivers. Officers will also be introducing a question and answers forum.  
This will be of greater benefit to the trade as anyone can post questions and  
everyone can be informed directly of the Councils response. The Chairman  
added that a response from the Executive must be pursued.

**SC59 TENANT REGULATORY PANEL – INTRODUCTION TO THE PANEL**

Item 9 was moved forward in the proceedings as a guest speaker was present.  
The Leisure and Performance Manager gave a brief history of the voluntary  
Tenant Regulatory Panel (TRP) group before introducing the Chair of the TRP.

The Chair of the TRP said the group's aims were to improve housing services  
for tenants, and ensure Uttlesford District Council (UDC) was getting good

value for money. She talked about how the group worked, and said that while it had run into staffing problems in the past, its effectiveness and legitimacy had never been in question. She noted it had been nominated for a national scrutiny award for 'inspiring newcomer', and that it had a high quantity of recommendations adopted by UDC.

The Chairman said that the TRP could be of much help to the Scrutiny Committee, and asked if the TRP had worked with UDC committees before.

The Chair of the TRP said the aim of her introduction had been to make members aware of what the TRP was doing and it was open to co-operation. She said that the scope of potential projects would have to be considered as they were a group staffed by volunteers and therefore their workload capacity was limited.

In response to a question from the Chairman, Councillor Felton stated that there was no current slot on the Housing Committee for the TRP and asked whether the TRP could share information on tenant priorities with the Council.

The TRP Chair said she was open to sharing reports and information with the Housing Committee.

Councillor Chambers thanked the TRP for their work and stressed the importance of communication between the group and UDC.

The Chairman thanked the TRP Chair for attending.

SC60

## **CABINET FORWARD PLAN**

The committee considered the updated forward plan and the Chairman asked members for their thoughts. Councillor Felton introduced the provisional Health and Wellbeing Strategy to the discussion. She said although progress had been achieved with external organisations, the strategy needed to be clarified. The Chairman agreed, and said this was a priority.

Councillor Chambers expressed his concern about the remit of such a plan. Although work should be done with external partners, it was not the role of the Council to fulfil the failings of the National Health Service. The council's role should be restricted to making the relevant health service aware of failings and to assist in finding solutions.

In response to a suggestion by Councillor Barker that a document should be made available to remind members of the statutory duties of UDC, Councillor Felton said the UDC should provide guidance, for instance, to assist disabled people when they do not know where they can seek support. The Chairman stated that progress on the Health and Wellbeing Strategy may be of interest to the Scrutiny Committee in the future.

In relation to the Member Public Engagement plan, Councillor Light expressed her concern over the lack of progress made to date. The Assistant Director of Corporate Services updated members on his understanding of the scheme and

said wider community engagement would follow on when the work with the youth engagement group had been completed. It had been suggested this would involve the current members of the Youth Engagement Working Group but this was not definitive due to reservations related to work load.

SC61

## **SCRUTINY WORK PROGRAMME**

The Business Improvement and Performance Officer said that the Work Programme was a list of suggested topics that the Scrutiny Committee could look at in the future.

The Chairman added that it was not a definitive list and members were welcome to make their own suggestions.

Councillor Barker listed a number of items he thought should be considered by the Scrutiny Committee, including resilience and emergency planning.

The Chairman said there was a Corporate Risk Register which reports to the Performance and Audit Committee, and questioned whether resilience plans were in the remit of the Scrutiny Committee.

The Director of Finance and Corporate Services suggested that a report could be submitted to Scrutiny regarding Business Continuity Plans to allay any fears related to resilience issues.

The committee discussed the Cabinet System Review, including the pros and cons of Cabinet and Committee systems. The Chairman suggested that the committee look for other authorities which had changed from a Cabinet to a Committee system, to understand why they had taken the decision.

The Director of Finance and Corporate Services said officers would locate and circulate the Basildon Council report covering its recent decision to change system.

In response to a question from Councillor Felton regarding whether planning enforcement had been examined, the Chairman said planning had been included within the Scrutiny Enforcement review. He went on to explain that Planning and Licensing enforcement had now been split into separate teams.

Councillor Felton said that feedback for planning enforcement was largely negative, with no mechanism to check the progress of a complaint which had been made by the public.

The Director of Finance and Corporate Services said that an up-to-date list of public complaints would be published that week, including reference numbers.

Councillor Chambers gave a verbal update on the Licensing Committee's internal review. In response to a question from the Chairman, he said that ULODA would be included in the consultation stage of the process. ULODA had been unhappy at the lack of progress made regarding a taxi forum between the Licensing Committee and drivers. Councillor Chambers reiterated that the

process was under review and drivers would be consulted in due course. He added that the taxi company 24x7 had given positive feedback about proceedings.

In response to a question from Councillor Oliver, the Chairman asked officers if they had anything to add to the feedback received from PAS, an external body commissioned by the Scrutiny Committee to review the ongoing Local Plan. The Director of Finance and Corporate Services said there was currently no further feedback.

The Chairman asked the Committee and Senior Officers if there was anything they would like added to the work programme. In response the Director of Finance and Corporate Services suggested that the Committee may wish to look at the Council's approach to commercialisation. It was agreed that this would be added to the work programme.

#### **SC62            SCRUTINY COMMITTEE REVIEW 2016-17**

Members received a report reviewing the committee's work through 2016-17. The Chairman, in response to a question from Councillor Barker, said that he would be presenting the report to Full Council.

#### **SC63            ECC HIGHWAYS – REPORTING OF MAINTENANCE ISSUES**

In the absence of Cllr Davies, the lead member of the report, members agreed to remove this item from the agenda and work programme.

The meeting ended at 8.50pm.



**ITEM 6****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               |
|---|---------|--------|---|---------------|---------|------------------|--|
| (Undated items are at the end of this list) |         |        |   |               |         |                  |  |
|   |         |        |   |               |         |                  |  |
|   |         |        |   |               |         |                  |  |
| Private Sector Housing Strategy             | Cabinet | 25 May | To introduce a strategy that outlines the council's plans to meet peoples housing needs by maintaining and improving the existing private housing stock in the district | N             | N       | Cllr Redfern     | Roz Millership – Assistant Director Housing and Environmental Services |
| Home assistance repairs policy              | Cabinet | 25 May | To introduce a policy for providing households with financial assistance to improve their homes.  | N             | N       | Cllr Redfern     | Roz Millership - Assistant Director Housing and Environmental Services |
| Health and Wellbeing Strategy               | Cabinet | 25 May | To introduce a strategy for health and wellbeing for the district and to set a direction for the Uttlesford Health and  | Y             | N       | Cllr Wells       | Roz Millership – Assistant Director Housing and Environment            |

