



# Uttlesford District Council

Chief Executive: Dawn French

## Scrutiny Committee

**Date:** Tuesday, 1st May, 2018

**Time:** 7.30 pm

**Venue:** Committee Room - Council Offices, London Road, Saffron Walden,  
Essex CB11 4ER

**Chairman:** Councillor A Dean

**Members:** Councillors H Asker, G Barker (Vice-Chair), R Chambers, P Davies,  
M Felton, S Harris, G LeCount, M Lemon, B Light and E Oliver

**Substitutes:** Councillors A Gerard, A Mills, G Sell and 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 Previous Meeting**

5 - 12

To consider the minutes of the previous meeting 27 March 2018.

#### **3 Responses of the Executive to reports of the Committee**

To consider any responses of the Executive to reports of the Committee.

- 4 Consideration of any matter referred to the Committee in relation to call in of a decision**  
To consider any matter referred for call in.
- 5 Invited reports from the Executive**  
To consider any invited reports from the Executive.
- 6 Cabinet Forward Plan** 13 - 18  
To receive the updated Cabinet Forward Plan.
- 7 Scrutiny Work Programme** 19 - 26  
To consider the Scrutiny Work Programme and suggested topics for 2018-19.
- 8 Centre for Public Scrutiny Review - Verbal Update**  
To receive a verbal update on the Centre for Public Scrutiny review.
- 9 Affordable Housing - Scoping Report** 27 - 32  
To receive the Affordable Housing Scoping report.
- 10 Any other items the Chairman considers to be urgent**  
To receive any other items the Chairman considers to be urgent.
- 11a. Recycling Update** 33 - 38  
To receive the Recycling update report.
- 11b. Exclusion of public and press**  
Consideration of a report containing exempt information within the meaning of section 100I and paragraph 3 part 1 Schedule 12A Local Government Act 1972.

## **PART 2**

### **Exclusion of Public and Press**

- 11c. Recycling Update (Part 2)** 39 - 42  
To receive Appendix A to the Recycling report.

## **MEETINGS AND THE PUBLIC**

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The agenda is split into two parts. Most of the business is dealt with in Part I 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 CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 27 MARCH 2018 at 7.30 pm**

Present: Councillor A Dean (Chairman)  
Councillors G Barker, R Chambers, P Davies, M Lemon, B Light and E Oliver

Also Present: Councillor S Howell (Cabinet Member for Finance & Administration); Ian Parry (Centre for Public Scrutiny)

Officers in attendance: R Auty (Assistant Director - Corporate Services), R Dobson (Principal Democratic Services Officer), P Evans (Leisure and Performance Manager) and A Webb (Director - Finance and Corporate Services)

## **SC35 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Asker, Felton, Harris and LeCount. There were no declarations of interest.

## **SC36 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 6 February 2018 were received and signed by the Chairman as a correct record.

## **SC37 RESPONSES OF THE EXECUTIVE TO REPORTS OF THE COMMITTEE**

There were no responses of the Executive to reports of the Committee to consider.

## **SC38 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL IN OF A DECISION**

There were no matters referred to the Committee in relation to call in of any decision.

## **SC39 INVITED REPORTS FROM THE EXECUTIVE**

There were no invited reports from the Executive.

## **SC40 CABINET FORWARD PLAN**

Members considered the Cabinet Forward plan. Councillor Dean, noting the final progress report on the Corporate Plan delivery plan was to be considered at the meeting of Cabinet on 4 April, reminded members this item was included in the Committee's draft work programme.

Councillor Lemon declared a personal non prejudicial interest in that he was Chairman of Hatfield Heath Parish Council.

Councillor Light asked for clarification on funding for the Old School House. The Director of Finance and Corporate Services said the amount sought for release from section 106 monies was indicated in the agenda papers for the meeting of Cabinet (noted for the minutes that the recommendation to Cabinet was for the release of £86,490.44 comprising £79,830.67 – Community Facilities equipment funding and £6,659.77 – Community Enhancement Fund, subject to the agreement of the contributing developer).

In response to a question from Councillor Light as to whether there were monetary limits regarding the decision-making powers of Cabinet, officers explained there were no limits in value on decisions which were Cabinet functions, provided there was money in the budget. Whilst the Council had agreed a definition of which decisions were key or not, based on the values of certain transactions such as disposal or acquisition of property, it was the function rather than the value which was relevant in considering whether Cabinet or Council took a decision. For information, officers would send members an explanatory note regarding which decisions were a function of Cabinet and which ones were a function of Council.

Councillor Dean said the Cabinet Forward Plan seemed to contain incomplete information as it lacked decisions due to be taken at meetings from July onwards. Officers confirmed an updated version of the Cabinet Forward Plan would be circulated to the Committee.

SC41 **REVIEW OF UTTLESFORD DISTRICT COUNCIL'S SCRUTINY FUNCTION -  
REPORT AND PRESENTATION BY IAN PARRY FROM THE CENTRE FOR  
PUBLIC SCRUTINY**

The Committee considered a report and verbal presentation from Ian Parry from the Centre for Public Scrutiny, following his review of the Council's scrutiny function.

Ian Parry thanked members for the opportunity to return to discuss his report, and for inviting him to review the Council's scrutiny function. The discussions he had had with officers and members had been open and honest, and together with the research and observations he had carried out, he had drawn out key principles on how scrutiny at Uttlesford could hold the executive to account.

Ian Parry highlighted the main points of his report, which set out strengths and areas for improvement, and an analysis of his work in reviewing Uttlesford's scrutiny function. He said he had not found there to be a "golden thread" recognised by those he spoke to, representing "joined up" scrutiny at Uttlesford.

He questioned whether the work programme was aligned with shaping the objectives of the Council, how it was constructively challenging the work of the executive, and what the barriers were to members engaging in effective scrutiny. He highlighted the fact that early engagement at the design stage of decision-making could avoid unnecessary surprises. For example, assumptions made in the Medium Term Financial Plan were important to policy, and there should be confidence that they had been scrutinised before the Council's budget was presented. Similarly, objective input on key decisions, from the start, through all stages to the end of the decision-making process, should take place and should be regarded not as a negative challenge, but as constructive input.

