

**CABINET held at FOAKES HALL, GREAT DUNMOW, on WEDNESDAY, 4
APRIL 2018 at 7.00 pm**

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

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

CA106 **POW CAMP 116, HATFIELD HEATH: NOMINATION AS AN ASSET OF
COMMUNITY VALUE**

PUBLIC SPEAKING

Statements were made by Nigel Robley, Niki Champion, Ivan Cooper, Sam Bampton and David Parish. Summaries of their statements are appended to these minutes.

Councillor Barker presented a report regarding a nomination for inclusion on the list of community assets of POW Camp 116 at Hatfield Heath, received from Hatfield Heath Parish Council. The report set out the statutory criteria for listing as an asset of community value. The recommendation was to reject the nomination as no current qualifying community use or qualifying community use in the recent past had been identified.

Councillor Ranger said there was no current qualifying use.

Councillor Barker said these were two private parcels of land, whereas normally the subject of an application was common land.

Councillor Howell said he had sympathy for the local community, as clearly the site had some historic value. However the criteria on which assets of community value were determined was clear. To date, the Council had not received a similar application. Whilst it did not meet the requirements for listing as an asset of community value, the site had some historic value.

Councillor Ranger said match funding had not yet been explored. This was a unique site, requiring a unique solution.

Councillor Redfern said she shared colleagues' concerns on this matter. Whilst she accepted this site was not an asset of community value, it did have historic value, which should be assessed with the Parish Council.

Councillor Light said she supported the preservation of the history of the place as the record was fascinating and the story of the Prisoners of War should be told.

Councillor Barker proposed to reject the listing as an asset of community value, but to recommend that Council work with heritage officers to add POW Camp 116 to the Heritage Asset List which was currently being compiled.

Councillor Rolfe said it was clear as to what an asset of community value was, and this site did not qualify. However, Cabinet appreciated that the site was very special. If added to the Heritage List it would be a material planning condition.

RESOLVED to reject the nomination to list POW Camp 116 as an asset of community value; and that Uttlesford District Council will work with the local community to ensure POW Camp 116 is considered for inclusion in the Local Heritage List.

CA107 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Dean.

Councillor Barker declared a personal interest in relation to amendments to the Housing Allocations Policy and Homelessness Strategy, as Chairman of the Essex Civilian Military Partnership Board; and in relation to the release of section 106 monies for the refurbishment of The Old School House, Priors Green, Takeley, and the nomination of POW Camp 116 as an asset of community value, as Essex County Councillor for Takeley and Hatfield Heath.

CA108 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 15 February 2018 were received and signed by the Chairman as a correct record.

CA109 **MATTERS REFERRED TO THE EXECUTIVE (STANDING ITEM)**

CA110 **REPORTS FROM GOVERNANCE, AUDIT AND PERFORMANCE AND SCRUTINY COMMITTEES (STANDING ITEM)**

In the absence of Councillor Dean, Chairman of the Scrutiny Committee, the Principal Democratic Services Officer read out a statement on his behalf.

The statement reported that Ian Parry from the Centre for Public Scrutiny had presented a report following his review of the Council's scrutiny process. Ian Parry had noted the Council was among only a few to have undertaken such a review. The Council's willingness to take on board constructive criticism and recognise where improvement could be made had been welcomed. The report had highlighted strengths in the Council's scrutiny arrangements, including good relationships between Scrutiny Committee Members and officers, and Executive

Members. The function was seen to be generally well-organised and welcomed in the Council. Areas for improvement which had been identified included a lack of purpose and authority in the Scrutiny function; that it did not provide sufficient impact and value in shaping and improving decision-making, and that Cabinet was not sufficiently visibly accountable to Scrutiny. The Committee had welcomed the findings and accepted the recommendations of the review, and an action plan to implement the recommendations would be developed.