| 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 |
|---|---------|--------|--|---------------|---------|------------------|--|
|   |         |        | Wellbeing Board  |               |         |                  |  |
| Appointment of Cabinet working groups, joint committees and representatives on outside bodies | Cabinet | 25 May |  | N             | N       | Cllr Rolfe       | Dawn French – Chief Executive                            |
| Discretionary rate relief   | Cabinet | 25 May | To set/amend the council's policy on level of business rates relief given to local businesses                      | N             | N       | Cllr Howell      | Angela Knight – Assistant Director Resources             |
| Disposal of land at De Vigier Avenue, Saffron Walden  | Cabinet | 25 May | Decision to be taken on options for disposal of the land   | N             | N       | Cllr Howell      | Adrian Webb – Director of Finance and Corporate Services |
| Planning Performance agreements   | Cabinet | 25 May | To endorse a programmed management approach to the assessment of planning applications and pre-application advice. | N             | N       | Cllr Barker      | Roger Harborough – Director of Public Services           |
|   |         |        |  |               |         |                  |  |
| Local Plan  | Cabinet | 6 July | To consider the draft Local Plan for the purposes of   | Y             |         | Cllr Barker      | Roger Harborough – Director of Public Services           |

| 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 |
|-------------------------------------|---------|---------|--|---------------|---------|------------------|--|
|                                     |         |         | regulation 18 consultation   |               |         |                  |  |
| Local Development Scheme            | Cabinet | 6 July  | To adopt a revised local development scheme  | Y             |         | Cllr Barker      | Roger Harborough – Director of Public Services           |
|                                     |         |         |  |               |         |                  |  |
| Final Budget Outturn 2016/17        | Cabinet | 10 July |  |               |         |                  |  |
| Saffron Walden Culvert              | Cabinet | 10 July | The capital costs of repair are being met by commitments from the EA, AW and ECC. SWTC has agreed to clear debris from the new trash screen on an ongoing regular basis. The repair has an expected life of 25 years but will require surveys every 5 years to monitor continuing effectiveness. EA has asked if UDC will lead on setting up a long term partnership with the riparian owners to build up a revenue fund for monitoring and engagement work. |               |         |                  | Roger Harborough – Director of Public Services           |
| Treasury Management Outturn 2016/17 | Cabinet | 10 July |  |               |         |                  |  |
| LCTS Scheme Proposals               | Cabinet | 10 July |  |               |         |                  |  |

| 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 |
|--|---------|---------|---|---------------|---------|------------------|--|
| 2018/19  |         |         |   |               |         |                  |  |
| Local Heritage Criteria Strategy   | Cabinet | 10 July | To introduce criteria for identifying and managing local non-designated heritage assets   | N             | N       | Cllr Barker      | Roger Harborough – Director of Public Services           |
| Uttlesford Buildings at Risk Register  | Cabinet | 10 July | To update Cabinet on Listed Buildings at risk   | N             | N       | Cllr Barker      | Roger Harborough – Director of Public Services           |
| Appointment of Non-Executive Directors to Aspire (CRP) Ltd                       | Cabinet | 10 July | To appoint non-executive directors to Aspire (CRP) Ltd  |               | N       |                  | Adrian Webb – Director of Finance and Corporate Services |
| Request from Aspire (CRP) Ltd for Newnham Building refurbishment funds (PART II) | Cabinet | 10 July | To recommend to Council a request from Aspire (CRP) Ltd for Newnham Building refurbishment funds  |               | Y       |                  | Adrian Webb – Director of Finance and Corporate          |
| Planning Application fees  | Cabinet | 10 July | The Government's White Paper "Fixing the Broken Housing Market" allows local authorities to increase their fees for planning applications by 20% to provide additional resources for the planning service. This report proposes | Y             | N       | Cllr Barker      | Gordon Glenday – Assistant Director - Planning           |

| 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 |
|---|---------|---------|---|---------------|---------|------------------|--|
|   |         |         | that Uttlesford District Council adopts this proposal and increases its planning fees by 20% with immediate effect. |               |         |                  |  |
| Discretionary Rate Relief – Revaluation Relief Fund   | Cabinet | 10 July |   |               |         |                  | Angela Knight – Assistant Director Resources             |
|   |         |         |   |               |         |                  |  |
| Qtr. 1 Budget Monitoring 2017/18                      | Cabinet | 7 Sept  |   |               |         |                  |  |
| Article 4 Pilot Scheme in Saffron Walden              | Cabinet | 7 Sept  |   |               |         |                  | Nigel Brown – Development Manager                        |
| Saffron Walden Conservation Area Review               | Cabinet | 7 Sept  |   |               |         |                  | Nigel Brown – Development Manager                        |
| Q1Progress report on the Corporate Plan Delivery Plan | Cabinet | 7 Sept  |   |               |         |                  |  |
|   |         |         |   |               |         |                  |  |

| 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 |
|-------------------------------------|---------|--------|---|---------------|---------|------------------|--|
| Air Quality Action Plan             | Cabinet | 18 Oct | To set out the Council's plans for measures to ensure that the National Air Quality objectives will continue to be met in the Saffron Walden Air Quality Management Area. |               |         |                  |  |
| Service Enforcement Plan            | Cabinet | 18 Oct | Each plan will set out the guidelines as to the circumstances in which the relevant enforcement action will be taken and the timeframes.                                  |               |         |                  |  |
| Corporate Enforcement Strategy      | Cabinet | 18 Oct | Consideration of a revised draft corporate enforcement strategy   | Y             | N       |                  | Simon Pugh – Head of Legal Services                      |
|                                     |         |        |   |               |         |                  |  |
| Qtr. 2 Budget Monitoring 2017/18    | Cabinet | 30 Nov |   |               |         |                  |  |
| Treasury Management mid-year review | Cabinet | 30 Nov |   |               |         |                  |  |

| 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 |
|---|---------|--------|---|---------------|---------|------------------|--|
| Finance update/Budget Overview 2018/19 (to include Budget Consultation responses) | Cabinet | 30 Nov |   |               |         |                  |  |
| LCTS Scheme Proposals 2018/19 (to include Consultation responses)                 | Cabinet | 30 Nov |   |               |         |                  |  |
| Q2 Progress report on the Corporate Plan Delivery Plan                            | Cabinet | 30 Nov |   |               |         |                  |  |
|   |         |        |   |               |         |                  |  |
| Local Plan  | Cabinet | 19 Dec |   |               |         |                  |  |
| Statement of Community Involvement  | Cabinet | 19 Dec | To adopt a revised Statement of Community Involvement                                 | N             |         | Cllr Barker      | Roger Harborough – Director of Public Services           |
|   |         |        |   |               |         |                  |  |
|   | Cabinet | 11 Jan |   |               |         |                  |  |

| 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 |
|--|---------|-------------|---|---------------|---------|------------------|--|
|  |         | 2018        |   |               |         |                  |  |
|  |         |             |   |               |         |                  |  |
| Qtr. 3 Budget Monitoring 2017/18                 | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| Budget Covering Report 2018/19                   | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| EQIA 2018/19                                     | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| Robustness of Estimates and Adequacy of Reserves | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| Reserves Strategy 2018/19                        | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| Medium Term Financial Strategy                   | Cabinet | 15 Feb 2018 |   |               |         |                  |  |
| Treasury Management Strategy                     | Cabinet | 15 Feb 2018 |   |               |         |                  |  |



| 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 |
|---|---------|--------------|---|---------------|---------|------------------|--|
| Capital Programme   | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
| Housing Revenue Account                                   | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
| General Fund Budget and Council Tax                       | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
| Procurement Strategy 2018/19                              | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
| Q3 Progress report on the Corporate Plan Delivery Plan    | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
| Corporate Plan review                                     | Cabinet | 15 Feb 2018  |   |               |         |                  |  |
|   |         |              |   |               |         |                  |  |
| Corporate Plan Delivery Plan review                       | Cabinet | 4 April 2018 |   |               |         |                  |  |
| Final Progress report on the Corporate Plan Delivery Plan | Cabinet | 4 April 2018 |   |               |         |                  |  |

| 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 |
|-------------|---------------------|------|--|---------------|---------|------------------|--|
|             |                     |      |  |               |         |                  |  |
| Local Plan  | Cabinet/<br>Council | TBC  | Further decisions will be required regarding the local plan but the timing may not align to existing meetings and may therefore necessitate additional meetings of Cabinet and Council |               |         | Cllr Barker      | Roger Harborough – Director of Public Services           |
| Day Centres | Cabinet             | TBC  | To consider a proposal for the future management of the Day Centres within the District.   |               |         | Cllr Wells       | Paula Evans – Leisure and Performance Manager            |