Ian Parry said he had found meetings of the Scrutiny Committee to be led in the main by the Chairman, but for effective scrutiny there should be clarity as to scrutiny members' objectives as a team. There needed to be clear outputs which were constructive, with key lines of questioning according to a plan. Questions were often addressed by officers with technical expertise but the fact that Cabinet members were not always present at Scrutiny Committee meetings when an item relevant to their portfolio was considered was a deficit in holding Cabinet members to account.

Ian Parry referred members to his recommendations, which were intended to be constructive, robust and honest advice. Recommendations included creation of a common understanding and purpose for scrutiny; that the Leader and Cabinet members be directly accountable and visible; and that the relationship of the Scrutiny Committee to Cabinet involve structured meetings to discuss scrutiny.

Councillor Dean thanked Ian Parry for his report, and that he recognised many of the points made.

Councillor Light asked for clarification with regard to one of the suggested areas for improvement, a reference to there being "too little structured scrutiny".

Ian Parry said he had found Scrutiny Committee meetings tended to be information-gathering, rather than formulating a conclusion, or making recommendations for improvement and following these recommendations through. In response to a further question as to whether this aim could be achieved via task and finish groups, or pre-scrutiny, Ian Parry said this aim could be achieved in various ways, for example offline briefings, to try to develop an outcome. Scrutiny Committee members could be involved earlier in Cabinet decisions, so that they could explore and add value to policy, and could set up task and finish groups.

Members discussed the way in which scrutiny of external bodies had been carried out in the past.

Members discussed the presentation in detail. The following main points and responses were made.

Councillor Barker said members had in the past held pre-meeting briefings when representatives of external bodies had been invited to Committee meetings, but there had been problems with quorum, as the earlier start time was difficult for

some members, and people tended to arrive at different times, so these briefings were not always structured. Such briefings had not led to a consensus of approach or the necessary depth of questioning.

Ian Parry agreed it was preferable that Scrutiny members should meet before questioning an invited individual or body. Using technology for remote conferencing could be an option. In scrutinising outside organisations invited to attend the Committee, it was advisable to consider meeting a week or two before a Committee meeting, to assess what information would be sought, and who else should attend, as, by the time the agenda for the meeting was issued, time was too short.

Councillor Lemon said he had been a councillor for 15 years, but a member of Scrutiny Committee only since last year, during which time he had received no training.

Councillor Dean said training had been held on various occasions when substantial changes to the Committee's membership had taken place.

Councillor Howell, as Cabinet member for Finance, said the scrutiny review report was hard-hitting, but positive. He welcomed the view that scrutiny should have the role of "critical friend". Scrutiny at Uttlesford did not always work as well as it could, in his view, as there should be more trust, and no politics. He welcomed early engagement from Scrutiny Committee, in strategic participation in the Council's decision-making. However, sometimes scrutiny seemed inquisitorial, or aimed at producing headlines.

Councillor Light said she echoed Councillor Howell's comments. She felt there was a lack of trust. It would be an improvement to allow for greater input into policy and a forum to discuss issues could help to build trust.

Ian Parry cautioned against a "cosy" scrutiny, or public perception that this was the case. Scrutiny should comprise friend and critic in equal measure, and be robust.

Councillor Barker said, in response to Councillor Light's comments, that it was the benefit of the administration to make policy. There was a difference between testing questions and persecuting questions.

Ian Parry said policy was the prerogative of the administration, but positive questioning was the role of scrutiny. There were arguments on both sides of this discussion, and if scrutiny produced publicity, then that should be regarded as an opportunity to explain the administration's narrative.

Councillor Davies said his experience of scrutinising external bodies was that often a general presentation was given, which did not make it possible in the time allowed to conduct detailed scrutiny.

Ian Parry said this was a good point, which meant the Committee needed to give careful thought to how to achieve setting the questions it wished to ask.



Councillor Chambers arrived at this point. He apologised for his late arrival and commented on the review. As this Council operated a Cabinet system, in his view it was good practice for executive members to be prepared to answer questions, and not to rely on officers to do so.

Councillor Dean invited the Committee to consider practical measures to take following the review. Suggestions were made as follows: to prepare an action plan; to recommend that executive members attend Scrutiny Committee meetings; to allocate time for consideration of items included in the Cabinet Forward Plan.

AGREED that the Chairman and Vice Chairman would work with officers to develop an action plan in response to the review.

#### **SC42 CENTRE FOR PUBLIC SCRUTINY CONFERENCE REPORT AND DISCUSSION**

Members considered a report from the Chairman of the Committee on the conference held in December 2017 by the Centre for Public Scrutiny.

Councillor Barker noted the Redbridge approach to scrutiny, referred to in the report, was to allow Cabinet members to attend their Scrutiny Committee meetings only by invitation, as it was considered attending uninvited would compromise the independence of the scrutiny process.

Councillor Dean said the context for such an approach was relevant, in that it would depend on development of a relationship between the Cabinet and Scrutiny members.

In response to a query as to the status of the report, Councillor Dean said it was intended to be a record of the discussion at the conference.

Ian Parry left the meeting.

#### **SC43 2018/19 WORK PROGRAMME - AREAS FOR REVIEW**

Members considered the draft Scrutiny work programme for 2018/19.

It was suggested the list of topics be re-drawn in a way which did not indicate priorities, leaving it open for members to identify what they wished to consider at the next two meetings.

Councillor Davies said no topics should be dropped, but that Day Centres had already been the subject of a scrutiny review, as had the topic of Litter and others.

Councillor Light said she wished to add a proposal that the Scrutiny Committee work alongside the process for Stansted Airport's application for planning

permission to increase the maximum passenger throughput, as many concerns had been expressed that there was a lack of transparency about the process.

Councillor Chambers said no member should speak about the planning process.

Councillor Light said her concern was not about the application but about the planning process, as public mistrust needed to be countered by robust and visible scrutiny.

