

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 29 NOVEMBER 2018 at 7.00 pm

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

Officers in attendance: D French (Chief Executive), B Ferguson (Democratic Services Officer), R Harborough (Director – Public Services), R Harborough (Director – Public Services), A Knight (Assistant Director – Resources), S Pugh (Assistant Director – Governance and Legal Services), M Watts (Environmental Health Manager – Protection and A Webb (Director – Finance and Corporate Services).

Also present: Councillors M Foley (substituting for the Liberal Democrats Group Leader) and B Light (substituting for the Leader of the Residents for Uttlesford Group).

CA54 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Dean, Lodge and Ryles.

Councillor Barker declared a non-pecuniary interest in relation to item 11 as a Cabinet Member of Essex County Council.

CA55 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 October 2018 were received and signed by the Chairman as a correct record.

CA56 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

An update report by the Chairman of Scrutiny was tabled for the Cabinet's consideration.

The report was noted.

CA57 REFUGEE WORKING GROUP (STANDING ITEM)

Cabinet was informed that a Syrian family of four had arrived in the District during the week and had been housed near to the other Syrian families.

The Chairman noted the recent news articles relating to the bullying of Syrian children in the UK. He asked the local community to remain vigilant to ensure nothing of the like happened in Uttlesford.

CA58 **REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ACV COMMITTEE (STANDING ITEM)**

Cabinet were informed that the Rose and Crown public house and the Allotments, both located in Ashdon, had been listed as assets of community value since the previous Cabinet meeting.

CA59 **THAXTED NEIGHBOURHOOD PLAN**

The Leader moved item 13 forward in proceedings for the benefit of those present.

Following independent examination of the Thaxted Neighbourhood Plan, the Council had received the Examiner's final report on 28 September 2018. The report recommended that the Plan should proceed to a referendum in Thaxted, subject to the inclusion of the examiner's proposed modifications.

Members commended the Thaxted Neighbourhood Steering Group, and the Parish Council, for the culmination of work that had led to the Plan.

RESOLVED:

- i. That Cabinet accepts the Independent Examiner's recommended changes to the Thaxted Neighbourhood Plan in full as set out in the Schedule and notes the recommendation that the amended Thaxted Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Thaxted to establish whether the plan should form part of the Development Plan for Uttlesford District Council.
- ii. That the Cabinet approves the holding of a referendum relating to the Thaxted Neighbourhood Plan on 24 January 2019 that will include all the registered local government electors in Thaxted Parish.

CA60 **ENVIRONMENTAL HEALTH (HOUSING) CIVIL PENALTY NOTICE POLICY**

The Leader moved item 15 forward in proceedings.

The private rented sector had grown into an important part of the housing market and the Government had introduced additional and enhanced powers for local authorities to assist in the crackdown on criminal landlords who knowingly rented out unsafe accommodation. The report proposed adopting new enforcement powers contained in the Housing Planning Act 2016, as well as approving the proposed Private Sector Housing Enforcement Policy, which would provide the

framework for determining when to prosecute criminal landlords, and when to issue a civil penalty.

RESOLVED to:

- i. agree that the Council use new enforcement powers contained in the Housing and Planning Act 2016 allowing the Council to impose civil penalties.
- ii. approve the Private Sector Housing Enforcement Policy.

CA61 **TREASURY MANAGEMENT - 2018/19 MID YEAR REVIEW**

The report had been brought to Cabinet to update Members on current Treasury activities and to note the Treasury Management Mid-year Review. The report also sought approval to amend the Council's Treasury Management Strategy 2018/19 for the use of Money Market Funds domiciled outside of the UK. The funds in question were domiciled in Ireland and Luxembourg. Members were informed that the amendment would minimise risk to the Council's finances and assist in meeting cash flow requirements, whilst ensuring the preservation of capital.

In response to a question from Councillor Light relating to the ethics behind such a strategy, the Portfolio Holder for Finance and Administration said the EU countries in question had equivalent regulation to the UK, although their respective systems of taxation had made investment more attractive. He said this was an opportunity to take advantage of the efficiencies of the market, as were many other local authorities, and the amendment to the strategy would allow the Council to diversify in its investments.

RESOLVED to:

- i. approve an amendment to the Treasury Management Strategy 2018/19 for the use of Money Market Funds domiciled outside of the UK that comply with the current Treasury Management Strategy with a maximum investment of £3m and Arlingclose recommendations and guidance.
- ii. note the Treasury Management Mid-year Review report, updated prudential indicators and Minimum Revenue Provision policy.

CA62 **BUDGET OUTTURN 2018/19 QUARTER 2 FORECAST**

Cabinet considered the 2018/19 Budget Outturn report for Quarter 2, which outlined financial performance relating to the General Fund, Housing Revenue

Account, Capital Programme and Treasury Management for April to September 2018. It also provided a forecast for the end of the 2018/19 financial year.

In response to a question from the Portfolio Holder for Environmental Services regarding details on the impact of the new Retail Business Rates Relief, the Assistant Director – Resources said more detailed information would be provided in due course.

RESOLVED to approve the outturn forecast and the updated reserves position.