## Work Programme 2017/18

| Date                  | 20 June  | 19 Sept  | 21 Nov   | 6 Feb  | 27 Mar   | 1 May  |
|-----------------------|--|--|--|--|--|--|
| Standard agenda items | 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                                     | 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                                     |
|                       | Consideration of any matter referred to the Committee in relation to call in of a decision | Consideration of any matter referred to the Committee in relation to call in of a decision | Consideration of any matter referred to the Committee in relation to call in of a decision | Consideration of any matter referred to the Committee in relation to call in of a decision | Consideration of any matter referred to the Committee in relation to call in of a decision | Consideration of any matter referred to the Committee in relation to call in of a decision |
|                       | Invited reports from the Executive   | Invited reports from the Executive   | Invited reports from the Executive   | Invited reports from the Executive   | Invited reports from the Executive   | Invited reports from the Executive   |
|                       | Cabinet Forward Plan   | Cabinet Forward Plan   | Cabinet Forward Plan   | Cabinet Forward Plan   | Cabinet Forward Plan   | Cabinet Forward Plan   |
|                       | Scrutiny Work Programme  | Scrutiny Work Programme  | Scrutiny Work Programme  | Scrutiny Work Programme  | Scrutiny Work Programme  | Scrutiny Work Programme  |
| Agenda items          | Local Council Tax Scheme (LCTS) Proposals 2018/19  | Day Centres  | Local Council Tax Scheme (LCTS) Proposals 2018/19  | 2018/19 Budget   | Scrutiny 2017/18 Review  |  |
|                       | Budget and LCTS Consultation   | Enforcement Strategy and service plans pre-Cabinet review                                  | Budget Overview 2018/19  | Scrutiny Evaluation Information  | Scrutiny Evaluation Outcome  |  |
|                       | Local Plan scoping document  | Street Naming and Numbering pre-Cabinet review   | Commercialisation  |  |  |  |
|                       |  | Revised MTFS   |  |  |  |  |
|                       |  | Pavement Parking – invitation to senior police officer to discuss                          |  |  |  |  |

## **Potential items to add**

- Business continuity/resilience planning
- Cabinet System
- Affordable housing provision
- Evaluation of controls in place regarding information provided by developers
- Planning appeals
- Methods used to assess sustainability in planning applications
- Possibilities around enhancing the council's recycling and waste collection scheme
- The Council tax arrears collection process

## Scrutiny Items – June 2017 Status Report

| Item                               | Status with Scrutiny   | Latest note   | Status |
|------------------------------------|--|---|--------|
| Air Quality Action Plan (AQAP)     | Subject of Scrutiny call-in meeting on 4 October                                     | A revised AQAP is being prepared which takes into account advice from DEFRA and the ongoing transport modelling work on Saffron Walden's highway network.<br><br>The revised plan is timetabled for Scrutiny in September and Cabinet in October.       | Open   |
| Member/Public Engagement           | This has arisen during Scrutiny meetings through the Cabinet Forward Plan            | This action will be monitored through the Corporate Plan Delivery Plan and LGA Peer Review action plan. A Public Engagement Working Group was established at Annual Council in May. The Chairman will meet with the Chief Executive and other officers. | Open   |
| Street Naming and Numbering Policy | Subject of the Scrutiny call-in meeting on 16 June                                   | A revised Street Naming and Numbering policy is close to being finalised and is timetabled for Scrutiny in September and Cabinet in October.  | Open   |
| PAS Action Plan                    | Scrutiny commissioned the PAS to review progress on the emerging local plan to date. | An update was provided at the meeting in February. Progress is still ongoing.<br><br>The PAS actions have been incorporated in to the local plan project plan.  | Open   |



**Committee:** Scrutiny

**Agenda Item**

**Date:** 20<sup>th</sup> June 2017

**8**

**Title:** 2018/19 Local Council Tax Support Scheme

**Portfolio Holder:** Councillor Simon Howell

**Key decision:** No

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### **Summary**

1. There is a requirement to annually review the Local Council Tax Support (LCTS) Scheme, and propose changes to the scheme for the following financial year. The decisions made, even if no change is proposed, must then be consulted upon before a decision is taken at Full Council in December on the final scheme for the following financial year.
2. As can be seen from the table in paragraph 8 Uttlesford has the lowest percentage contribution requirement of any authority in Essex. This demonstrates that whilst the council has had sufficient funds to support the scheme it has done so.
3. In 2013/14 when the original scheme was introduced the contribution rate was set at 8.5%. This increased in 2014/15 to 12.5% and it has remained at this rate for each subsequent year.

### **Recommendations**

4. The Committee is recommended to provide feedback on the consultation to be carried out based on the following draft proposals:
  - i. The 2018/19 LCTS scheme is set on the same basis as the 2017/18 scheme and therefore the contribution rate is frozen for the fourth consecutive year.
  - ii. The Council continues to protect Vulnerable and Disabled Residents and Carer's on a low income.
  - iii. The discretionary subsidy grant for Town & Parish councils is withdrawn.

### **Financial Implications**

5. Detailed in the main body of this report.

### **Background Papers**

6. None.

## Impact

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

## Local Council Tax Support (LCTS)

7. LCTS replaced Council Tax Benefit (CTB) from 1 April 2013. The Council has adopted a scheme which has the following key elements:
  - a) Pensioners on low income protected from adverse changes (as required by Government)
  - b) Disabled people, carers and blind people on a low income receive discretionary protection from adverse changes
  - c) Working age people previously on full CTB pay no more than 12.5% of the council tax bill
  - d) £25 per week of earned wages income disregarded from assessment (to provide a work incentive)
  - e) Child Benefit and Child Maintenance disregarded from assessment (to minimise exacerbation of child poverty, or accusations of same)
  - f) Hardship Policy to enable additional support for genuine extreme hardship cases
  - g) Discretionary subsidy from UDC budget to ensure cost neutrality for County, Police and Fire (because the cost of the 'generous' UDC scheme is greater than the Government funding provided)
  - h) In 2017/18 it was agreed that the LCTS scheme would adopt the following principals in line with Housing Benefit legislation;
    - i. Removal of the family premium for all new working age claimants
    - ii. Reduction of backdating of a claim from 6 months to 1 month



