

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 15 FEBRUARY 2018 at 7.00 pm

Present: Councillor H Rolfe (Chairman)
Councillors S Barker, S Howell, V Ranger, J Redfern and H Ryles

Officers in attendance: D French (Chief Executive), R Dobson (Principal Democratic Services Officer), R Harborough (Director - Public Services), A Knight (Assistant Director - Resources), S Pugh (Assistant Director - Governance and Legal) and A Webb (Director - Finance and Corporate Services)

CA85 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Lodge. Councillor Light was in attendance as his deputy.

CA86 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 11 January 2018 were received and signed by the Chairman as an accurate record of the meeting.

CA87 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

No questions or statements from non-executive members were received.

CA88 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

No reports from the Scrutiny Committee had been referred for consideration.

CA89 REFUGEE WORKING GROUP (STANDING ITEM)

Councillor Redfern said there were no new substantive issues to report

CA90 BUDGET MONITORING 2017/18 - QUARTER 3 OUTTURN

Members considered a budget monitoring report on the outturn for the third quarter of 2017/18.

Councillor Howell highlighted the underspend forecasted in the General Fund, which was due mainly to the income from the in-year purchase of the 50% share in Chesterford Research Park. The Capital Programme was forecast to underspend by £10,343,000, including slippage brought forward from 2016/17 and slippage of £10,050,000 to be carried forward to 2018/19. Regarding the Housing Revenue Account, this was forecasting an operating surplus of £134,000 and an overall underspend of £2,994,000, which was directly linked to slippage in the Capital Programme.

RESOLVED to approve the outturn forecast and reserves position in relation to the General Fund, Housing Revenue Account, Capital Programme and Treasury Management.

CA91 **BUDGET COVERING REPORT 2018/19**

Members considered a covering report, relating to the budget reports and recommendations listed.

Councillor Howell said members were asked to note that each report was presented individually for approval. The reports listed in the covering report were: the Equalities Impact Assessment; the Robustness of Estimates and Adequacy of Reserves report; the Reserves Strategy; the Medium Term Financial Strategy, the Treasury Management Strategy; the Capital Programme; the General Fund Budget and Council Tax, and the Housing Revenue Account Budget together with an accompanying Equalities Impact Assessment.

Councillor S Barker suggested the budget reports could in future years be taken as appendices to one report.

Councillor Howell said he would take each report at a time for Cabinet to consider each recommendation.

RESOLVED to note the budget reports would be presented individually for approval of the recommendation to Council, the reports listed being the following:

the Equalities Impact Assessment; the Robustness of Estimates and Adequacy of Reserves report; the Reserves Strategy; the Medium Term Financial Strategy, the Treasury Management Strategy; the Capital Programme; the General Fund Budget and Council Tax, and the Housing Revenue Account Budget together with an accompanying Equalities Impact Assessment.

CA92 **ROBUSTNESS OF ESTIMATES AND ADEQUACY OF RESERVES**

Members considered a report on the Robustness of Estimates and Adequacy of Reserves.

Councillor Howell said this report was a statutory report, from the section 151 Officer which set out the robustness of estimates and the adequacy of reserves, so that members could set a budget with full awareness of risks and uncertainties, and ensure that adequate contingency reserved existed. In highlighting various points for the attention of members, Councillor Howell said no budget could ever be entirely free from risk, and assumptions had to be made which meant the budget would inevitably include a degree of uncertainty.

Councillor Dean said the Scrutiny Committee had considered the budget proposals, and would be likely to include in its next work programme a review of recycling.

Councillor Light asked whether a reference (at page 67 paragraph (e) of the report) to putting some Council services onto a more commercial footing meant the Council would be outsourcing services.

Councillor Howell said this reference did not mean outsourcing, and that it was important to ensure the services which the Council provided were competitive, in relation to any services where the Council compete with commercial operators. An example of such services included commercial waste services provided to businesses.

The Director of Public Services said another commercial service operated by the Council was Building Control, as the service could also be accessed from approved inspectors.