The statement referred to the Scrutiny Committee's request that Cabinet consider the full report at its meeting in May, as some of the recommendations would require a closer working relationship between Cabinet and Scrutiny Committee, which Councillor Dean trusted could be taken under the Cabinet standing item for consideration of reports from the Governance, Audit and Performance and Scrutiny Committees.

Councillor Dean's statement then reported that the Scrutiny Committee had also discussed its work programme for 2018/19, and had considered a list of potential areas for review. For its May meeting the Scrutiny Committee had requested initial reports on recycling and affordable housing.

Councillor Rolfe said he had read the Scrutiny review report. A series of recommendations would need to be made, which Cabinet and Scrutiny Committee collectively would work to address.

CA111 REFUGEE WORKING GROUP (STANDING ITEM)

Councillor Redfern said there was no further information at present to report to Cabinet.

CA112 CORPORATE PLAN DELIVERY PLAN 2018/19

Members considered a report on the Corporate Plan Delivery Plan for 2018/19, for delivery of the Corporate Plan 2018/19 which had been agreed by Council at its meeting of 22 February 2018.

RESOLVED to approve the Corporate Plan Delivery Plan 2018/19, as set out in the report.

CA113 FINAL PROGRESS REPORT ON THE CORPORATE PLAN DELIVERY PLAN 2017/18

Members considered a report on the final end of year progress against the Corporate Plan Delivery Plan 2017/18.

RESOLVED to note final progress made against the Corporate Plan Delivery Plan 2017/18.

CA114 **VOLUNTARY SUPPORT GRANTS COMMITTEE**

Members noted a report on the review undertaken by the Voluntary Support Grants Committee of all voluntary sector grants awarded for 2017/18 and 2018/19.

CA115 **AMENDMENTS TO HOUSING ALLOCATIONS POLICY AND HOMELESSNESS STRATEGY**

Members considered a report on the review of the Council's Housing Allocations Policy and Homelessness Strategy, which required amendments to take account of changes in legislation. Such changes were necessitated by the Homelessness Reduction Act 2017, which had come into force on 3 April 2018.

Councillor Redfern said an additional amendment was needed to update the allocations policy in respect of applicants who were members of the Armed Forces as the policy referred to the phrase "honourably discharged", which was no longer in use.

Councillor Barker said the amendments were welcome, as they would enable intervention before a person was in fact made homeless.

In response to questions from Councillor Rolfe regarding allocation of void council properties for homeless people, and regarding use of accommodation in Harlow, the Housing Strategy and Operations Manager said as soon as properties became void they became subject to a process to enable them to be re-allocated as soon as possible, so they were not left vacant. Bed and breakfast accommodation in Harlow was used only in an emergency, for families and for as short a time as possible for single persons.

In reply to a question from Councillor Light as to whether there were currently any people who were homeless in the District, the Housing Strategy and Operations Manager said there were no "rough sleepers" in the District at present.

RESOLVED to approve amendments to the Council's Housing Allocations Policy and Homelessness Strategy to take effect from 3 April 2018, and to change the wording within the Allocations Policy in respect of the eligibility of members of the Armed Forces, to remove the wording "honourable discharge", and to replace it with the wording "applicants who are serving members of the Regular Forces or who have served in the Regular Forces".

CA116 **HRA LAND ASSET MANAGEMENT**

Members considered a report regarding potential development plots located at The Elms in Duton Hill and Hilltop Lane in Saffron Walden.

Councillor Light expressed concern that land belonging to the Council should be sold in order to build private properties, as in her view the Council should retain land to enable it to build social housing.

Councillor Howell said it was inappropriate to use the land to build a single house on its own, and the money would not be lost but would enable the Council to provide further housing.

Councillor Redfern said she took the point, but that it did not make economic sense to undertake a one-off build, when more council housing could be delivered by using the money for housing at a different location.

Councillor Light asked whether it was the case that the policy of the Council was that social affordable housing was not to be built in a block, but to be scattered. She would like to know the amounts and what they would be used for.