- iii. Removal of the element of the work related work activity component in the calculation of the current scheme for new employment and support allowance applicants
- iv. Period of absence from Great Britain reduced from 13 weeks to 4 weeks whilst still being able to claim benefits

### Contribution Rates across Essex

8. The council has the lowest percentage liability cap within Essex.

|                 | Contribution Rate (%) |         |         |         |           |
|-----------------|-----------------------|---------|---------|---------|-----------|
|                 | 2013/14               | 2014/15 | 2015/16 | 2016/17 | 2017/18 * |
| Basildon        | 15                    | 25      | 25      | 25      | 25        |
| Braintree       | 20                    | 20      | 20      | 20      | 24        |
| Brentwood       | 20                    | 20      | 20      | 20      | 20        |
| Castle Point    | 30                    | 30      | 30      | 30      | 30        |
| Chelmsford      | 20                    | 23      | 23      | 23      | 23        |
| Colchester      | 20                    | 20      | 20      | 20      | 20        |
| Epping Forest   | 20                    | 20      | 20      | 25      | 25        |
| Harlow          | 24                    | 24      | 24      | 26      | 24        |
| Maldon          | 20                    | 20      | 20      | 20      | 20        |
| Rochford        | 20                    | 20      | 20      | 20      | 28        |
| Southend-on-Sea | 25                    | 25      | 25      | 25      | 25        |
| Tendring        | 15                    | 15      | 20      | 20      | 20        |
| Thurrock        | 25                    | 25      | 25      | 25      | 25        |
| Uttlesford      | 8.5                   | 12.5    | 12.5    | 12.5    | 12.5      |

### Caseload

9. The following table details the caseload as at 31 March for each year and shows a significant drop in the number of Working Age claimants through the life of the scheme, although there is an increase in the number of vulnerable and disabled claimants.
10. Whilst the decrease in working age claimants is positive it does mean any future changes to the scheme are directly impacting on a much smaller group of people. In addition, as the group is smaller the revenue raised from increasing the contribution rate has also decreased.

| LCTS Caseload       |                     |                     |                     |                     |                     |                     |                     |                                |
|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------|
|                     | 2013/14<br>Caseload | 2014/15<br>Caseload | 2014/15 %<br>change | 2015/16<br>Caseload | 2015/16 %<br>change | 2016/17<br>Caseload | 2016/17 %<br>change | Total %<br>change all<br>years |
| Pensionable Age     | 2,014               | 1,901               | -6%                 | 1,811               | -5%                 | 1,740               | -4%                 | -14%                           |
| Vulnerable/Disabled | 503                 | 631                 | 25%                 | 658                 | 4%                  | 659                 | 0%                  | 31%                            |
| Working Age         | 1,222               | 972                 | -20%                | 784                 | -19%                | 785                 | 0%                  | -36%                           |
|                     | <b>3,739</b>        | <b>3,504</b>        |                     | <b>3,253</b>        |                     | <b>3,184</b>        |                     |                                |

The drop in pensioner may be a consequence of the change in retirement age from 65 to 66

## Costs

11. Under the old CTB scheme the council was refunded the full cost. When LCTS commenced the government only gave councils 90% of the cost with the expectation that the cost of the lost 10% would be passed onto the taxpayer.
12. The core funding of UDC's share has been paid through the Revenue Support Grant (RSG) which has been reducing for the last few years as it is being replaced by New Homes Bonus and Business Rates Retention. In 2018/19 the council will no longer receive RSG.
13. The forecast cost of the 2017/18 scheme for UDC is £261,000 this included the 50% reduction in the Parish and Town Council Grants and the extra income generated through the Essex Sharing Agreement (see point 18).
14. It is anticipated that for 2018/19 with the withdrawal of 100% of the Town and Parish grant funding this will reduce the cost of the scheme to £184,000.
15. The cost of the scheme would be further reduced if the contribution rate was increased for Working Age group claimants.

## Increasing the Contribution Rate

16. If the cap is increased the scheme would generate more income. However as the Working Age group is reducing in size the amount of additional income per percentage point is also decreasing.
17. When the LCTS scheme for Uttlesford was established it was anticipated that collection from the taxpayers may be a challenge and therefore the expected collection rate was set at 75%.
18. Collection has not proven to be a major issue with the current rate being in excess of 95%. For this report we have assumed a collection rate of 95%.
19. For each increase of 2.5% in the contribution rate it would generate an additional council tax potential income of £27,071 across the major preceptors of which the council would retain £4,061.
20. The impact of each 2.5% increase on a Working Age claimant who receives the maximum amount of LCTS would be an additional 66p per week to pay, adding up to £34 for a full year.
21. The financial gain and the claimant impact are detailed in the table below, the costings are based on all working age claimants paying a 12.5% contribution, as it is impossible to identify and calculate precise figures as the contribution level varies dependant on the claimant's circumstances.

| Average total           |                          |                         |                                |                               |                                |
|-------------------------|--------------------------|-------------------------|--------------------------------|-------------------------------|--------------------------------|
| Percentage Contribution | liability income due (£) | 90% Collection Rate (£) | Increase @ 2.5% increments (£) | Cost per year to claimant (£) | Cost per week per claimant (£) |
| 12.50%                  | 150,397                  | 135,357                 |                                |                               |                                |
| 15%                     | 180,477                  | 162,429                 | 27,071                         | 34                            | 0.66                           |
| 17.50%                  | 210,556                  | 189,500                 | 54,143                         | 69                            | 1.33                           |
| 20%                     | 240,635                  | 216,572                 | 81,214                         | 103                           | 1.99                           |

## **Income Sharing Agreement**

22. An Essex wide income sharing agreement was entered into with all billing authorities and major preceptors at the time of implementation of the new LCTS scheme.
23. The main principles of the agreement are to ensure a joint approach in maximising income collection, reduce fraud and ensure compliance.
24. By 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.
25. Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.
26. 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.
27. Two posts are being funded through this agreement from 2015/16 for a period of three years to work directly on all areas of fraud and compliance within Council Tax.
28. We are currently working with Essex County and other Local Authorities on the 'Next Steps for the Sharing Agreement'. Due to the success of this agreement for all parties it is anticipated that this will continue.
29. The income generated directly from this work will also be shared as per the agreement.

## **Funding for Town/Parish Councils**

30. A key feature of the LCTS scheme is that the LCTS discounts reduce the taxbase, and therefore affect council tax calculations, including the headline Band D figure.
31. For 2013/14 UDC decided that the most appropriate course of action was to distribute funds to Town & Parish councils in such a way as to ensure that they are neither advantaged or disadvantaged by the LCTS taxbase adjustments.
32. The effect is that the parish Band D figure is not affected by these adjustments, and any increase or decrease in the Band D figure was solely because of changes in the town/parish council's budget.
33. This approach of funding Parish and Town Councils has continued for subsequent years up to and including 2016/17.
34. As discussed in point 12 with the removal of RSG in 2018/19 means the council will bear the financial burden of the LCTS scheme including the element for Parish and Town Councils.