RESOLVED to recommend, for approval by Full Council:

- a. that the Council take account of the advice in the report when determining the 2018/19 General Fund budget and Council Tax;
- b. that the Council approve the risk assessment relating to the robustness of estimates as detailed in the report;
- c. that the Council set the minimum safe contingency level for 2018/19 at £1.402 million in line with the specified calculation detailed in the report and this to be held in the Working Balance Reserve;
- d. that the Council agree that no transfers to or from the Working Balance should be built into the 2018/19 budget outside of maintaining the minimum safe contingency level; and
- e. that the Reserves Strategy attached to the report be adopted.

CA93 **MEDIUM TERM FINANCIAL STRATEGY 2018/19**

Members considered a report on the Medium Term Financial Strategy. Councillor Howell, presenting the report, said the strategy aimed to ensure the ongoing financial health and stability of the Council, and the strategy looked ahead in order to anticipate any issues which might arise in the Council's finances. He drew to Members' attention the main points of the report including the assumptions made.

Councillor Howell highlighted the fact that overall Government funding had fallen by a third. He said he trusted the investment in Chesterford Research Park should make a significant contribution to reducing the shortfall, as without this investment the budget would look very different.

Councillor Dean asked why the investment strategy was not among the papers for the meeting; whether monitoring of the operation of Universal Credit would be carried out; and whether pictorial representation of the budget papers could be implemented in the reports next year, to assist with interpretation of information.

Councillor Howell noted the points raised and said the investment strategy was a decision for Council rather than Cabinet.

The Director of Finance and Corporate Services said the five year forecast for the General Fund showed a small surplus for each year, but required £150,000 by 2019/20, and after that would require the Council to find small efficiencies.

The Assistant Director - Resources said £700,000 had been achieved in savings, without affecting services.

RESOLVED to recommend for approval by Full Council the
Medium Term Financial Strategy 2018/19.

CA94 **TREASURY MANAGEMENT STRATEGY 2018/19**

Members considered the recommendation for approval by Full Council of the Treasury Management Strategy.

Councillor Howell said the Strategy was prudent and transparent, and had been prepared with the Council's advisors, Arlingclose.

RESOLVED to recommend for approval by Full Council the
Treasury Management Strategy.

CA95 **CAPITAL PROGRAMME 2018/19 TO 2022/23**

Members considered the Capital Programme 2018/19 – 2022/23. The report set out planned capital expenditure on the Council's buildings, vehicles and ICT assets, and included capital grants to other organisations and individuals.

In reply to a question as to whether car parking machinery replacement would be carried out, Councillor Howell said funding for the upgrade of such equipment had been in the budget for last year, and it was a slippage into this year's budget.

It was noted a correction to the report was necessary regarding the figures for electric car chargers which officers would review for the report to Council.

Councillor Barker declared an interest as the Essex County Council Cabinet member for Culture, Communities and Customer, in relation to the item of the Guildhall at Thaxted. She asked a question about the agreement under which it was funded and whether the parish council had been approached to fund it.

The Director of Finance and Corporate Services said the Guildhall was funded under a long-term rental agreement with Essex County Council, the terms of which did not permit the funding to be undertaken by the parish council.

Councillor Dean said in relation to street cleaning vehicle replacement he supported looking at this area very carefully to tackle mud on streets. He asked whether the energy efficiency improvement scheme referred to housing, and noted it ceased in the present year. He understood the reason for this was that funding was not available.

Councillor Howell said investment in energy efficiency had been carried out across the Council's properties where possible, but the availability of Government grants was also a factor.

Councillor Redfern said the Council aimed to make its housing stock more efficient, but no scheme was progressing at present, as it had not been possible to continue the solar panels scheme.

The Director of Public Services said the solar panels had been funded through Government support which was no longer available, and work continued to look for other funding schemes.

Councillor Rolfe suggested this area could be one which the Scrutiny Committee could examine.

RESOLVED to recommend for approval by Full Council the five year Capital Programme for 2018/19 to 2022/23, as corrected by officers following identification of errors in formulae from page 117.

CA96 **GENERAL FUND BUDGET AND COUNCIL TAX 2018/19**

Members considered a report presenting the 2018/19 General Fund budget for consideration before final determination of the budget by Full Council.

Councillor Howell drew members' attention to the residents' and businesses' responses to consultation, showing the first priority for key services was emptying of bins and running the recycling service, and that the first priority for other services was working with the police and other organisations to keep Uttlesford safe. He referred members to the resources available, in terms of taxbase and said indicative figures were set out in the report for District Council Tax for 2018/19 assuming an increase of 2.99%, against each Council Tax band.