The Assistant Director – Legal and Governance said members consider in this discussion whether they should declare an interest if they were a member of Stop Stansted Expansion (SSE) or other relevant organisations.

Councillor Dean declared a personal interest as a member of SSE.

Councillor Chambers declared a personal interest as a member of the Planning Committee.

Councillor Lemon said there had not been sufficient time for people to respond to the consultation on the Airport application.

The Assistant Director – Legal and Governance said there was limited scope for the Committee to scrutinise the process of the planning application, and that the Planning Committee had the authority to make the decision. He offered the assurance that the consultation period would be extended until the end of April. Any concerns could be taken up via the political route, or in person with officers or the Chairman of the Planning Committee. There was some merit, however, after determination, in looking at how the public were engaged at the pre-application stage, in order to draw lessons from the process. It was inadvisable, however, to do so in parallel at the same time.

Members agreed to close this part of the discussion.

Councillor Howell suggested it would be helpful to have the Committee's observations on areas of strategy and governance, to add value to the work of the Council. Areas which could benefit from such observations could include the Investment Strategy.

Councillor Dean said the most pressing area was social/affordable housing, as the Local Plan would soon be concluded. A scoping report should be prepared on this topic, with the Assistant Director – Legal and Governance, the Planning Policy Manager and the Director of Finance and Corporate Services.

In response to a question regarding the impact on the Council's recycling rates of the global economic situation for the recycling industry, Councillor Howell said there would be a need to plan for the financial impact over the next four to five years.

The Director of Finance and Corporate Services reminded members that the Council was not a disposal authority.

Councillor Barker said there were three strands for discussion in relation to recycling: disposal, the reasons for variances in rates of recycling across different areas, and the economics.

The Chairman summed up the discussion, confirming that the topics to be considered next would be social and affordable housing; recycling; and the scrutiny review report. Other topics would be kept on the programme for members to consider in due course.

SC44      **2017/18 SCRUTINY COMMITTEE ANNUAL REPORT**

The Committee considered its annual report which would be submitted to the next meeting of the Council on 10 April. It was noted the Chairman would give a verbal report to the meeting of Cabinet on 4 April.

AGREED to update the report to reflect members' comments made at tonight's meeting on the scrutiny review.

The meeting ended at 9.30pm.

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## 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)							
Appointment of Committees and Working Groups 2018/19	Cabinet	24 May 2018	Appoint all Cabinet committees, working groups and representatives on outside bodies for 2018/19	No	No	Cllr Rolfe	Rebecca Dobson, Principal Democratic and Electoral Services Officer
Aspire Accounting Policy	Cabinet	24 May 2018	Approve accounting policies for Aspire	No	No	Cllr Howell	Adrian Webb, Director of Finance and Corporate Services
Scrutiny Review	Cabinet	24 May 2018	Cabinet to consider the Centre for Public Scrutiny review	No	No		Richard Auty, Assistant Director Corporate Services
Land Rear of Millfield, Lt Chesterford	Cabinet	24 May 2018		TBC	TBC	Cllr Redfern	Roz Millership, Assistant Director Housing and Environmental Services
Garden Communities Delivery Member Governance Board update'	Cabinet	24 May 2018	Update from the Cabinet Working Group on items discussed in the last 3 months'	N	N	Cllr Rolfe	Adrian Webb - Director of Finance and Corporate 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
Local Heritage List	Cabinet	12 July 2018	To agree the Local Heritage List comprising buildings of local historic interest	No	No	Cllr Barker	Gordon Glenday (Angharad Hart), Assistant Director, Planning
Members New Homes Bonus 2017/18	Cabinet	12 July 2018	To receive a report detailing the spend for each councillor and the projects supported	No	No	Cllr Ranger	Adrian Webb - Director of Finance and Corporate Services
Final Outturn 2018/19	Cabinet	12 July 2018	Final budget position for 2017/18 subject to audit			Cllr Howell	Angela Knight – Assistant Director Resources
Treasury Management Outturn 2018/19	Cabinet	12 July 2018	Total of investments and borrowing for the year			Cllr Howell	Angela Knight – Assistant Director Resources
LCTS Proposals	Cabinet	12 July 2018	To confirm LCTS proposals for 2019/20 scheme to inform the Consultation process			Cllr Howell	Angela Knight – Assistant Director Resources
Environmental Enforcement	Cabinet	12 July	<p>Report requesting consent to expand the range of fixed / civil penalty notices issued by Council Officers.</p> <p>To grant delegated authority to the Environmental Health Manager (Protection) to apply and enforce new fixed /civil penalties arising from legislative change, and to grant the Environmental Health Manager (Protection) authority to delegate to</p>	No	No	Cllr Susan Barker	Marcus Watts Environmental Health Manager (Protection)

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
			appropriate trained persons authority to issue fixed and civil penalty notices.				
Qtr. 1 forecast outturn 2018/19	Cabinet	6 Sep 2018	To present the predicted budget spend for Quarter 1 2018/19 (April – June)			Cllr Howell	Angela Knight – Assistant Director Resources
Garden Communities Delivery Member Governance Board update'	Cabinet	6 Sept 2018	Update from the Cabinet Working Group on items discussed in the last 3 months'	No	No	Cllr Rolfe	Adrian Webb - Director of Finance and Corporate Services
Houses in Multiple Occupation Amenity Standards	Cabinet	16 October 2018	Following consultation with stakeholders a report to consider the adoption of HMO Amenity Standards	No		Cllr Susan Barker	Marcus Watts Environmental Health Manager (Protection)
Changes to mandatory licensing of Houses in Multiple Occupation	Cabinet	16 October 2018	To advise Cabinet on the extension of the scope of the HMO mandatory licensing scheme proposals scope of the changes and to agree a new fee structure.	No		Cllr Susan Barker	Marcus Watts Environmental Health Manager (Protection)
Environmental Health	Cabinet	16	To consider and agree the	No		Cllr Susan	Marcus Watts Environmental

