

NOTICE OF KEY DECISION(S) TO BE MADE UNDER REGULATION 11 (SPECIAL URGENCY)

Notice is hereby given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”) Regulation 11 (Special Urgency), that the following key decision(s) have been made by Cabinet.

Housing Update – Stock Condition Survey

The Chair of the Scrutiny committee has been informed in writing of the matter about which the decision is to be made and has agreed that the decision is urgent and cannot be reasonably deferred.

Reason why notice of the decision cannot be published at least 28 clear days before the key decision is to be made and therefore requires special urgency measures:

The reason for urgency related to the timing required of all councils which are a housing landlord to comply with a requirement of the Regulator of Social Housing. Most elements of the report on housing issues were for noting, and as they are not therefore ‘key decisions’, they are not covered by the advance notice requirement, with the only key decision element being the spending authority to procure a stock condition survey provider. The Regulator of Social Housing wrote in late November 2022 to chief executives of all councils which are a housing landlord – therefore including Uttlesford District Council – on the subject of damp and mould, following extensive national coverage flowing from the tragic death of Iwaab Ishak in Rochdale. The Regulator required a response from all such authorities by Monday 19th December setting out their handling of damp and mould issues, thus sparking an urgent piece of work within the authority that had not been scheduled. Uttlesford District Council carried out urgent and extensive work to prepare for that response by the 19th December, and as a result, identified that a number of follow up pieces of work were required, including a stock condition survey. A stock condition survey is a sizeable piece of work, and is specialist, requiring external expert provision, and thus the letting of a contract. Because of the scale of the cost involved, authority was required from Cabinet. To allow for the stock condition survey work to begin in January, such approval was sought and gained from Cabinet on 22nd December, instead of waiting til the next scheduled Cabinet meeting on January, which would have led to at least a three week delay in commencing the stock condition survey work, and thus properly addressing the authority’s landlord duties, in relation to

damp and mould – or potentially an even longer delay, had the available contractor who was available to start in early January then have had to schedule Uttlesford's work to a later date around other demand from other authorities who had got in more quickly than Uttlesford. Officers carefully weighed the genuine urgency of the committee authority required, which could not have been predicted or managed to fulfil the advance notice requirement of the Constitution for a key decision, and therefore employed Rule 16 for special urgency, in these exceptional circumstances. As required under Rule 16, the Chair of the Scrutiny Committee was consulted, and concurred with the grounds for urgency before the late report was published and added to the Cabinet agenda.

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which:

- Are likely to result in the Council incurring expenditure or making savings in excess of £100,000 subject to the following:
 - Decisions on the acquisition or disposal of land or of an interest in land will be key decisions if their value exceeds £500,000¹.
- Are likely to be significant in terms of its effects on communities living or working in Uttlesford.
- Relate to the adoption or revision of plans and policies which would have a significant impact on the way in which the Council carries out its statutory functions.
- Relates to consideration by the Cabinet of proposals which would have a significant impact on the provision of services to the public or on the operational management of the Council.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER.

All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services by contacting committee@uttlesford.gov.uk

¹ Please note, the following are not key decisions:

- Loans or borrowing decisions made in accordance with the Treasury Management Policy.
- Decisions relating to the engagement of staff unless falling within paragraph 4.
- Contract awards or renewals for vehicles, plant, machinery, goods, supplies and services where budget provision has been made and the award or renewal is within budget.
- Contract awards where the decision to let the contract has already been treated as a key decision.

Key Decision

Decision	Decision Maker	Date of Decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Housing Update – Stock Control Survey	Cabinet	22 Dec 2022	<p>The report updates Councillors on a range of operational housing issues, and what actions are being taken to rectify each problem identified. This includes sharing that Council tenants’ rent has been incorrectly set at a higher level than is allowed under national rules for both 2021/22 and for many but not all, also in 2022/23, which will therefore need to be refunded to tenants (and to the Department of Work and Pensions for the share of any rents paid during that period by Housing Benefit). The report also details unacceptable standards uncovered in the handling of damp and mould issues, and the return to the Government required on this subject.</p> <p>The report also provides an update on key health and safety indicator performance, and also some limited commentary on broader repairs and maintenance performance. Finally, the report advises Members of particular corrective measures identified as being necessary for Reynolds Court sheltered housing unit, in Newport.</p> <p>The report explicitly requests Member approval to spend up to £500,000 (plus VAT) to commission</p>	Portfolio Holder for Housing, Councillor Arthur Coote	Peter Holt, Chief Executive pholt@uttlesford.gov.uk

		<p>an urgent Stock Condition Survey (and associated costs) for the whole of the authority's council housing, to start as soon as possible in 2023, and ideally to be complete within three months.</p>	
--	--	--	--