He referred to the use of reserves, summarised at paragraph 40 of the report, which included the use of the sum of £105,000 to support the delivery of the Garden Communities project. Additional money was to be allocated to

enforcement such as tackling fly-tipping. New money would also be spent on new PCSOs. Support would continue to be given to voluntary groups.

Councillor Dean said asked that the entry relating to the Police Community Support Officer (“PCSO”) be clarified to show that it was meant to be in the plural rather than the singular.

Councillor Rolfe said that at the Local Councils’ Liaison Forum the possibility of jointly funding a PCSO was raised and expressions of interest had been received from Saffron Walden Town Council, Stansted Mountfitchet Parish Council and Great Dunmow Town Council. The PCSO resource would not be solely for those councils but would also serve the surrounding areas. The District Council had put in an additional £37,000, and if half the funding for three posts were secured, it was possible an extra post could be funded.

Councillor Ranger said, subject to approval at Council, a report on how the money was spent would be brought to Cabinet.

Councillor Light said Saffron Walden Town Council was concerned that the PCSO resource would not be sufficient given the size of Saffron Walden. She welcomed the fact that there could be three or more PCSOs.

Councillor Light queried a difference in figures for business rates retention in two references in the report.

The Assistant Director – Resources said one figure was the total of all the amounts relating to business rates, but that in the appendix every line of the detailed budget was set out.

RESOLVED to recommend to Full Council for approval, as amended by an additional comment relating to the final settlement confirmation; removal of outstanding issues referring to precepts and final settlement, these having been finalised and added to the report;

- i) The General Fund Council Tax requirement of £5,330,374 summarised in the report;
- ii) The schedule of fees and charges in Appendix F of the report.

CA97 **HOUSING REVENUE ACCOUNT BUDGET 2018/19**

Members considered a report setting out a proposed Housing Revenue Account budget and reserves position for 2018/19, and a proposed five year financial forecast for the period from 2018/19 to 2022/23.

The report summarised the requirements of The Welfare Reform and Work Act 2016, in that it required registered providers of social housing in England to reduce social housing rents by 1% a year for four years from a frozen 2015-16 baseline and to comply with maximum rent requirements for new tenancies. This year was the third year of rent decrease to general needs properties and the second year for supported accommodation. The report then set out other income and service charges for 2018/19.

Councillor Howell highlighted further main points, including the fact that the surplus would fund projects as noted in the report, and the fact that this was the second year of the repayment of principal capital of the self-financing loans. He said as capital receipts reserves were no longer available, the remainder would be funded from the revenue budget. The five year financial forecast included proposed investments and possible ways of reconfiguring the loan.

Councillor Redfern summarised the status of development projects at the Council's sheltered housing schemes and expressed frustration that the Council could keep only 30% of the proceeds of right to buy sales.

Councillor Rolfe asked that the report show the number of housing association homes, as well as the number of right to buy homes.

RESOLVED to recommend, for approval by Full Council, the Housing Revenue Account budget 2018/19, as amended following correction of corrupted information carried over from the report on the capital programme table.

CA98 **PROCUREMENT STRATEGY 2018/19**

Members considered the Procurement Strategy for 2018/19, which outlined the approach the Council would take to the procurement of goods, services and works during the financial year. The strategy set out the proposal to adopt four principles in selecting providers, procuring contracts and with respect to competition and standards of integrity, including compliance with the Council's code of conduct. The strategy summarised the governance framework applicable; provided for acquisition planning; due diligence in award of contracts; reporting requirements, including for decisions made under general delegated powers to award contracts or incur expenditure in excess of £50,000; and continuous developments arising from forthcoming changes in legislation.

Councillor Howell thanked officers for their hard work in preparing the strategy.

Councillor Dean asked whether the strategy included all ethical and environmental matters.

Councillor Rolfe said the authority was bound by the legislation set out in the report, and it aimed to achieve best value, both locally as far as possible, as well as ethically.

Councillor Light asked for clarification of the reference to "sustainability" in relation to principles to be applied in considering new contracts, and asked how the Council would measure its compliance with equalities and diversity requirements.

Councillor Rolfe said in this context a sustainable contract was one which stood the test of time.