35. The following table shows, (where this information is available, last year's data as current year is not available at this time), the approach other Local Authorities are taking with regard to the payment of grant funding to Parish/Town Councils for the LCTS schemes.

| Local Authority | Grant for Parish/Town Councils                      |
|-----------------|---|
| Basildon        | 100% funded (no plans to change)                    |
| Brentwood       | 100% funded (no plans to change)                    |
| Castle Point    | Decreased grant in line with RSG funding reductions |
| Chelmsford      | Decreased grant in line with RSG funding reductions |
| Colchester      | Decreased grant in line with RSG funding reductions |
| Epping Forest   | Decreased grant in line with RSG funding reductions |
| Harlow          | No Parishes   |
| Maldon          | Withdrew grant from 2016/17                         |
| Rochford        | Decreased grant in line with RSG funding reductions |
| Southend        | Decreased grant in line with RSG funding reductions |
| Thurrock        | No Parishes   |

36. A 50% reduction in the grant funding for the Parish and Town Councils was included in the 2017/18 scheme to reflect the cut in RSG funding.
37. It is proposed that in 2018/19 the Parish and Town grant funding be withdrawn completely and this is reflected in the table of costs in point 45.
38. The table below details the amount of grant received by Parish and Town Councils in 2017/18, the proposal recommends there will be no grant funding in 2018/19.

| <b><u>LCTS Parish Grant - 2017/18</u></b> |        |                    |               |
|---|--------|--------------------|---------------|
| Arkesden                                  | 29     | Leaden Roding      | 215           |
| Ashdon                                    | 243    | Lindsell           | 0             |
| Aythorpe Roding                           | 21     | Little Bardfield   | 100           |
| Barnston                                  | 576    | Little Canfield    | 306           |
| Berden                                    | 144    | Little Chesterford | 18            |
| Birchanger                                | 500    | Little Dunmow      | 279           |
| Broxted                                   | 338    | Little Easton      | 359           |
| Chickney                                  | 0      | Little Hallingbury | 639           |
| Chrishall                                 | 218    | Littlebury         | 452           |
| Clavering                                 | 294    | Manuden            | 114           |
| Debden                                    | 229    | Margaret Roding    | 163           |
| Elmdon and Wenden Lofts                   | 191    | Newport            | 1,616         |
| Elsenham                                  | 1,444  | Quendon and Rickli | 514           |
| Farnham                                   | 145    | Radwinter          | 293           |
| Felsted                                   | 1,690  | Saffron Walden     | 27,803        |
| Flitch Green                              | 301    | The Sampfords      | 195           |
| Great Canfield                            | 12     | Sewards End        | 75            |
| Great Chesterford                         | 1,082  | Stansted           | 5,979         |
| Great Dunmow                              | 18,298 | Stebbing           | 749           |
| Great Easton and Tilty                    | 298    | Strethall          | 0             |
| Great Hallingbury                         | 195    | Takeley            | 3,615         |
| Hadstock                                  | 167    | Thaxted            | 3,837         |
| Hatfield broad Oak                        | 769    | Ugley              | 106           |
| Hatfield Heath                            | 737    | Wendens Ambo       | 145           |
| Hempstead                                 | 146    | White Roding       | 94            |
| Henham                                    | 443    | Wicken Bonhunt     | 43            |
| High Easter                               | 108    | Widdington         | 213           |
| High Roding                               | 0      | Wimbish            | 227           |
| Langley                                   | 35     |                    |               |
| <b>Total Grant paid</b>                   |        |                    | <b>76,802</b> |

## LCTS Administration, hardship and recovery funding

39. As part of the scheme the major preceptors (County, Fire and Police) provide funding of £34,000 per annum to employ an officer to ensure the efficient administration of the LCTS scheme. The officer also works with those people affected by the scheme to provide support in managing their payments and thereby avoid costly recovery action being taken.
40. Essex County Council contributes £7,000 per annum towards the running of the hardship scheme which has a £15,000 annual budget (£8,000 UDC element).

## Consultation

41. It is intended that the consultation would be conducted in **September (tbc)**. The consultation would include:
- a) Citizens Panel e-survey
  - b) UDC Website / online survey
  - c) All Town and Parish Councils
  - d) Major Preceptors
42. The results of the consultation will be included in the reports presented to Cabinet and Scrutiny in the autumn.

## Full cost of LCTS scheme

43. The following table shows that the forecast financial position for UDC in 2017/18 is a net cost of £261,000.

| £ '000  | LCTS Expenditure<br>2017/18 | County, Fire and<br>Police Share | UDC Share<br>2017/18 |
|---|-----------------------------|----------------------------------|----------------------|
| LCTS Discounts                                  | 3,119                       | 2,682                            | 437                  |
| Major Preceptors - Sharing Agreement (16%)      | 0                           | 222                              | -222                 |
| <b>Net of LCTS Scheme &amp; Discounts</b>       | <b>3,119</b>                | <b>2,904</b>                     | <b>215</b>           |
| UDC Funding of Parish/Town Councils             | 77                          | 0                                | 77                   |
| Major Preceptor LCTS Funding (Admin & Recovery) | 0                           | 34                               | -34                  |
| LCTS Hardship Scheme                            | 15                          | 7                                | 8                    |
| ECC Funding of Hardship Scheme                  | 0                           | 5                                | -5                   |
| <b>Total Net Cost</b>                           | <b>3,211</b>                | <b>2,950</b>                     | <b>261</b>           |

44. The following table brings together all the costs and income arising from the recommendations in the report. The forecast financial position for UDC in 2018/19 is based on the same caseload as for 2017/18 and gives a net cost of £184,000.

| £ '000  | LCTS Expenditure<br>2018/19 | County, Fire and<br>Police Share | UDC Share<br>2018/19 |
|---|-----------------------------|----------------------------------|----------------------|
| LCTS Discounts                                  | 3,119                       | 2,682                            | 437                  |
| Major Preceptors - Sharing Agreement (16%)      | 0                           | 222                              | -222                 |
| <b>Net of LCTS Scheme &amp; Discounts</b>       | <b>3,119</b>                | <b>2,904</b>                     | <b>215</b>           |
| UDC Funding of Parish/Town Councils             | 0                           | 0                                | 0                    |
| Major Preceptor LCTS Funding (Admin & Recovery) | 0                           | 34                               | -34                  |
| LCTS Hardship Scheme                            | 15                          | 7                                | 8                    |
| ECC Funding of Hardship Scheme                  | 0                           | 5                                | -5                   |
| <b>Total Net Cost</b>                           | <b>3,134</b>                | <b>2,950</b>                     | <b>184</b>           |

## Timetable

45. The table below sets out the timetable for the setting of the 2018/19 LCTS Scheme

|   |                                |  |
|---|--------------------------------|--|
| Scrutiny                                      | 20 <sup>th</sup> June 2017     | To provide feedback on the consultation to be carried out based on the draft proposals                               |
| Cabinet                                       | 6 <sup>th</sup> July 2017      | Report to agree draft proposals and initiate consultation process  |
| Consultation process – <b>To be confirmed</b> | August – September 2017        | Citizens Panel e-survey<br>UDC Website / on line survey<br>Town/parish councils<br>Discussions with major preceptors |
| Scrutiny                                      | 21 <sup>st</sup> November 2017 | Opportunity to review consultation outcomes and final proposals prior to consideration by Cabinet and Full Council   |
| Cabinet                                       | 30 <sup>th</sup> November 2017 | Consider consultation responses and determine final proposals for 2018/19  |
| Full Council                                  | 7 <sup>th</sup> December 2017  | Approve 2018/19 LCTS scheme  |

## Risk Analysis

| Risk  | Likelihood  | Impact  | Mitigating actions  |
|---|---|---|---|
| Assumptions about costs and income levels are incorrect | 3 (a high degree of variability and estimation is involved) | 3 (adverse or favourable cost affecting the council budget/collection fund) | Monitor trends closely and review scheme each year to make necessary adjustments. |

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.