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
Enforcement (Civil Penalty Notice Policy)		October 2018	Civil Penalty Notice Policy			Barker	Health Manager (Protection)
LCTS proposals and Consultation responses 2019/20	Cabinet	29 Nov 2018	To review the LCTS scheme proposals for 2019/20 for recommendation to Full Council			Cllr Howell	
Budget Consultation responses 2019/20	Cabinet	29 Nov 2018	To review Residents and Businesses responses to Budget priorities for the 2019/20 budget setting			Cllr Howell	Angela Knight – Assistant Director Resources
Qtr. 2 forecast outturn 2018/19	Cabinet	29 Nov 2018	To present the predicted budget spend for Quarter 2 2018/19 (July – September)			Cllr Howell	Angela Knight – Assistant Director Resources
Garden Communities Delivery Member Governance Board update'	Cabinet	10 Jan 2019	Update from the Cabinet Working Group on items discussed in the last 3 months'	No	No	Cllr Rolfe	Adrian Webb - Director of Finance and Corporate Services
All Budget reports 2019/20	Cabinet	12 Feb 2019	To review all budget reports for recommendation to Full Council			Cllr Howell	Angela Knight – Assistant Director Resources



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
Qtr. 3 forecast Outturn 2018/19	Cabinet	12 Feb 2019	To present the predicted budget spend for Quarter 3 2018/19 (October – December)			Cllr Howell	Angela Knight – Assistant Director Resources
Local Plan	Cabinet	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				Gordon Glenday – Assistant Director - Planning
Licensing Review	Cabinet	TBC	To identify both the current strengths and vulnerabilities of the Licensing Service, recommending any necessary changes both to UDC licensing policy & procedures and the current team structure	Yes	No	Cllr Barker	Tony Cobden – Environmental Health Manager (Commercial)

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
Day Centres	Cabinet	TBC	To consider a proposal for the future management of the Day Centres within the District.			Cllr Ranger	Paula Evans – Leisure and Performance Manager

## Work Programme 2018/19

Date	1 May 2018	18 June 2018	25 September 2018	20 November 2018	5 February 2019	21 March 2019
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 Page 19	CfPS review update	Local Council Tax Support Scheme proposals 2019/20		Local Council Tax Support Scheme 2019/20	2019/20 Budget	2018/19 Scrutiny Annual Report
	Affordable Housing scoping document	Affordable Housing report		Budget Overview 2019/20		
	Recycling report					

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**SCRUTINY COMMITTEE WORK PROGRAMME 2018/19 SUGGESTED TOPICS**

Topic		Reason for review	Scrutiny Action(s):	Notes
1.	<b>Recycling</b>	<p>Understanding reasons for failing rates and impact on the MTFS</p> <p>Inform Council when making decisions about future recycling</p>	<p><b>Consider:</b> What the performance is today What the market situation is</p> <p><b>Required:</b> Status report from Street Services.</p> <p>To include the current service performance, costs, market situation and risks (financial and otherwise). Report to determine state of service – what is the contamination situation, what's the potential for improving the service compared to where we are now. Solutions to problems should not be identified at this stage, just details of the issues. If remedial work is underway in some areas then this should be identified and progress determined.</p> <p><b>Further action:</b> Develop a Scoping Report</p>	Initial report on agenda for 1/5/18 Scrutiny Committee
2.	<b>Investment Strategy</b>	To understand the Council's approach to large scale investment projects	<p><b>Consider:</b> The criteria in place for making investments to secure the Council's long term economic stability</p> <p><b>Required:</b> Status Report from Commercial Team</p> <p>To include an overview of the Strategy and the decision-making process and an update on the investments made or proposed over the last two or three years, e.g. CRP and commercial opportunities. Return for UDC Is there sufficient audit and governance in place to ensure minimisation of loss and waste</p> <p><b>Further action:</b> TBC</p>	
3.	<b>Large Scale Grants</b>	To understand the Council's approach to the allocation of large scale grants	<p><b>Consider:</b> The process for the allocation of large scale grants</p> <p><b>Required:</b> Status Report from Lead Officers of projects</p> <p>To include an overview of the allocation process and an update on the grants that have been made or proposed e.g. Carver Barracks, Broadband, Stansted College etc.</p> <p><b>Further action:</b> TBC</p>	

SCRUTINY COMMITTEE WORK PROGRAMME 2018/19 SUGGESTED TOPICS

Topic		Reason for review	Scrutiny Action(s):	Notes
4.	Section 106	To understand if s106 process is being applied effectively	<p><b>Consider:</b> Effectiveness of S.106 agreements. Is now the time for the council to adopt CIL?</p> <p><b>Requirement:</b> Informally ask whoever is recruiting 106 Officer what are the terms of reference. A full review of the process is required.</p> <p><b>Further Action:</b> TBC</p>	
5.	Social/ Affordable Housing	What can/can't we deliver with regards to the allocation of Social/Affordable Housing in new developments	<p><b>Consider:</b> Council in a situation now where it isn't able to meet the needs of everyone who wants a home. That will change over a period of time due to local plan, the rate of house building increasing, more people moving to district etc.</p> <p>Need to identify what groups of people we are expecting to move into District? Are we developing new housing for them e.g. people who work at the airport can live closer to their work-place. Is there going to be a rebalancing of the demographics? Have to know what the need is and work out if we are providing for that need or continuing with 40% affordable policy. Should we be considering alternatives to Right to Buy such as housing associations/local housing companies? How is percentage allocation calculated? What are others doing? A clear definition is needed to inform Housing policies.</p> <p><b>Requirement:</b> Scoping Report from Housing</p> <p><b>Further Action:</b> TBC</p>	Scoping document on agenda for 1/5/18 Scrutiny Committee
6.	Airport Parking	Understand the limitations/ opportunities for the council in addressing airport related parking issues	<p><b>Consider:</b> Enforcement capability under legislation Planning controls How is it managed beyond the council? Contract to agency?</p> <p><b>Required:</b> Status Report from Environmental Health</p> <p>Report to include council's enforcement responsibilities and capability and details of any new byelaws which could impact.</p> <p><b>Further Action:</b> TBC</p>	