Councillor Rolfe said the Council had changed its social housing development policy over time, and that houses were built in clusters, not individually, for example at Forest Hall Park.

The Assistant Director – Legal and Governance advised against disclosure in the public meeting of the sums involved, as these were likely to be commercially sensitive.

Councillor Redfern said the costs of building were the issue, and offered to provide further details of the factors involved with Councillor Light outside the meeting.

RESOLVED that in accordance with the Housing Revenue Account Management and Development Strategy and subject to outline planning permission being granted for two sites, The Elms, Duton Hill, and Hilltop Lane, Saffron Walden:

1. That the identified sites be sold on the open market by way of sealed bids, with a guide price for offers as advised by the selling agent. The guide price will be set to maximise income to the Housing Revenue Account whilst maintaining competitiveness and interest in the plots.
2. That the receipt received is ring-fenced to fund the acquisition/development of new housing.

CA117 **S106, PRIORS GREEN, TAKELEY**

Members considered a report on a request from Takeley Parish Council for release of section 106 money for the refurbishment of The Old School House at Brewers End in Takeley.

RESOLVED to approve the release of £86,490.44 from Section 106 monies for the refurbishment of the Old School House at Takeley, subject to consultation with the contributing developers.

The meeting ended at 8.10pm.

PUBLIC SPEAKING STATEMENTS

Nigel Robley spoke in support of the nomination of POW Camp 116, Hatfield Heath as an asset of community value, raising the following points:

- He spoke as a parish councillor;
- The Camp was virtually unique;
- The owners seemed to wish to build homes on the site;
- Contrary to a statement in the report that no access had been gained since 1980, research revealed that Alan Wilton, a school governor, arranged educational trips to the site in October 2014 and subsequently;
- Funding would be via the precept and the Lottery Heritage Fund, eventually becoming self-funding.

Niki Champion spoke in favour of the nomination of POW Camp 116 being included in the list of assets of community value. She raised the following points:

- As a resident who lived near the site, she wished to express the community view;
- She had witnessed numbers of visitors attending the site;
- People visiting had a variety of reasons, including family connections, historical and artistic interests;
- In 2017 a petition to prevent the development of the land had gained 500+ signatures;
- The site was one of the best surviving examples of POW camps in the UK, and it was important to remember that the prisoners had contributed to the local community.

Ivan Cooper spoke in support of the nomination of the Camp as an asset of community value. He made the following points:

- The POW Camp had educational value;
- Since 2009 Alan Wilton, in his role as School Governor, had taken students to visit the site;
- He had been involved in producing a book about the Camp, in 2013, which had sold over 240 copies globally;
- English Heritage had given the Camp a rating of "2", meaning it was nearly complete
- There was good reason to maintain the Camp for these reasons.

Sam Bampton spoke against the nomination of Camp 116 as an asset of community value. He made the following points:

- He represented the owners of the POW Camp, who agreed with the officer recommendation;
- Camp 116 had been built in 1941, was decommissioned in 1945 and returned to the original owners, who had chosen to retain the huts;
- There had been no qualifying use of the site as one which could be included in the list of assets of community value;
- There was no realistic prospect of the Parish Council matching the funding required;
- The timeframe for any bid to the Heritage Lottery Fund was longer than the legislative timeframe for determining the nomination of the site as an asset of community value;
- The legal status of the site seemed to have been misunderstood by the Parish Council;
- The owners had made several attempts to engage with the Parish Council, and had sought to preserve the mural and had installed an information board at the entrance
- To include the POW Camp in the list of assets of community value would be an error in law and open to challenge, therefore it was not in the public interest to add it to the list.

David Parish spoke in favour of adding the site to the list of assets of community value, making the following points:

- He was a member of the History Society of Hatfield Heath, and had a longstanding interest in wildlife;
- During his time as a parish councillor he had built up a wildlife register, and was dismayed at the action of the owners in fencing off most of the area, preventing herds from moving across the land;
- It was important to consider wildlife from now on.