**Committee:** Scrutiny

**Agenda Item**

**Date:** 20 June 2017

**9**

**Title:** Budget and LCTS consultation methodology

**Author:** Richard Auty, Assistant Director Corporate Services

Item for information

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## Summary

1. This report summarises the methodology used to conduct the annual budget and Local Council Tax Support Scheme consultations, including changes in approach being put in place for 2017.

## Recommendations

2. None

## Financial Implications

3. The cost of the consultations as set out in the report is built into the 2017/18 budget

## Background Papers

4. None

## Impact

- 5.

|                                 |   |
|---------------------------------|---|
| Communication/Consultation      | This report covers consultation methodology |
| Community Safety                | None  |
| Equalities                      | None  |
| Health and Safety               | None  |
| Human Rights/Legal Implications | None  |
| Sustainability                  | None  |
| Ward-specific impacts           | None  |
| Workforce/Workplace             | None  |

## **Situation**

6. For the past six years the council has carried out a consultation asking for residents' views on the headline priorities for setting the budget for the approaching financial year. With the introduction of Local Council Tax Support (LCTS) in April 2013 the council has also run an annual consultation asking for residents' views on the provisions that Uttlesford District Council makes for local people within the scheme.
7. The Scrutiny Committee previously requested a report outlining the approach the council takes in conducting these consultations.
8. Consultation is a delegated function under the council's constitution and therefore does not require formal member approval at any stage. That said, the consultations are carried out in order to assist members in making an informed decision on spending priorities. The current consultation methodology was developed with the Cabinet Member for Finance and other Cabinet colleagues in 2015. This was the last fundamental review of the way budget consultation is carried out at the council. The methodology has recently been reviewed by officers and Cabinet members, who have reconfirmed it is the approach they consider most appropriate.

## **Budget Consultation – methodology and response rates**

9. Prior to 2015, budget consultation was carried out via Uttlesford Life, through a survey asking residents to rate a series of statements relating to corporate priorities in order of importance.
10. Since 2015, the council has used a service-based approach to questions and the following methods to consult residents and businesses:
  - A telephone survey of 500 residents (qualitative research – sample size recommended by professional market research companies as proportionate for the size of the district. It is profiled by age and ward and has a confidence interval of 95%. )
  - Online consultation open to all residents
  - Paper questionnaires in libraries and UDC customer service points
  - Through the council's Citizens' Panel
11. In addition, businesses have been engaged through:
  - A dedicated business focussed version of the consultation available online, details of which were circulated through the Uttlesford Business Database
  - Direct contact at business networking events

12. Last year, 512 responses were received from the telephone survey, 14 responses were received via the website online form and 146 responses were received from members of the council's citizens' panel.
13. Overall this represents a substantially higher level of response than that achieved by other comparable local authorities e.g. Braintree District Council achieved 84 responses to their budget consultation for setting the 2016/17 budget or Rochford who had 210 respondents from their 2016 consultation for the 2017/18 budget.
14. In 2015 the Council also trialled face-to-face consultation in key population areas; however this was not repeated in 2016 as it did not prove to be an effective way to gather responses.

### **LCTS consultation – methodology and response rates**

15. Up until 2014, consultation on the LCTS schemes was carried out via a combination of online surveys and direct promotion to preceptors, emails to all large housing providers, letting agents, estate agents and other stakeholders (e.g. CAB).
16. Since 2015, information about the LCTS setting process and a survey have been:
- Distributed as an insert with the Uttlesford Life and including a prepaid reply envelope
  - Made available as an online consultation
  - Made available as paper questionnaires in libraries and UDC customer service points
17. Last year, 1,115 responses were received using the pull-out survey distributed with Uttlesford Life. A further 91 responses were received via the website online form/paper copies. Overall this represents a substantially higher level of response than that achieved by other comparable local authorities, for example Braintree received 257 returns.

### **Changes being made for the 2017 consultations**

18. The figures set out in paragraph 17 suggest that including a tear out and return form with a prepaid envelope in Uttlesford Life does drive the response rate. Therefore in 2017, the budget consultation will be included in addition to the LCTS consultation in a September edition of the magazine. Residents will have the option of completing one or both consultations and sending one or both back in a single envelope. The exact mechanics of the form have yet to be determined but officers will ensure the two consultations can be separated in some way (most likely perforation).

19. The other methods of consultation, as set out in paragraphs 10 and 16, will continue.

### **Consultation questions - budget**

20. As mentioned in paragraph 9, the council has since 2015 conducted the budget consultation by asking consultation respondents to rate council services based on their level of priority. An additional question asks for views on the Council Tax level. An example is appended to this report. Please note that this is not the final list of questions to be used in the 2017 consultation but is provided to give Members an idea of what the survey looks like. The break in the list of services is inserted primarily for the purpose of the phone survey as it helps the interviewer.

21. There are of course advantages and disadvantages to any consultation approach. Council budget consultations fall into two categories – corporate priorities or services. Officers have looked at a large number of council budget consultations and service-based consultations similar to the one Uttlesford conducts are by far the most common.

22. The advantages of this approach for 2017 include:

- It is meaningful for most residents – they are being asked for their opinion on services which they will recognise
- It allows for comparison with previous years, meaning trends can be identified
- It is simple to administer, simple to understand and produces a result which gives a clear indication of where residents believe council money should be targeted

The downside to this approach is that it does not directly reference the council's corporate aims as set out in the Corporate Plan nor does it necessarily reference any one-off or cross-service initiatives the council may be undertaking (although this can be addressed if there are such initiatives under way or being developed when the questions are reviewed and refreshed).

23. Some authorities do use a corporate priority approach instead, although as mentioned in paragraph 21, this is less common. This is the approach Uttlesford took until it reviewed its budget consultation in 2015. The most common form these types of consultation take is a series of statements linked to the council's corporate plan priorities, which respondents are asked to express a view on in terms of importance to them.

24. The advantage of this approach is that the consultation links more directly with the Corporate Plan and could help contribute towards the development of new corporate aims as well as budget setting.

25. However, members of the public may be less likely to identify with the broad aims of the corporate plan than with the services they receive, which may adversely affect the response rate. In addition, the key aims of the corporate plan are high level and the underpinning delivery plan is a one-year document for 2017/18, while the consultation is for the 2018/19 year.
26. Cabinet Members have requested an additional question be included in this year's consultation, asking residents their view on whether they believe the council consults with them an appropriate amount. This question will give respondents options to state they are consulted too much/too little/the right amount.

### Consultation questions – LCTS

27. Despite the potential for this consultation to be challenging for respondents due to the complex financial nature of the subject matter, the council has in fact received relatively few adverse comments on it. Indeed, the LCTS consultation has produced some of the highest response rates for non-Planning consultations in recent years.
28. There are certain key matters within the scheme that must be consulted on each year; therefore in 2017 the consultation will not be markedly different to previous years. There will be three questions asked of respondents, which have been asked each year since the consultation began. Questions relevant to previous changes to the scheme have been removed. The three questions which will form this year's LCTS consultation are appended to this report.