**SCRUTINY COMMITTEE WORK PROGRAMME 2018/19 SUGGESTED TOPICS**

Topic		Reason for review	Scrutiny Action(s):	Notes
7.	<b>Review of Cabinet system</b>	Understand its effectiveness in UDC	<p><b>Consider:</b> Is the Cabinet system the right system for UDC? If not, why not?</p> <p><b>Requirement:</b> Scoping Report from Democratic Services? Ask LGA about trends at other authorities. Completion by end 2018/19 before new council.</p> <p><b>Further Action:</b> TBC</p>	
8.	<b>Street cleaning/ littering</b>	Area of concern for public - Pride in Place initiative	<p><b>Consider:</b> Will the Council's Pride in Place initiative achieve meaningful outcomes? What is being done at the moment? Cleanliness of public spaces, how clean are our streets? How often are they cleaned? How do we compare with other districts? How are resources allocated?</p> <p><b>Requirement:</b> TBC</p> <p><b>Further Action:</b> TBC</p>	It was commented at Scrutiny Committee on 27/3/18 that this had already been the subject of a Scrutiny review
9.	<b>Energy efficiency of council homes</b>	Has the council reached the limits of what it can achieve in making council housing energy efficient?	<p><b>Consider:</b> What energy efficiency schemes/projects does/has the council run? Why is budget now zero? What have been the CO2 reductions over time? Do we educate our Tenants? What more could be done?</p> <p><b>Requirement:</b> Status Report</p> <p><b>Further Action:</b> TBC</p>	
10.	<b>Economic Development Strategy</b>	Mid-year review of progress against action plan	<p><b>Consider:</b> Progress against actions Constraints in progressing actions (where relevant). Priorities.</p> <p><b>Requirement:</b> TBC</p> <p><b>Further Action:</b> TBC</p>	

**SCRUTINY COMMITTEE WORK PROGRAMME 2018/19 SUGGESTED TOPICS**

Topic		Reason for review	Scrutiny Action(s):	Notes
11.	<b>Corporate Plan Delivery Plan</b>	Review progress of actions	<b>Consider:</b> Review of 2018/19 CPDP Q2 actions status at November meeting  <b>Requirement:</b> TBC  <b>Further Action:</b> TBC	
12.	<b>Day Centres</b>	Review of plans for new operating models to deliver best possible service	<b>Consider:</b> How the Council aims to maintain and improve day centre service provision.  <b>Requirement:</b> End of year status report for March 2019 meeting  <b>Further Action:</b> TBC	It was commented at Scrutiny Committee on 27/3/18 that this had already been the subject of a Scrutiny review
13.	<b>Email</b>	Member of staff said he received 200+emails a day	<b>Consider:</b> Time wasted? Right to disconnect Increase staff efficiency and well being  <b>Requirement:</b> TBC  <b>Further Action:</b> TBC	
14.	<b>'Charitable' giving</b>	How much do we give to charity/voluntary sector/professional bodies	<b>Consider:</b> Process Service level agreement Aligns with corporate plan Governance Ensure taxpayers money is equitable and give good value for money  <b>Requirement:</b> TBC  <b>Further Action:</b> TBC	
15.	<b>Budget Role of Scrutiny</b>	Scrutiny and GAP review the 'Budget'	<b>Consider:</b> Why duplicate?  Scrutiny could be critical friend, GAP could take on 'corporate scrutiny'  <b>Requirement:</b> TBC  <b>Further Action:</b>	



# SCRUTINY COMMITTEE WORK PROGRAMME 2018/19    SUGGESTED TOPICS

			TBC	
16.	<b>Business development</b>	How the council helps businesses in the district	<p><b>Consider:</b> Value for money Audit trail Evidence of impact Audit and Governance can ensure minimisation of loss and waste</p> <p><b>Requirement:</b> TBC</p> <p><b>Further Action:</b> TBC</p>	
17.	<b>Statutory/ Non-statutory service review.</b>	Understanding of which services provided by the council are statutory	<p><b>Consider:</b> Awareness when Council is judging service provision</p> <p><b>Requirement:</b> TBC</p> <p><b>Further Action:</b> TBC</p>	
18.	<b>Relevant and relative responsibilities of Scrutiny and GAP</b>	Clarity around roles of both committees – when does one committee refer an item to the other?	<p><b>Consider:</b> Both committees working effectively for the benefit of the community.</p> <p><b>Requirement:</b> TBC</p> <p><b>Further Action:</b> TBC</p>	

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## Scoping Report for Scrutiny Committee Review

<b>Review Topic</b>	Affordable Housing in the proposed Garden Communities
<b>Scoping Report to go to meeting on</b>	1 May 2018
<b>Review to take place at meeting on</b>	18 June 2018
<b>Lead Officer</b>	Simon Payne

<b>Terms of Reference</b> (to include the scope of the Review)	<ul style="list-style-type: none"> <li>To update members on feedback from a Member Workshop (details appended).</li> <li>To brief members on the process for addressing the issues raised in the Workshop.</li> </ul>
<b>Purpose and/or Objective of the Review</b> (what the review should achieve)	<ul style="list-style-type: none"> <li>Ensure that follow up work on affordable housing issues in the Proposed Garden Communities reflects the views and priorities of members</li> </ul>
<b>Methodology / Approach</b> (methods to be used to gather evidence)	<ul style="list-style-type: none"> <li>Use of feedback from Member Workshop</li> <li>Discussions with Members and Officers</li> <li>Desk top research and analysis</li> </ul>
<b>Written Evidence Required</b>	Verbal or written update.
<b>Potential Witnesses</b>	None required.

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## **GARDEN COMMUNITIES HOUSING WORKSHOP 14.3.18**

Over 16 members of the District Council, along with officers, attended an evening workshop to discuss housing issues in connection with the proposed Garden Communities. Feedback from the workshop is set out below.