The Assistant Director – Resources said in response to the question on equalities and diversity measurement, the Procurement Manager included clauses in all contracts which adhered to legislation but a more detailed response would be given.

In response to a question from Councillor Rolfe as to how the implementation of the Procurement Strategy would be monitored, the Director of Finance and Corporate Services said the Procurement Manager would report to the Governance, Audit and Performance Committee.

RESOLVED to recommend for approval by Full Council the Procurement Strategy 2018/19.

CA99 **CORPORATE PLAN DELIVERY PLAN 2017/18 - QUARTER 3 PROGRESS UPDATE**

Members considered a report setting out progress against the Corporate Plan Delivery Plan for Quarter 3 of 2017/18. The Corporate Plan 2017 – 21 had been adopted by the Council at its meeting in February 2017, which set out the Council's vision and priorities. The Cabinet had in March 2017 adopted a Corporate Plan Delivery Plan which set out specific outputs and the way in which performance would be measured. The appendix to the report set out the progress against Quarter 3, and also included reference to any subsequent significant progress in order to give the most up to date information.

Councillor Dean asked it to be noted that the Corporate Plan had not been considered by the Scrutiny Committee as its meeting on 6 February, although had been to the previous meeting. It would be helpful to include this item on future Scrutiny Committee agendas.

RESOLVED to note the progress against the Corporate Plan Delivery Plan.

CA100 **CORPORATE PLAN 2018/22**

Members considered the draft Corporate Plan for 2018-22, and a recommendation to recommend the draft Plan to Council for approval.

Councillor Rolfe said it was important to recognise that the Corporate Plan included establishing local economic strategies for the proposed garden communities. Uttlesford had a local plan in order to work out where new homes should be. Context was important, Uttlesford was considered to be a beautiful area with many listed buildings, and had an airport in the countryside. Part of positive planning was to strike a balance.

Councillor Light asked what "positive planning" meant and said heritage and character should not be swamped by excessive growth.

Councillor Rolfe said in reply that positive planning included developing brownfield sites, ensuring barn conversions were done sympathetically and recognising the need to provide housing.

The Director of Public Services said in making proposals to address housing needs and realise the economic potential of this area, planning policy identified ways to safeguard its heritage and environmental assets.

Councillor Light said the budget for street cleaning needed to be increased commensurately with increased housing provision.

Councillor Rolfe said the budget did reflect extra rounds of houses. He said the Council was investing in new street cleansing vehicles and bin replacement. It was important to keep on top of littering, and he suggested Scrutiny Committee explore how to tackle that problem.

RESOLVED to recommend to Council the draft Corporate Plan 2018-22 for approval.

CA101 **CORPORATE ECONOMIC DEVELOPMENT STRATEGY 2018/21**

Members considered the corporate Economic Development Strategy and Action Plan 2018-21. Councillor Ryles said the Strategy and Action Plan would maintain and strengthen delivery against the corporate priority of supporting sustainable business growth. He referred members to the key themes of the Strategy and Action Plan, and highlighted each recommendation to Cabinet for revenue expenditure allocations, and points for noting, as set out in the report.

Councillor Barker welcomed investment in broadband coverage, as there were areas which still lacked broadband and telephone coverage, particularly in the South of the district.

Councillor Dean said the Scrutiny Committee had not had the opportunity to consider this report in advance of this meeting, so he would review it with Councillor Ryles to explore the objectives set out. He asked a question regarding the maximisation of opportunities at Stansted Airport.

Councillor Ryles said the opposition of the Council to a second runway at the Airport did not preclude looking at business opportunities.

Councillor Dean said he was aware of reference by BT to a trial of "ultrafast" broadband.

Councillor Howell said it was important to put money where it would make the greatest contribution to the district. It was critical for new properties to have access to broadband. He was pleased there were clear objectives. He had one concern, regarding the marketing potential at Stansted Airport, which could be misunderstood, as he would not wish to dilute the Council's position that this was an airport in the countryside.

Councillor Rolfe said a minor change to the word “maximise” could be made.

Councillor Redfern said that she was frequently asked by members of the community about superfast broadband, as the smaller villages and hamlets often did not have sufficient coverage and lack of it was a hindrance to business. She asked for regular updates on this matter.