### Risk Analysis

29.

| Risk  | Likelihood | Impact | Mitigating actions   |
|---|------------|--------|--|
| If the council does not use an effective methodology, then the public will not respond, leading to an unrepresentative result | 1          | 2      | The methodology uses a variety of channels which give residents the opportunity to take part should they wish to. The inclusion of a qualitative, profiled element in the budget survey ensures a representative sample. |

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.

## Budget and LCTS Consultation methodology Appendix

Budget consultation example

*Q1 For each service, please indicate whether you consider it to be a high priority, a medium priority or a low priority.*

| Service   |
|---|
| 1. Dealing with noise complaints, air and water quality issues and other environmental health matters   |
| 2. Emptying your bins and running the recycling service.  |
| 3. Emptying bins for some businesses (businesses are charged for this service)  |
| 4. Sweeping the streets, litter picking, clearing up fly-tipping and emptying public litter and dog bins (The town or parish councils in Saffron Walden, Dunmow and Stansted are responsible for public litter bins in their areas) |
| 5. Deciding planning applications and making sure new buildings and extensions are built according to approved plans and following building regulations   |
| 6. Planning how the district will develop in the coming decades, including where new housing and businesses will be located   |
| 7. Giving advice on work to listed buildings and work to protected trees  |
| 8. Providing council housing and providing sheltered housing for older people   |
| 9. Provide advice to people who are homeless or at risk of becoming homeless and in some circumstances, provide emergency accommodation   |
| 10. Bringing privately-owned homes that have been empty for a long time back into use   |
| 11. Providing the Highway Rangers service which carries out small jobs such as keeping road verges tidy through hedge cutting,  |

mowing and strimming, repainting and repairing road signs

## Other Services

*Q2 For each service, please indicate whether you consider it to be a high priority, a medium priority or a low priority.*

| Service  |
|--|
| 1. Giving grants to voluntary and community organisations such as the Citizens Advice Bureau, Uttlesford Community Travel and the Council for Voluntary Service Uttlesford   |
| 2. Educating young people about the dangers of drugs and alcohol   |
| 3. Working with the police and other organisations to keep Uttlesford safe   |
| 4. Working with public health bodies on projects to keep people in the district healthy  |
| 5. Supporting the volunteer committees who run day centres in Great Dunmow, Saffron Walden, Stansted Mountfitchet, Takeley and Thaxted   |
| 6. Enforcement work including prosecuting people for major planning breaches, not paying council tax or council house rent, benefit fraud, fly-tipping   |
| 7. Running car parks and on-street parking such as residents permit schemes (this is done in partnership with other councils)  |
| 8. Working out how much people should receive in housing and council tax benefits and paying those benefits  |
| 9. Collecting Council tax for Essex County Council, the police, the fire service, town or parish councils and Uttlesford District Council and collecting business rates on behalf of the government  |
| 10. Inspecting restaurants, pubs and other businesses which sell food and Issuing various licences such as those needed for pubs, off-licenses, taxis, kennels and tattoo parlours and making sure people do not break the terms of those licences |



11. Collecting stray animals, microchipping dogs and cats and dealing with complaints from the public about pet and animal-related issues

12. Promoting and supporting businesses in the area

## Council tax

*Q3 Thinking about how you answered the previous questions, for next year (April 2017 to March 2018), do you think Uttlesford District Council should (consultees were then invited to select one option only)*

| Headline   |
|--|
| Increase the amount of council tax Uttlesford District Council charges |
| Keep the amount of council tax the same                                |
| Reduce the amount of council tax Uttlesford District Council charges   |
| No opinion   |

## LCTS Consultation questions

**Q1** The Government has said pensioners on low income must be given full protection from the implications of this scheme. Uttlesford's current scheme also protects disabled people on a low income and carers on a low income.

**Do you agree with this?**

**Q2** The table below shows how Uttlesford's rate compares to other Essex councils. The lower the percentage, the less Council Tax an LCTS recipient is required to pay.

|  | The minimum % Council Tax an LCTS recipient paid in 2013/14 | The minimum % Council Tax an LCTS recipient paid in 2014/15 | The minimum % Council Tax an LCTS recipient paid in 2015/16 | The minimum % Council Tax an LCTS recipient paid in 2016/17 | The minimum % Council Tax an LCTS recipient is paying in 2017/18 (this year) |
|--|---|---|---|---|--|
|  |   |   |   |   |  |

|                 |     |      |      |      |  |
|-----------------|-----|------|------|------|--|
| Basildon        | 15  | 25   | 25   | 25   | The figures in this column will be collated by Finance |
| 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 |  |

For each 2.5% of increase the LCTS recipient(s) will need to pay, on average, an additional £34 of Council Tax each year.

The cost to the council of keeping the rate at 12.5% would be approximately £261,000. For each 2.5% increase the cost of the scheme for Uttlesford District Council would reduce by approximately £4,061.

**Do you agree that the council should keep the rate at 12.5% for a fifth year?**

**Q3** In simple terms, parish and town councils set their budgets by deciding how much money they need to run their services and then dividing that amount by the number of homes in their area. The LCTS scheme reduces the amount of money the parish will receive as some households will not pay full Council Tax. Uttlesford District Council previously provided grants to parish and town

councils to make up the difference. However, this year (2017/18) the grants were reduced by 50% in light of a reduction in government funding for district councils. It is proposed for next year (2018/19) to withdraw these grants altogether. It would be up to each parish/town council to decide if they wished to cover the shortfall in grant by increasing their part of the Council Tax.

The table below shows how much grant each town/parish council receives this year.

| <b><u>LCTS Parish Grant - 2017/18</u></b> |        |                    |                      |
|---|--------|--------------------|----------------------|
| Arkesden                                  | 29     | Leaden Roding      | 215                  |
| Ashdon                                    | 243    | Lindsell           | 0                    |
| Aythorpe Roding                           | 21     | Little Bardfield   | 100                  |
| Barnston                                  | 576    | Little Canfield    | 306                  |
| Berden                                    | 144    | Little Chesterford | 18                   |
| Birchanger                                | 500    | Little Dunmow      | 279                  |
| Broxted                                   | 338    | Little Easton      | 359                  |
| Chickney                                  | 0      | Little Hallingbury | 639                  |
| Chrishall                                 | 218    | Littlebury         | 452                  |
| Clavering                                 | 294    | Manuden            | 114                  |
| Debden                                    | 229    | Margaret Roding    | 163                  |
| Elmdon and Wenden Lofts                   | 191    | Newport            | 1,616                |
| Elsenham                                  | 1,444  | Quendon and Rickli | 514                  |
| Farnham                                   | 145    | Radwinter          | 293                  |
| Felsted                                   | 1,690  | Saffron Walden     | 27,803               |
| Flitch Green                              | 301    | The Sampfords      | 195                  |
| Great Canfield                            | 12     | Sewards End        | 75                   |
| Great Chesterford                         | 1,082  | Stansted           | 5,979                |
| Great Dunmow                              | 18,298 | Stebbing           | 749                  |
| Great Easton and Tilty                    | 298    | Strethall          | 0                    |
| Great Hallingbury                         | 195    | Takeley            | 3,615                |
| Hadstock                                  | 167    | Thaxted            | 3,837                |
| Hatfield broad Oak                        | 769    | Ugley              | 106                  |
| Hatfield Heath                            | 737    | Wendens Ambo       | 145                  |
| Hempstead                                 | 146    | White Roding       | 94                   |
| Henham                                    | 443    | Wicken Bonhunt     | 43                   |
| High Easter                               | 108    | Widdington         | 213                  |
| High Roding                               | 0      | Wimbish            | 227                  |
| Langley                                   | 35     |                    |                      |
| <b>Total Grant paid</b>                   |        |                    | <b><u>76,802</u></b> |