### **WORKSHOP SESSION 1**

***What are the local housing issues for the District in regards to the TCPA principles for new garden communities?***

#### **Table A**

- How do we Achieve Land Value Capture?
- UDC build Leasehold Affordable and Market Housing
- Diverse Range of Houses Needed (including apartments)
- Need houses with internal space (Parker Morris?) with large enough gardens
- Adaptable and Lifetime Homes (multi family living)
- Start up Space for all Sizes of Enterprises with Business Hub
- Build Larger Houses with Facilities so that People have the Choice to Live Together
- Family Focus for New Houses
- Modern Methods of Construction
- Need Bigger Settlements (or the Ability to Grow Bigger)
- Quality Prefabricated Commuter Pods that are Affordable
- High Quality Jobs to Overcome Commuting
- No Single Bed Housing
- Dont Want Soulless Places (eg Southwood and Ferrers)
- Quality of Life is Important to Attract Good Jobs
- Facilitate Homeworking
- Affordable Houses with Independent Living and Shared Lives (eg Adult Fostering)
- Younger People May Currently Have to Move out of Uttlesford to Afford Housing (eg Silverend)
- Need to Understand Where People will come from
- Good Employment Needed within the Community

#### **Table B**

- How to get landowners/promoters (big and small) to participate in venture? Currently all GC promoters agree in principle but what about when it gets to formal decision stage?
- Priority must be to meet people in housing need.
- Eliminate the housing waiting list
- Need a Shopping Centre/High Street in the Garden Community
- Need Community Centres, Theatres, Cinemas etc
- Garden Communities to Support Shops
- More social housing should be built and run by the Council
- Intermediate housing is a good idea
- Need more rural exception sites
- Market housing should be Affordable
- Cater for Everyone (including older people)
- Need a Range of House Types and Tenures to get Range of People

- What is the Profile of the Garden Community? A balanced profile (incomes and age groups) should be a priority
- The Council should be more directive on housing mix
- Meeting a Larger than Local Need
- Part Ownership. Exception Sites so land is at an affordable price.
- Minimum wage is £1,000 a month. But minimum wage employees (eg Laundry and pub workers) cannot afford market rents in Uttlesford.

#### **Table C**

- Who is Going to Live Here? Where are they going to Come From?
- Mix of Tenure Needed
- Mix of Size Needed:
  - Affordable Registered Provider Accommodation
  - Social Rent (Council owned?)
  - Community Led Housing
  - Market Rent
- Understand what Peoples' Incomes are to understand what affordable rent is
- Liveable space/able to be adapted
- Starter Homes
- Right to buy
- Older People – dementia friendly provision
- 'Secured by Design'
- Health and Wellbeing Prioritised

#### **Table D**

- Cambridge Housing Market Area and Private Rented Sector Important
- Issue of getting Support Staff Locally
- How does the Land Ownership / Builder / Developer Model Work and can it be improved?
- Data Important (NOMIS website). Shared Ownership tiny proportion. Key worker provision not Recorded.
- Multi faith Provision near Shops an Issue (eg Northstowe where £5m for Village Hall and Mosque from Infrastructure pot)
- Some concerns expressed about the success of previous towns such as Letchworth town centre, Milton Keynes and Basildon
- Socially Blind Housing with Pepperpotting of Affordable (do not need to know who owns or rents) is important
- Key Workers Living Locally. Ties to the jobs. Buying a house and then selling to the same Group of People could be explored
- 40% Affordable should allow for social rent at 60%
- Construction Standards are important (Code Level 4 minimum with Passivhaus standards at best)
- Lilac Scheme in Oxford is a good home ownership model (pay 35% of median income)

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## **WORKSHOP SESSION 2**

***What housing is needed now and as the Garden Communities grow?***

### Table A

- Council Backed equity Release Policy Helping Children onto the Property Ladder
- Security of Occupancy is an Issue
- Nobody has the Right to Own a Home but it is Desirable
- Inter-Generational Accommodation Needed
- UDC Housing Company to Build New Homes for Rent and Sale which cross subsidise other Council Services
- Key Worker Provision such as Nurses, Carers, Cleaners not necessarily living next to their work
- Provide both Social Rent and Affordable Rent
- Low and High Rise Apartments Needed

### Table B

- Housing for People not on an Income
- Rent for lowest paid should be UDC cost (£91.75 a week) as Housing Association rent is too high. Tiers of income require selection of rental bands. Need to grade available housing to meet needs. Allow people to move up the grades.
- Stewardship. Covenants tied to income so prices are affordable (leasehold option?). Examples? Legal advice needed? Need to address resale issue.
- Set up a modular construction factory!
- Mortgage problems need resolution.
- Set up Uttlesford Bank.
- Key workers to include:
  - Carers (least well paid)
  - Teachers and Assistants
  - Nurses, Doctors and Paramedics
  - Firemen (and Policemen?)
  - Bus drivers
- Centre with shops in walkable neighbourhoods
- Low cost housing versus Beautiful Design
- Factory Produced Building Products to save on costs (modular construction)
- Community will make the Garden Communities attractive to those there and interactive environment (not sanitised)
- Allotments and Opportunity to Grow Food in Community
- Encourage Community Groups
- The Council should own and be the Steward for the Affordable Housing
- Should the Garden Communities be the owner of the housing? Yes!

### Table C

- Size of rental market?
- Market rent
- Affordable rent
- Social rent
- Community Led Housing

- UDC Housing Company

#### Key Workers

- Carers
- Teachers
- Baggage Handlers
- Public Sector
- Child minders
- Insecure employment sectors
- Workers for the future?

The Need is for 1 bed affordable housing

#### Table D

- Allow downsizing to accommodate:
  - Older People
  - Single People
  - Single Occupiers
- Need a good percentage for Starter Homes and Small Homes
- Whole Life Housing Needed
- Range of House Types Needed so Residents Can Stay in the Garden Community when moving house
- Inter Generational Provision (eg Support Single Mothers)
- Co-Housing (eg. females on their own)
  - People too busy/Not at Home
  - Need People to Speak to
  - Talking to others just for the Sake of it!
- Density. Only 1.2% flats/apartments in UDC (but 2% East of England; 4% Nationally)
- General Market Apartments. Over 55s. Retirement Developments. Need Community Space.
- Key workers to be accommodated in affordable housing include
  - Teachers
  - Shopworkers
  - Nurses
  - Police
  - Council Workers
- Service Workers currently tend to live in Eastern Essex, Harlow and Braintree due to better affordability.