Councillor Ryles said he recognised the challenge, and would put in place additional resource for addressing gaps in broadband and telephony. He would be happy to provide regular updates. In response to a further comment that the Council seek information about gaps in the area, via *Uttlesford Life*, he said the challenge in doing that would be collate the numbers of responses. He would prefer to communicate with parish clerks.

Councillor Light said she welcomed the strategy, and asked a number of questions.

In replying, Councillor Ryles said examples of local and regional opportunities included the new college at Stansted Airport, as well as encouraging people travelling via the Airport to spend time in Saffron Walden; with reference to the meaning of “sustainable” this meant robust long-term development.

RESOLVED to adopt the Uttlesford Economic Development Strategy and Action Plan 2018-21:

- a. To approve the actions and associated revenue expenditure allocations for the period 2018–19 as follows:
 - i. Types of growth - £5k
 - ii. Key Sectors - Visitor economy - £50k
 - iii. Key Sectors - Rural economy - £10k
 - iv. Key sectors - Life Sciences, research and Innovation - £5k
 - v. Key sectors – Provision of Business Support £10k
 - vi. London Stansted Airport Location - £5k
 - vii. Proposed garden communities - £5k
 - viii. Connectivity - £10k
 - ix. Business rates relief development scheme - £60k
- b. To note the estimated that the MTFs assumes that the Economic Development actions revenue budget will remain at £160K from 2019–21.
- c. To note the provision in the proposed capital programme for £500K in 2018/19 for Superfast Essex Phase III and slippage of £100k from 2017/18 to 2020/21 for closing the 2% gap.

CA102 THE LOCAL DEVELOPMENT SCHEME (LDS)

Members considered a report on the updated Local Development Scheme, which was the project plan for the Uttlesford Local Plan. It had become

necessary to update the timetable, which had last been approved in July 2017. A revised timetable was set out.

Councillor Dean said he was concerned that the Inspector's report was not forecast to be received until Summer 2019, with the Plan's adoption not being until Autumn 2019. Turnover of councillors at the local elections could impact on this timetable.

Councillor Barker said the timetable was as stated.

Councillor Rolfe said there was no intention to relax the timetable.

RESOLVED to adopt the revised Local Development Scheme.

CA103 **LONDON, BRENTWOOD AND CHELMSFORD LOCAL PLAN CONSULTATIONS**

Members considered a report on various consultations that were ongoing. These were the Mayor of London's consultation on a new draft London Plan; Brentwood Borough Council's draft Local Plan Preferred Site Allocations; and Chelmsford City Council's pre-submission Local Plan (regulation 19).

RESOLVED that Cabinet delegate authority to the Director of Public Services in consultation with the Deputy Leader to respond formally to current consultations on :

The Draft London Plan;
Brentwood Local Plan; and
Chelmsford Local Plan

CA104 **STREET NAME AND NUMBERING POLICY**

Members considered a report setting out representations received, officer comments and recommendations following a consultation on the Street Name and Numbering Policy.

The policy gave operational guidance, including encouraging parishes to contact developers, and set out guidance on naming conventions, property numbering legislation, renaming and renumbering guidance, as well as charges.

Councillor Light asked a question regarding who was the creator of a street.

The Assistant Director Legal and Governance said in the event of dispute, a determination would be made by the Magistrates' Court.

Councillor Fairhurst referred to the legislation, and thanked officers for the advice given, but felt there was room for confusion, as the developer did not have a right, only a say, over naming of streets. There was a lack of clarity.

The Assistant Director Legal and Governance said the creator was the person with property rights, who could put forward a name. The Council could object, and the developer could go to the Magistrates' Court. If the Council failed to have a good basis for rejection of a proposed name, it would undermine its position.

RESOLVED to adopt the Street Name and Numbering Policy.

CA105 **ANY OTHER ITEMS THE CHAIRMAN CONSIDERS URGENT**

Councillor Rolfe said a decision was required under this item, as there were a number of possible re-nominations of assets of community value which might require determination before the end of March 2018.

Councillor Redfern asked that ward members be made aware of such nominations.

RESOLVED to delegate to the Assets of Community Value Committee comprising the Leader, the Portfolio Holder for Environmental Services and the Portfolio Holder for Communities and Partnerships the determination of all assets of community value nominations that would require determination prior to the meeting of Cabinet on 4 April 2018.

The meeting ended at 9.25pm.