**Do you think Uttlesford District Council should:**

**Continue to pay the grant**

**Withdraw the grant**



**Committee:** Scrutiny Committee

**Agenda Item**

**Date:** 20 June 2017

**10**

**Title:** The Uttlesford Local Plan Process

**Author:** Gordon Glenday, Assistant Director,  
Planning

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## Summary

1. The Local Plan is a key corporate strategy for Uttlesford as it will be instrumental in shaping the future development of the District for decades to come. It is therefore important to ensure that it follows the correct statutory processes to be found sound by the independent Planning Inspector. The Scrutiny Committee has expressed its wish to play a leading role in monitoring the Local Plan process as it progresses towards its formal adoption. In order to do this effectively, the Scrutiny Committee will require clear Terms of Reference established so that it can undertake this important responsibility effectively. Appendix 1 of this report sets out suggested Terms of Reference for the Scrutiny Committee to undertake this important function.

## Recommendations

2. To review and agree the Terms of Reference as identified in Appendix 1 for the Scrutiny Committee's role in monitoring the Local Plan process to satisfy itself that all statutory requirements are met before the Plan's formal adoption.

## Financial Implications

3. None – any related expenses can be met from existing budgets.

## Background Papers

4. There are no background papers.

## Impact

- 5.

|                            |   |
|----------------------------|---|
| Communication/Consultation | The Local Plan must go through a number of statutory and non-statutory consultation stages before it can be adopted.  |
| Community Safety           | The Local Plan includes policies that will enhance community safety through sound planning – for example, requiring high quality design in all new development. |
| Equalities                 | The Local Plan encompasses policies on  |

|                                 |   |
|---------------------------------|---|
|                                 | equality issues such as affordable housing and Gypsy and Travellers.  |
| Health and Safety               | N/A   |
| Human Rights/Legal Implications | Policies relating to issues such as affordable housing and gypsy and Travellers are incorporated in the Local Plan.                   |
| Sustainability                  | The Local Plan process requires the preparation of a Sustainability Appraisal to inform the policies and site allocations in the Plan |
| Ward-specific impacts           | All   |
| Workforce/Workplace             | N/A   |

## Situation

6. The Local Plan decision making process was put on pause at the end of October 2016 in order to reflect upon and consider feedback from neighbouring authorities and give members time to digest the evidence base. It was also decided that there should be an additional public consultation stage introduced to the process (known as the Regulation 18 preferred options stage) to test the soundness of its policies and proposals before determining how the Local Plan should move forward. A summary of the Local Plan programme incorporating the additional Regulation 18 stage is outlined in Appendix 2.
7. In order to make sure that the Local Plan meets all of its statutory requirements, the Scrutiny Committee needs to assess the processes followed in preparing the emerging Local Plan. To do this, Terms of Reference covering the Scrutiny Committee's role and responsibilities in this regard need to be agreed to make sure that all relevant issues are addressed in an effective and transparent manner.
8. The suggested Terms of Reference for the Scrutiny Committee in its role monitoring the Local Plan process are identified in Appendix 1.
9. To support the Committee, the Planning Advisory Service will again be commissioned to undertake a review of the processes followed in preparing the local plan, prior to the consideration of the Regulation 19 publication draft local plan; Scrutiny Committee will be asked to approve the terms of reference for this work, as previously.
10. The Planning Inspectorate has also offered a pre-examination discussion later in the year and the Council will be consulting its counsel, Mr. Michael Bedford QC. Feedback arising from these activities will also be provided to the committee to assist them with their considerations.

## Risk Analysis

| Risk  | Likelihood | Impact  | Mitigating actions  |
|---|------------|---|---|
| The plan maybe found unsound because the plan has not been prepared in accordance with national policy. | 2. Low     | 3. Potential delays in adopting the Local Plan. | By following the terms of reference outlined in Appendix 1, the Scrutiny Committee will help to identify potential issues relating to non-compliance with statutory requirements. |

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.

## **APPENDIX 1: TERMS OF REFERENCE FOR THE SCRUTINY COMMITTEE**

In order to ensure that the Local Plan is found sound and is prepared in a timely manner in accordance with the appropriate legislation, the Scrutiny Committee has the following roles and responsibilities:

- 1) Consider the Local Plan project plan and assess whether the Local Development Scheme (LDS) needs adjustment to reflect emerging issues.
- 2) Assess whether there has been effective engagement with external bodies such as the Planning Advisory Service (PAS) and the Planning Inspectorate (PINS) to make sure the Local Plan meets all of its statutory requirements.
- 3) Assess whether the Duty to Cooperate responsibilities have been fulfilled. This needs to consider, in particular, cooperation with our SHMA partner authorities, Braintree District Council and its north Essex partners, Essex County Council, South Cambrdge/Cambridge City Council and Cambridgeshire County Council.
- 4) Focus on identifying and addressing any other procedural matters relating to the Local Plan which may pose significant risks to the plan being found sound.



## APPENDIX 2: LOCAL PLAN KEY MILESTONES

Key Milestones : (updated 24 April 2017)

|  | Date                     |
|--|--------------------------|
| PPWG   | 6 April 2017             |
| PPWG   | 17 May 2017              |
| Full Member Briefing on Development Management Policies  | 22 May 2017              |
| Full Member Briefing   | 19 June 2017             |
| PPWG   | 22 June 2017             |
| Documents published for Cabinet and PPWG   | 28 June 2017             |
| PPWG   | 29 June 2017             |
| Cabinet (include LDS update)   | 6 July 2017              |
| Full Council   | 11 July 2017             |
| Regulation 18 Consultation   | 12 July – 29 August 2017 |
| PPWG – to give feedback on number of reps and overview of types of response.   | 17 October 2017          |
| Full Member Briefing– what changes are proposed if any and why!!   | 28 November 2017         |
| PPWG with Regulation 19 Draft Plan including modifications   | 14 December 2017         |
| Cabinet with Regulation 19 Draft Plan including modifications  | 19 December 2017         |
| Full Council with Regulation 19 Draft Plan including modifications – to include delegated powers to submit if no MAJOR modifications identified. | 3 January 2018           |
| Regulation 19 Consultation   | 8 Jan 2018 – 16 Feb 2018 |
| Full Member Session – feedback on consultation responses and note of any MINOR modifications prior to submission                                 | 22 March 2018            |
| Decision to submit   | 28 March 2018            |
| Submit   | 29 March 2018            |