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SP 6.4.18



<b>Committee:</b>	Scrutiny	<b>Date:</b>	
<b>Title:</b>	Recycling Update Report		1 May 2018
<b>Report</b>	Cat Chapman, Operations Manager, 01799	<b>Item for decision:</b>	
<b>Author:</b>	510557		No

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## Summary

1. Scrutiny committee requested a report concerning Waste & recycling service costs, performance, market situation and risks.
2. Following a tightening of China's import quality controls and the banning of certain waste categories under the environmental initiative Operation Sword, the materials markets have been struggling as the remaining world markets for the affected materials are flooded with material which has resulted in a significant fall in material values.
3. Quality of material collected for recycling and presented to the contractor for sorting and onward processing is of paramount importance in ensuring that higher material values can be achieved.
4. The council's current materials processing contract will come to an end in May 2019 and there is no potential for an extension under the current contract, therefore the contract pricing mechanism will be reviewed in light of the current market situation to ensure the best price is obtained for the council during the procurement of the new contract.
5. Stagnating recycling rates coupled with increasing waste arisings across Essex and nationally is driving a slow down in recycling performance.
6. Areas which have seen significant improvements in recycling rates in recent years have seen major service change to drive this, such as moves to reduced residual waste collection frequency.

## Recommendations

7. Report is for information only

## Financial Implications

8. The budget set for 2018-19 allowed for an average gate fee of £34 over the year to allow for fluctuations, but the variance in the markets had not been

anticipated to be this severe and could not be forecast with any certainty until the changes began to take effect earlier in 2018.

9. Essex County Council act as the waste disposal authority, and under the Inter Authority Agreement between the council and Essex County Council, several funding mechanisms are in place to facilitate recycling, such as the payment of avoided disposal costs, recycling credits, compost credits and an Inter Authority Agreement payment. These funding arrangements could be jeopardised if the council were to decide to cease collection of recyclables, and ultimately Essex County Council may decide to pass on the cost of the increased disposal. The current charge for disposal is currently set at £130.66 per tonne for the year 2018-19.
10. At present, with the income received from recycling credits set at £68.31 per tonne, this is still a higher value than the gate fee for recyclable materials anticipated to come into effect from May 2018. This is a vital income stream to support the waste and recycling service budget.
11. Initial work on scoping for the new material sorting contract, which will be required from May 2019, has begun and models for contract pricing are being discussed to ensure that the best value contract is secured for the council, however this does present a significant level of financial uncertainty post May 2019.
12. The council receives no income from ECC for the diversion of food waste as the treatment costs outstrip the value of the recycling credit; therefore there is no financial driver for the council to increase food waste capture and diversion from residual treatment.

## Impact

13. The council has a legal obligation to collect recyclables from our residents under the Waste (England and Wales) (Amendment) Regulations 2012 which states that from 1 January 2015 waste collection authorities must collect waste paper, metal, plastic and glass separately by way of a separate collection. The council's current commingled collection for dry recyclables satisfies this requirement following an assessment of the technical, environmental, economic and practicability of collection methods for the district, therefore it would not be legal for the authority to withdraw the kerbside recycling scheme.
14. The quality of the material the authority collects impacts upon the material values obtained by the contractor and will also have an impact upon the outcome of the tender for the new contract for recyclables processing, therefore it is essential that the authority continues the extensive communications to residents on the importance of presenting quality, clean and dry recyclables for collection.

Communication/Consultation	Continuation of clear communication regarding quality of recyclables.
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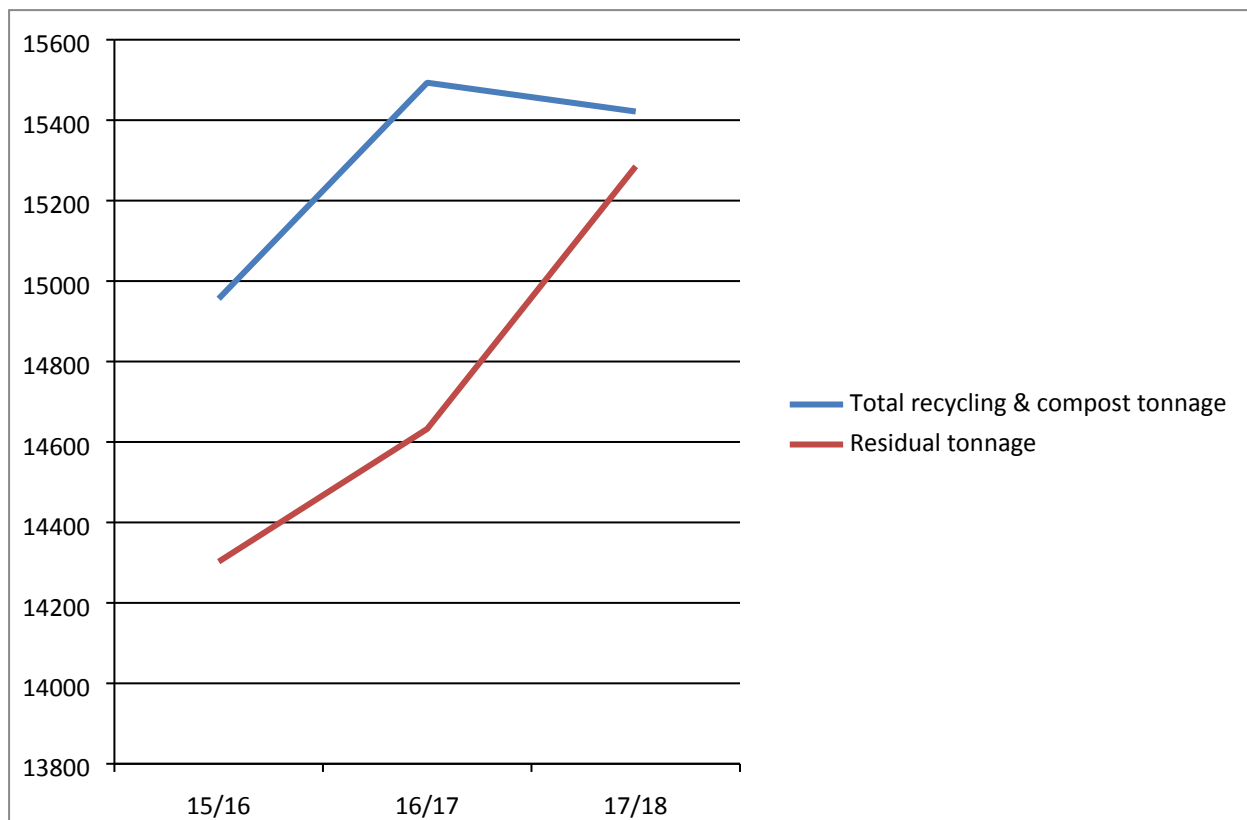
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