CA63 **LCTS SCHEME AND CONSULTATION 2019/20**

The report sought Cabinet's recommendation to Full Council of the 2019/20 LCTS scheme, which would be set on the same basis as the previous year, and to increase the empty homes premium from 50% to 100% on properties that had been empty for a period of more than two years.

The Portfolio Holder for Finance and Administration said the scheme had a considerable impact on the most vulnerable residents in the District and that the 12.5% contribution cap was the lowest in Essex. He added that the response rate to the consultation was commendable and the majority of those who took part in the survey were supportive of the proposed schemes.

RESOLVED to recommend to Full Council for approval of the 2019/20 LCTS scheme and empty homes premium as set out below:

- i. The 2019/20 LCTS scheme is set on the same basis as the 2018/19 scheme and therefore the contribution rate is frozen for the fifth consecutive year.
- ii. The Council continues to protect Vulnerable and Disabled Residents and Carers on a low income.
- iii. The premium applied to properties empty for a period of more than 2 years is increased from 50% to 100%.

CA64 **BUDGET UPDATE AND CONSULTATION OUTCOMES 2019/20**

Cabinet considered the Budget Update and Consultation Outcomes report for 2019/20. The consultation related to budgetary priorities for residents, businesses and preceptors within the District and generated the highest level of responses the Council had received for this type of consultation. The top priorities were consistent with previous years, with 'Emptying bins/running recycling services' being identified as the most important budgetary concern for residents.

The report was noted.

CA65 **LAND AT PARKERS, BERDEN**

The Portfolio Holder for Housing said the item had been withdrawn due to a request from Berden Parish Council to meet with officers before taking proceedings any further.

CA66 **LOCAL PLAN STATEMENT OF COMMUNITY INVOLVEMENT**

The Local Plan Statement of Community Involvement (SCI) had been updated in preparation for the submission of the Local Plan to the Secretary of State. The Portfolio Holder for Environmental Services said the document would set out the Council's approach to public engagement and involvement in the preparation of the Local Plan. She highlighted the recommendation outlined in the report and said a degree of flexibility was required in relation to the dates of the consultation, as it would be better if the SCI was sent out for consultation at the same time as the Sustainability Appraisal.

Councillor Light asked why the Public Engagement Working Group (PEWG) had not been involved in the preparation of this document.

The Chief Executive said the PEWG would be welcome to take part and comment on the draft SCI during the consultation.

In response to a Member question, the Leader said the final version of the Sustainability Appraisal should be available in late December.

RESOLVED to agree the draft Statement of Community Involvement for a six week consultation aiming to begin from 7 January to 18 February, subject to alignment with the publication of the updated Sustainability Appraisal.

CA67 **WALDEN PLACE REDEVELOPMENT**

Members considered the report which provided details of the proposed redevelopment of the existing housing scheme at Walden Place, Saffron Walden. The sheltered housing consisted of a four storey Grade II listed Georgian town house attached to twenty-six purpose built flats that had been constructed in the 1980's. The report proposed separating the Georgian house and 1980's sheltered scheme, the construction of new communal facilities and the sale of the Georgian house on the open market. Cabinet considered the preferred mechanism for undertaking this redevelopment, either through a joint venture or council controlled programme, which would maximise the return to the Council from this valuable asset.

The Portfolio Holder for Housing said the joint venture option had been explored but interest from developers had been disappointing. Only three developers had shown interest and the estimated return for the Council was considered low.

In response to a question from Councillor Light, the Portfolio Holder for Housing said the council controlled programme option had been taken to the Housing Board and the Tenants' Forum and had been approved.

RESOLVED that the redevelopment of Walden Place is progressed as a Council funded and managed project (Option 2) subject to budget availability.

CA68 **ANY OTHER BUSINESS**

Cabinet were informed of a forthcoming judicial review relating to a planning decision that had been approved incorrectly due to an administrative error. The review would ensure that the application was refused as originally intended.

The meeting ended at 8.10pm.

Scrutiny Committee 20/11/18 Summary

Minutes/Status report

Cllr Dean will be contacting Cllr Oliver as Chairman of Governance, Audit and Performance Committee regarding governance arrangements for arms-length companies.

Work Programme

Cllr Gerard raised a matter concerning voting in a planning committee meeting in October. He was advised this would come under the remit of Governance, Audit and Performance Committee and he should contact Cllr Oliver.

Cllrs Light and Lemon stated a wish for the committee to look at council processes for dealing with a major planning application for Stansted Airport. It was explained that while it might be possible to look at process, decisions of regulatory committees were outside the remit of Scrutiny. It was left that Cllrs Light and Lemon would discuss and refine their request before talking to officers.

LCTS

The committee supported continuing the 12.5% contribution cap. The proposal around the empty homes premium was also supported, albeit not unanimously.

Budget Update

The committee was interested to see how the responses to the consultation will be used to shape the council's corporate plan priorities and budget for 2019/20.

Airport Parking

The committee considered a report on airport parking and requested a further report on how the transport group is using S106 money to move forward and deliver on its work.

Cllr Alan Dean

Chair of Scrutiny