## Situation

15. The Chinese government enacted an environmental initiative named Operation Sword with effect from 1 January 2018 which banned the import of certain recyclates and waste categories. New quality requirements for remaining imports, especially paper and plastic, also came into force with an increased inspection regime at ports.
16. As a result of the new import controls in China, MRF operators have sought and are continuing to seek and develop alternative markets for their sorted materials in the UK and Europe, as well as the wider world markets.
17. Viridor, the incumbent contractor for the council's dry mixed recycling sorting contract, anticipated the market change in advance and no plastic has been sold to China by Viridor since March 2017.
18. Operation Sword has the following impacts upon the material values according to the Lets Recycle mid-point indices which benchmarks material values throughout the year
  - a. The following materials have seen a fall between November 2017 and March 2018:
    - i. Mixed paper fell by 90%, from £50 per tonne to £5 per tonne
    - ii. Cardboard fell by just over 50%, from £111 per tonne to £55 per tonne
    - iii. Aluminium fell by 1%, from £1005 per tonne to £995 per tonne

- iv. Mixed glass fell by just over 7%, from a cost of £14 per tonne for recycling to a cost of £15 per tonne
  - b. The following materials have remained largely stable or improved during the same period:
    - i. Steel cans rose by over 27.5%, from £100 per tonne to £127.50 per tonne
    - ii. Mixed plastic rose by over 16%, from £30 per tonne to £35 per tonne
19. The quality of material presented for sorting is of paramount importance in ensuring that the contractor is able to secure the best possible material values. This will be a key consideration for prospective bidders when the council tenders for the new recyclables processing contract during late 2018.
20. It is essential that communication work continues to aid residents to ensure that their recyclables are of top quality and that incorrect items which may contaminate the recyclables are not presented.
21. The council's recycling rate has fallen in recent years from 51.12% in 2015/16 to an estimated 50.22% in 2017/18. The actual tonnage of recyclables collected has remained largely consistent over the 3 year period, with fluctuations in the composting rates attributed to the length of the growing season largely responsible for the fluctuations demonstrated in the overall recycling and composting rate. This is set against a growth in residual waste tonnage of almost 1000 tonnes in the 3 year period which is in part attributable to housing growth within the district.

Year	Recycling tonnage	Compost tonnage	Total recycling & compost tonnage	Residual tonnage	% recycle rate	kg/hh residual
15/16	9409.88	5546.18	14956.1	14302.5	51.12%	406.76
16/17	9456.08	6037.04	15493.1	14632.5	51.43%	413.21
17/18	9426.46	5995.03	15421.5	15285.2	50.22%	422.24



22. The capacity to bring more recyclables into the collection system is limited due to the volume of material currently collected. For example, collection rounds collect largely comparable tonnages on residual week as recycling week, but due to the volume of the recyclables they are required to tip twice during the round compared with once on a residual collection week. This requirement for dual tipping has a significant impact upon the capacity of the rounds for additional work, particularly for rounds in the north of the district, and currently rounds are very close to capacity. If work were to be carried out to increase the capture of materials this would need to be carefully considered against the existing capacity within collection routes, otherwise there would be increases to staffing and vehicle costs which would significantly outstrip the increased income from recycling credits.

23. Authorities which have seen significant improvements in recycling and composting rates in recent years have all introduced significant changes to the collection system, such as a move to alternate weekly collection of residual waste. As the council already has a well established alternate weekly residual waste collection system the next step would be to consider an extended collection cycle for residual waste of 3 or 4 weeks and increasing the frequency of the recycling collections. This is being piloted in certain areas around the country and the findings of these pilots will be reviewed.

24. The council's recycling offering is very comprehensive and includes the main volume of recyclables and compostables contained within the waste stream. The only notable exception to this is the textiles and shoes stream, but following a previous trial of kerbside collection of textiles and shoes resident participation proved to be limited and the collection service proved to be

uneconomic for the contractor to carry out and the trial was terminated by mutual agreement. Other items, such as batteries and electrical items which are not currently collected at the kerbside, would be limited in impact in terms of percentage of the waste stream and would be costly to collect and therefore unviable to introduce on a large scale.

25. Waste reduction would lead to an increase in recycling rate, however waste reduction initiatives are very costly as they involve significant officer time to generate sufficient change in resident behaviour to have a notable effect upon the volume of waste generated, and there would be no financial benefit to the council for implementing these under the existing framework of reimbursement from Essex County Council.
26. The key focus for mitigating the financial impact of the change in material values must be upon improving the quality of material presented by residents for collection in order to secure the best prices and position the council well for the coming procurement of the dry recyclables processing contract.

## Risk Analysis

27. The key risks associated with the issue are financial and at the present time cannot be accurately forecast.

Risk	Likelihood	Impact	Mitigating actions
Significant overspend against current budget for dry recyclables processing	3	3	Continued communication activities to improve quality of materials presented for recycling.

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.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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